

"Know the Safety Culture"

EMBRY-RIDDLE AERONAUTICAL UNIVERSITY

COMPREHENSIVE SAFETY PLAN

18. VEHICLE POLICY



Use of Equipment and Vehicles Policy

18. SUBJECT: Equipment and Vehicle use Policy

Ownership

The Director of Risk Management [wiskirct@erau.edu] is responsible for ensuring that this document is necessary and that it reflects actual practice.

Purpose and Scope

To establish a policy regarding the use of University equipment and vehicles. This policy applies to all employees at all locations of the University.

GENERAL GUIDELINES

1. Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using University property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.
2. Before using equipment, users must check with the supervisor of the particular equipment. The supervisor is responsible for the maintenance and use of the equipment. The supervisor also has the authority to determine if the user has enough experience to use the equipment in a safe manner. An authorization to use certain equipment extends only to the equipment in question and is not generally applicable to any other equipment.
3. The supervisor is to be notified immediately if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.
4. The unauthorized, negligent, improper, careless, or unsafe use or operation of equipment or vehicles can result in disciplinary action, up to and including discharge.
5. Although the business use of a University vehicle is a nontaxable fringe benefit, any personal use is considered taxable. The University is required to ascertain the value of this personal use and to include in it the employee's wages reported on Form W-2. The employee must substantiate to the University the business use of the vehicle to relieve the University of reporting the entire value of use (both business and personal) on the employee's Form W-2. The University uses the "Annual Lease Value" method, as prescribed by the Internal Revenue Service, for determining the value of any personal use of University provided vehicles.

Definitions

University vehicle - A motor vehicle owned, leased, or rented by Embry-Riddle Aeronautical University.

Seat belts - Includes all factory-installed restraint systems, such as seat belts and shoulder harnesses.

University Driver – Eligible users of University equipment and vehicles are limited to employees of the University, subject to the limitations specified in *Driver Requirements*. In some circumstances, the driver may be a student assistant, graduate assistant, or a part-time faculty or staff person (if the activity is work related), a coach, assistant coach, or part-time assistant coach employed by the Athletics department, or a resident advisor (if the activity is related to responsibilities as such).

University Approved Driver - A driver of University vehicles must be an approved driver on file in the Risk Management office prior to operating University vehicles. For all departmental vehicles it is the responsibility of the department to only allow approved drivers to operate University vehicles.

University Business - Those activities that further the mission of the University and, in the case of an employee of the University, are within the scope and authority of that person's employment.

Recognized Athletic Teams - Those teams operating under the aegis of the athletic department of any campus.

Bus – A motor vehicle or school bus designed by the manufacturer to transport more than fifteen passengers, including the driver.

USE OF UNIVERSITY VEHICLES

University vehicles are resources of the University and should not be used for purposes other than the business of the University nor used in a manner which is unlawful or reflects poorly on the University.

1. **Who May Use University Vehicles** - Personal use of university vehicles is not allowed. A person or group who meets the qualifications below may use University vehicles as follows:
 - A. Employees or agents of the University may use University vehicles if the use is for University business and if the appropriate approvals and reservations have been made.
 - B. Use of University vehicles is limited to faculty, staff, or student activities sponsored by the University. Student groups eligible to use University vehicles include:
 - Chartered Student Organizations
 - Residence Hall Staff
 - Orientation Staff
 - Student Government Association and its Divisions
2. **Driver Requirements** - A University driver shall:
 - A. Be an **University approved driver** who is at least eighteen years of age ~~old~~ and meets all other requirements of this section to operate University vehicles in the course of his/her assigned duties.

B. Possess a valid operator's license of the type required by the vehicle used, and this license must be issued by one of the states of the United States. International drivers licenses are not acceptable. Drivers of passenger vans must possess a U.S. driver's license for a minimum of three years prior to operating passenger vans.

C. Comply with all license restrictions.

D. Obey all laws of the jurisdiction in which he/she operates the University vehicle. Any citation incurred is the responsibility of the vehicle operator.

3. Driver Prohibitions - A University Driver shall not:

A. Allow anyone who is not a University approved driver to operate a University vehicle. More than one employee may be approved as University drivers for a particular trip; in those circumstances, only those members of the group shall drive University vehicles. **All approved drivers must be listed on the vehicle reservation form when a vehicle is reserved. Only those drivers listed may drive except in extraordinary circumstances as explained in the exception.**

The **sole exception** to this provision is a situation in which failure to allow a person who is not a University approved driver to drive would create an unsafe situation. For instance, a University employee approved driver is on a long trip and becomes ill or sleepy but is unable to immediately stop for rest. Allowing a properly licensed passenger to drive is clearly the best alternative.

B. Operate a University vehicle while his/her ability to drive is impaired by alcohol or drugs (including legal drugs which diminish the capacity to drive safely).

C. Transport or consume alcoholic beverages or illegally possessed controlled substances, or allow passengers to transport or consume alcoholic beverages or illegally possessed controlled substances in University vehicles.

D. Smoke or use tobacco products, or allow passengers to smoke or use tobacco products in University vehicles.

4. Limitations on Use

A. University vehicles will be used only for University business.

B. Vehicles are limited to a total of 10 people (1 driver and 9 passengers), except for buses rated to carry more than fifteen passengers. A commercial drivers license (CDL) with a passenger endorsement is required for eligible drivers of buses.

C. Overnight trips will be based on vehicle availability.

D. University vehicles are restricted to trips within a 300-mile radius of the campus. Special exception may be granted after written request is received and approved by the appropriate departments.

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E. It is recommended that two approved drivers accompany the user group for trips greater than a ~~100~~150-mile radius of the campus. For trips greater than a radius of 200 miles from the campus, there must be two approved drivers per vehicle

F. Vehicles must be returned on the date agreed upon, in the same condition it was received. In the event that the user group fails to return the vehicle or returns it in inappropriate condition (i.e. mechanical or body damage) the user may be charged and/or suffer loss of privileges.

G. All expenses incurred due to misuse of the vehicle will be the sole responsibility of the user, user group or user department, except for mechanical defects or breakdown.

H. If the keys to a vehicle are lost, the user will incur replacement charges.

I. University owned vehicles must be picked up on campus at the time of departure (not taken home the night before) and returned to campus at the end of the trip (not the following morning). At the time of departure from campus, an accurate passenger manifest form **MUST** be left with the Safety Department. Keys and vehicle inspection reports must be completed and returned with the vehicles upon return.

J. Obstruction of windows is prohibited, i.e. signs and posters.

K. No standing is permitted while vehicles are in motion. No standing on top of vehicles is permitted for special events, i.e. shuttle launches. Except for emergency purposes, travel is not permitted on roads for four-wheel or off-road use.

L. In the event of unforeseen and extenuating circumstances, the University reserves the right to cancel or restrict the use of University vehicles.

5. Limitations on Workers Compensation Coverage. In the event of an accident, the university's worker's compensation coverage will **NOT** apply in the following circumstances:

A. If the driver is using a University vehicle, but is not on University business.

B. If the driver's ability to operate the vehicle is impaired by alcohol or drugs.

USE OF SEAT BELTS IN UNIVERSITY VEHICLES

Numerous studies of highway safety have concluded that seatbelts reduce injuries and deaths in vehicular accidents. Embry-Riddle Aeronautical University has an interest in the safety of the operators of its vehicles and is committed to the safety of all vehicle occupants.

1. If a University vehicle is equipped with seat belts all occupants of the vehicle must use the seat belts as they were designed for use at all times when the vehicle is in operation.
2. The proper use of safety restraints by passengers in University vehicles shall be the responsibility of the operator of the vehicle. If any passenger of said vehicle refuses to use the provided restraints properly, the operator of the vehicle may refuse that person further passage, unless such refusal should endanger their safety.

3. **Exception to policy:** An exception to this policy is granted if an occupant has a physician's statement stating that compliance is not possible or would be harmful to that person (e.g., a medical device that would be compromised by the shoulder belt). The physician's statement shall define its effective period.

USE OF 15-PASSENGER VANS

Fifteen passenger vans are widely used for the transportation of university sports teams, student activities, and other transportation needs. The purpose of this policy is to assure that the use of 15-passenger vans is conducted in a manner that maximizes the safe use of such vehicles.

This policy is issued for the safety and protection of students, faculty, staff, and others using the roadways and shall be followed for use of all University passenger vans.

1. Despite the manufacturers stated passenger capacity of a 15-passenger van, the maximum number of occupants will not exceed a total of ten (10), the driver plus nine (9) passengers. A placard will be installed in each van stating, "Limited to nine passengers plus the driver."
2. The van will not move or operate until all occupants have their seatbelts properly buckled. A placard will be installed in each van stating, "Seat Belts must be worn at all times by all occupants."
3. The driver(s) of passenger vans must be at least 21 years of age and possess a valid driver's license. All applicable local, state and federal laws must be adhered to. All drivers must have prior approval from Risk Management prior to operating University vehicles.
4. The rear seat will be removed from all passenger vans that were designed in the 15-passenger configuration.
5. There will be no luggage or other objects transported on top of vehicles, nor will trailers be towed behind these vehicles.
6. The use of cellular (or similar) telephones by the driver of a University vehicle, while the vehicle is in motion, is strictly prohibited due to numerous local, county and state ordinances/laws, as well as several studies that have shown that such use significantly increases the risk of accidents.
7. The University will not purchase any new 15-passenger vans.