

**LOYOLA MARYMOUNT UNIVERSITY  
POLICIES & PROCEDURES**

DEPARTMENT: RISK MANAGEMENT	
SUBJECT: Vehicle Policy	Page 1 of 13
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## **1 Statement of Policy**

The purpose of this policy is to minimize the number of vehicle accidents that may cause injury; to protect the safety of university faculty, staff and student drivers and passengers; and to prevent injury to third parties and property damage in connection with the use of university vehicles; as well as to establish procedures for the procurement and retirement of vehicles.

This policy is applicable to all university owned or leased vehicles and the staff, faculty, and students who operate them. This applies to university vehicles used on both the Westchester and Loyola Law School campuses, or anywhere in the service of the university.

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## 2 Definitions

<b>Deferred Entry of Judgment</b>	The suspension of criminal proceedings for a prescribed time period with certain conditions after a defendant's guilty plea. If the defendant is not successful, criminal proceedings resume, and the defendant, having already pled guilty, is sentenced. If the defendant is successful in complying with the terms of the deferred entry of judgment, the criminal charges are dismissed and the defendant may, with certain exceptions, legally answer that he or she has never been arrested or charged with this offense.
<b>DMV Authorization Form</b>	Employees must complete this form authorizing the DMV to enroll them in the DMV Pull Notice Program.
<b>DMV Pull Notice Program</b>	The DMV Pull Notice Program notifies the university when driver-employees are convicted of motor vehicle violations and when action is taken against a driver's license or special certificate.
<b>Motor Vehicle Record (MVR)</b>	A driving record which provides a history of traffic violations, suspensions, and other details about an individual's driving history.
<b>Pulled</b>	A driver's license is "pulled" when it is seized by a law enforcement officer due to a DUI arrest.
<b>Vehicles</b>	Automobiles, trucks of all sizes and types, tractors, mowers, electric or gas motored carts, vans, forklifts, scissor lifts, Segways, and any other motorized transport that are used for university business only, and not for personal use.
<b>Vehicle Request Form (VRF)</b>	A form that must be completed by a department requesting a vehicle and submitted to Facilities Management.
<b>Vehicle Safety Inspection</b>	Driver of university vehicles must perform vehicle safety inspections prior to the operating the vehicle. See the appendix for the Vehicle Safety Inspection form.

## **3 Training, Driver Qualifications, & Safety**

### **3.1 Training**

All university vehicle operators must take the appropriate Defensive Driving Course either offered or coordinated by the Office of Environmental, Health, and Safety (EHS). The sponsoring department will absorb the cost of this training.

EHS offers cart training to all employees who will drive a cart as part of their employment. Employees are not allowed to drive carts until after this training is completed. If your department has an approved need to operate vehicles, please contact EHS to inquire about training opportunities.

Employees that are required to drive passenger vans have to undergo driver safety training specifically for that type of vehicle. They also have to obtain the appropriate passenger endorsement from the Department of Motor Vehicles (DMV).

### **3.2 Driver Qualifications**

All university community members 19 years of age or older with at least three (3) years driving experience can obtain university driving privileges. They must currently hold a valid United States driver's license with no restrictions.

All potential drivers must enroll in the DMV Pull Notice Program (See Section 8.1.). To enroll, a driver must complete a DMV Authorization form and forward it along with a copy of their driver's license to Risk Management.

Independent contractors and temporary employees must provide a copy of a current Motor Vehicle Record (MVR) from the DMV before being allowed to drive a university vehicle. They must also complete a DMV Authorization form and forward a copy of their driver's license to Risk Management.

*Drivers shall meet the following conditions:*

- Must carry on their person a valid driver's license of the proper class for the type of vehicle he or she is driving;
- Must have the proper certificate to drive a forklift or any other vehicle that require certification;
- Must not have any medical problems or conditions that preclude him or her from driving; and
- Prior to beginning employment or the assumption of any university-related driving, or while already driving a university-owned vehicle as part of their employment, must not have had:
  - DMV violations totaling six (6) points or more in the previous 12 months;

- Any suspension or revocation of their license for any reason. It is the driver's responsibility to inform his or her supervisor of a revocation or suspension of a license. It is the driver's responsibility to recover his or her driving privileges from the DMV. No employee is permitted to drive under any circumstances with a suspended or revoked license. This includes a suspended license resulting from a DUI stop by law enforcement, regardless of whether or not the employee has yet been convicted;
- Currently participating in any Deferred Entry of Judgment Program; and
- Any drug or alcohol conviction while driving in the previous three years. The three year period begins upon date of conviction. Though the courts may grant a convicted employee a "limited license" or allow the employee to drive with "modified restrictions" those limitations and modified restrictions are for personal vehicle usage and do not apply to university-owned vehicles.

### **3.3 Safety**

The university considers the safety of our faculty, staff, students, and visitors to be of primary importance. All supervisors and managers are encouraged to foster a culture of safety amongst our employees, and to ensure that vehicle training courses are completed. University vehicle operators must conduct routine vehicle safety inspections. See the Appendix for the Vehicle Safety Inspection form.

Please keep in mind the pedestrian-oriented nature of the Westchester Campus

#### **3.3.1 SEAT BELTS**

All Drivers who drive a university vehicle must wear their seat belts at all times on and off campus and must ensure that all passengers wear their seat belts. In addition, all drivers and passengers must sit in designated seats; there is no standing or riding allowed in or on beds of vehicles.

#### **3.3.2 USE OF HAND-HELD MOBILE AND ELECTRONIC DEVICES**

As per California Law, using hand-held cell phones while driving a university-owned vehicle is prohibited at all times.

*Public Safety Exception:* It is recognized that university Public Safety officers may need to use cellular telephones while driving to and from critical incidents (e.g., contacting law enforcement, fire services, health care services, etc.). When cellular phones are used under these circumstances, employees are expected to exercise the appropriate standard of care in the operation of the vehicle.

The use of any other electronic device such as a walkie-talkie, iPod, or any device that interferes with the hands or hearing of the driver is also prohibited.

### **3.3.3 PARKING UNIVERSITY VEHICLES**

Vehicles must abide by all university parking rules including no blocking of pedestrian, handicap, or vehicle access.

Motor Pool vehicles (see Section 5) must be parked in their assigned parking stall in the Facilities Management Operations Yard when parking for the night (unless traveling overnight on university business). Other parking and storage arrangements may be discussed by contacting the Transportation Services department of Facilities Management.

### **3.3.4 IN THE EVENT OF AN ACCIDENT**

Take the following steps when involved in a traffic accident:

- Do not leave the scene of the accident;
- Take pictures of the accident scene. Departments may want to consider keeping a disposable camera in the glove compartment of the vehicle.
- Call Public Safety at 310-338-2893 if the accident occurs on campus;
- Complete the “*What to Do In Case of Accident*” form in the vehicle glove compartment immediately after an accident;
- Call 911 if the accident occurs off campus; Go to the Department of Public Safety immediately upon return to campus and file a report of the accident;
- Immediately report the accident, incident, or injury involving an university vehicle, however minor it may appear, to your supervisor; and
- Immediately report any injuries to university employees to Human Resources, as they may be covered under workers’ compensation.

### **3.3.5 REPORTING SAFETY CONCERNS**

All unsafe driving practices may be reported to the Department of Public Safety at 310-338-2893 (Westchester) or Security at 213-736-1121 (Law School).

### **3.3.6 REPORTING VEHICLE MAINTENANCE ISSUES**

All university vehicles receive periodic routine preventative maintenance, checks, and service. Vehicle operators must immediately report all vehicle maintenance issues and concerns to Facilities Management Transportation Services department. You can contact the Help Desk at 310-338-2761 or by e-mail at [fm\\_help@lmu.edu](mailto:fm_help@lmu.edu).

Each department must establish internal procedures for communicating vehicle maintenance issues within the department. A vehicle with a problem must be taken off-line immediately.

Work orders for vehicle repairs can be made by calling the Facilities Management Help Desk at 310-338-2761 (or by e-mail at [fm\\_help@lmu.edu](mailto:fm_help@lmu.edu)). Facilities Management will not make repairs to a vehicle without prior approval from the department responsible for the vehicle.

To inquire about the status of your vehicle during vehicle service, maintenance, or repairs please call the Facilities Management Transportation Service department at 310-338-2964. This number can also be called after you have requested a Work Order to immediately notify the mechanics of Transportation Services or to coordinate transferring the vehicle for service.

All vehicle maintenance issues at the Law School shall be directed to the Director of Campus Planning who will coordinate as needed with Facilities Management on the Westchester campus.

## 4 Procurement & Retirement

### 4.1 *Vehicle Need Assessment – Vehicle Request Form (VRF)*

Before purchasing a new vehicle, departments will need to determine that their needs cannot be met by obtaining vehicles from the university motor pool (see section 5 for details).

In Appendix A, you will find a university Vehicle Request Form (VRF) which must be completed and accompany a requisition for purchasing a new university vehicle. The VRF allows the requesting department to assess their potential vehicle use. This worksheet also serves as an aid for identifying which vehicle type and model is best.

The Transportation Services department of Facilities Management will assist you with the selection of the vehicle appropriate for your department's needs. Transportation Services also solicits quotes from multiple vehicle vendors to maximize your options and aid your department in achieving the best value.

A VRF requires sign-off by:

- Manager or Supervisor of the department purchasing the vehicle
- Facilities Management (Associate Dean for Business at the Law School)
- Risk Management
- Controller's Office

New vehicles are approved for funding during the annual budget process. Unanticipated needs will be reviewed and decided upon on a case-by-case basis.

### 4.2 *Vehicle Replacement Criteria*

The university has a vehicle replacement plan which is funded by the Capital Budget process. Each university owned vehicle has been identified and is included in the plan. Based on the age of the vehicle and the expected life cycle of such vehicle an expected replacement date is established. Facilities management will evaluate the schedule on an annual basis to determine the replacement status as some vehicles have heavier use than others. The vehicle replacement schedule is posted at \_\_\_\_\_.

On occasion, a vehicle may need to be replaced prior to the scheduled date for reasons such as accidents, environmental concerns, or major repairs. In these cases, an exception request (using the VRF form noted above) should be made to the Transportation Service department of Facilities Management. In other cases, it may be the recommendation of the Transportation Service department to replace the vehicle prior to its scheduled replacement date.



The Budget Department of the Controller's Office will approve all vehicle replacements after consideration of funding, recommendations from Facilities Management, and the vehicle replacement schedule.

### **4.3 Vehicle Retirement**

Vehicles slated for retirement may be sold, traded in, donated, salvaged, or used for parts. Facilities Management will forward sales documentation to the Controller's Office for retirement of asset.

## **5 University Motor Pool**

The Facilities Management motor pool has a limited number of carts, one light truck, and one cargo van available for general use by the university community. Vehicle reservations are made on a first come, first served basis. All employees who reserve a motor pool vehicle must have a recent MVR on file with Risk Management. All reservations are subject to cancellation by Facilities Management if the reserved vehicle is urgently required to service the needs of the university. A vehicle reservation can only be made by full-time staff and faculty. A vehicle reservation request can be made by calling the Facilities Management Help Desk at x82761, or by e-mail at [fm\\_help@lmu.edu](mailto:fm_help@lmu.edu). All vehicle requests must list the operators who will be driving.

Vehicles required for more than one day must be parked overnight in the Facilities Management operations yard in their designated parking stall. The vehicle will be recharged or refueled. This does not apply to university vehicles being driven off-campus to destinations requiring an overnight stay. Other parking and storage arrangements can be made by contacting the Transportation Services department.

If borrowed vehicles are returned during working hours, then vehicles and keys can be turned in to the Facilities Management Help Desk in the lobby of the Facilities Management Building. Please record the vehicle mileage as you will be asked this information for street-legal vehicles.

When returning a borrowed university vehicle after hours, park the vehicle in the appropriate place in the Facilities Management operations yard. Record the time, mileage, driver's name, and university department on a piece of paper and attach to the vehicle's keys. Deposit the keys in the key return drop box adjacent to the mechanic shops in the Facilities Management operations yard.

## 6 Vehicle Usage

### 6.1 *Personal Use of University Vehicles*

Personal use of university-owned vehicles is prohibited. Personal use includes but is not limited to, any activity not directly related to university business during, before or after work, or during breaks. This includes using vehicles to drive off-campus for breakfast, lunch, or dinner unless there is a business purpose.

*Public Safety Exception:* It is recognized that Public Safety officers are required to keep their university vehicles with them at all times in the event they must respond to a public safety issue on campus.

*Other Exceptions:* Some senior administrators, athletic coaches, and faculty are provided university vehicles which may be used for personal reasons. The personal use of a university vehicle is a taxable fringe benefit and is reported on the employee's W2.

### 6.2 *Business Use of Personal Vehicles*

The following conditions apply to university employees who use their personal vehicles for university business as per the university's Travel Policy:

- The employee will be paid the standard university mileage rate for personal vehicle use. This rate is assumed to cover operating costs, including gas, wear and tear, maintenance, and insurance
- The employee must have auto liability insurance as required by law. (In California, see the state department of insurance Web site at <http://www.insurance.ca.gov> for requirements.) The employee's personal auto insurance is primary in case of an accident
- If the accident expenses exceed the limits of the employee's personal auto policy, coverage will then be provided by university's auto insurance

All employees are covered under workers' compensation if they be injured while on university business.

### 6.3 *Passenger Vans*

Fifteen (15) seat passenger vans are prohibited from being purchased, rented, borrowed, and used for any purpose by the university due to safety concerns. Passenger vans must be limited to occupancy of no more than twelve (12). No van may contain roof racks or be used to tow a trailer of any kind.

## **6.4 Foreign Travel with University Vehicles**

Before any university vehicle can travel to Mexico, such travel must be reported to and approved by the Risk Management. As per Mexican law, all foreign vehicles must purchase Mexican auto insurance at the border or on-line before the trip. Please consult the university Travel Policy for other information regarding business travel.

## **7 Storage of Data, Privacy of California Driver's Licenses**

California law prohibits the storage of California Driver's License numbers unless they are either encrypted or stored in a separate database from the employee's name and other identifying information. Departments must abide by this law. No hard copies containing California Driver's License numbers may be stored by a department.

## **8 Policy Violations**

### **8.1 DMV Pull Notice Program**

All university employees who drive vehicles or carts as part of their employment are required to enroll in the DMV Pull Notice Program. When enrolled, the DMV will notify the university of any vehicle code violations, such as speeding, DUI, reckless driving, etc. Certain types of infractions, such as driving under the influence and a suspended license, will result in automatic loss of university driving privileges for a period of time to be determined by Risk Management. The period of time could be up to three years for a DUI. The DMV also assigns points to each infraction. A total of four (4) points over a three-year period may also result in a suspension of driving privileges. Advisories will be sent by Risk Management to supervisors alerting them of employees who may be accumulating enough points to have their driving privileges suspended.

### **8.2 At-Fault Accidents**

All accidents in university-owned vehicles are investigated by Risk Management. When an employee is the cause of an accident while driving a university-owned vehicle it is considered an "at-fault accident." An at-fault accident will be determined by the Risk Management Department, based on police reports, Department of Public Safety reports, accident reports, statements by witnesses, and any other factual material available. If Risk Management cannot determine if an employee is at-fault,

then Risk Management may request a review by the Fleet Safety Committee for input in making a determination.

Employees involved in an at-fault accident may be subject to disciplinary action depending on the nature or severity of the driving infraction. Employees who frequently have at-fault accidents in university-owned vehicles may also be subject to disciplinary action.

A university employee involved in an at-fault accident will be required to retake a Defensive Driving Course.

### **8.3 *Disciplinary Action***

Driving a university vehicle and driving any vehicle on campus is a privilege. Every driver is expected to abide by all California Vehicular Laws and Regulations and university policies & procedures at all times. Pursuant to this policy and all other applicable university policies, procedures and guidelines, university management retains the right to revoke an individual's right to operate a university owned vehicle and/or driving privileges.

Additionally, any student, faculty, or staff member found in violation of this policy may be subject to disciplinary action as outlined in the Student Handbook, Human Resources Policy & Procedure Manual, divisional and/or departmental policies, & procedures or other university policies & procedures.

Consult Student Affairs' Judicial Affairs when considering suspending or revoking a student's driving privileges and/or taking disciplinary action. Consult Human Resources when considering suspending or revoking a faculty or staff member's driving privileges and/or taking disciplinary action.

## **9 Appendix**

### **9.1 *Web References***

- Purchasing and Payments Policy, <http://www.lmu.edu/AssetFactory.aspx?did=23128>
- Travel Policy, <http://www.lmu.edu/AssetFactory.aspx?did=23129>

### **9.2 *Vehicle Request Form (VRF)***

### **9.3 *Vehicle Safety Inspection Form***