

18.0 UNIVERSITY DRIVER SAFETY PROGRAM

18.1 General Information

Note: This section is in compliance with the Louisiana Office of Risk Management, Loss Prevention Unit's regulations as derived by LA R.S.39:1543.1C and R.S. 49:950-968 (commonly referred to as "PPM49"), which is enforced by the Louisiana Office of State Purchasing and Travel. UL Lafayette employees are expected to abide by these regulations in addition to the information within this section. The purpose of this section is to address driver safety, control the use of vehicles on State business, reduce the State's exposure to liability, reduce loss expenses due to accidents, and achieve accountability.

The policies in this section pertain to any university employee who needs to drive a motor vehicle as part of their business. A State Vehicle is defined as any licensed vehicle owned, leased and/or rented by the State of Louisiana. Students are not allowed to drive a motor vehicle on state business unless the University employs that student. Additionally, the need for student workers to drive a motor vehicle must fall within the job duties of their employment. Examples of these include:

- Shuttle van drivers
- Bus drivers
- Print shop and bookstore shuttle drivers
- A student worker who must travel for departmental needs, office needs, etc.
- Graduate students working on approved research
- Pre-approved volunteers for university sanctioned activities (ex: volunteer athletic student trainers)

Per State Travel regulations, undergraduate students not employed by the University are not allowed to drive any motor vehicle, including their own, while conducting business in the course and scope of the University. Also per state regulations, any exceptions to this policy must be requested in writing and approved by the university President.

These policies apply whether employees or student workers drive a state-owned motor vehicle or their personal vehicle on university business. Getting to the campus for work or returning from the campus after work *does not* constitute state business. Driving to or returning from any, other location for conducting university business *is considered* university business.

The university driver safety program shall be administered by the EH&S office. Supervisors and administrators are responsible for making sure the employees and students they supervise follow these procedures. University police are responsible for responding to motor vehicle accidents that occur on the campus. Employee and student drivers are responsible for conducting

themselves in a law abiding and professional manner when driving a motor vehicle. Everyone is responsible for reporting unsafe driving to the proper authorities.

Per State regulations, persons that are not university employees wishing to ride as passengers in State vehicles may do so providing:

- The purpose of their travel in the State vehicle is in support of the university's mission.
- A Hold Harmless Agreement is signed by each non-employee rider. A blank copy of this document can be found on the safety website, under the forms section. This signed document shall be sent to the EH&S office, where it will be kept on file.

The university has the right to refuse anyone the authority to drive any motor vehicle on university business based on public or occupational safety over and above those listed in this written program.

University drivers may not use any wireless telecommunication device while driving any vehicle (including personally owned vehicles) in the course and scope of the state's business. This includes making and receiving calls, and writing, sending, or reading text messages, emails, and other notifications while the vehicles wheels are moving. University drivers may use these devices when the vehicle is lawfully parked, or to report an emergency.

18.2 Driver Safety Procedures

- All University drivers must possess a valid United States driver's license. Persons possessing out of country driver licenses may not drive any motor vehicle on university business.
- All University drivers must submit a completed DA2054 (or a current revision) to the EH&S office. (See section 18.3). This is typically done when a university driver takes an approved defensive driving training course (see section 18.4). A copy of the DA2054 form is available on the safety website in the driver safety section.
- All university drivers must attend a defensive driving training course, within 90 days of their employment. All University drivers must also attend a refresher course every three years after that. (See section 18.4). An updated list of all authorized university drivers is maintained in a database, which the business office has access. Travel requests for university employees that include driving a motor vehicle will not be approved unless the driver training is complete.
- All university drivers must report any motor vehicle accident to the EH&S office and complete a DA-2041 form. (See section 18.5)
- All State owned university motor vehicles shall be inspected regularly for safe working condition (see section 18.6)
- Authorized drivers may not drive state owned university motor vehicles with passengers who are not riding within the scope of university business (ex: transporting family members for personal reasons).
- The EH&S office has the authority to prohibit anyone from driving any vehicle in the course and scope of the university's business for reasons over and above the terms of this policy in the interest of university safety.

- In the event a University employee is involved in an at fault accident while driving a University fleet vehicle or a rented vehicle, the department in which the employee works will be responsible for the cost of the repairs to the vehicle, up to the University's insurance deductible.
- In the event a University employee is involved in an at fault accident while driving on approved University business in a personally owned vehicle, the insurance for the owner of that vehicle shall be primary, including any repairs needed for that vehicle.
- **Authorized drivers who receive a moving violation, revocation of their license or any conviction must report this information to the EH&S office immediately. These drivers will be required to re-take the driver safety course.**

18.3 Driver History Authorization

Before an employee or student is allowed to drive a motor vehicle, he or she must complete the DA2054 form entitled *Authorization and Driver History Form*. This form is used to:

- Provide valid driver license information to the EH&S office.
- Allow the EH&S office to request a driving record from the Office of Motor Vehicles.
- Determine whether the employee or student is a high-risk driver. (See high-risk driver in this section)

This document is normally completed during the driver safety course (see section 18.4). Blank forms can also be requested at the EH&S office.

Special Instructions for completing the DA-2054 Form

Note: This information will be presented to DSC personnel at the Departmental Safety Coordinator Training Course. (See section 7.3) This document can be downloaded at the EH&S website, under the forms section.

- Agency Name – please indicate “University of Louisiana at Lafayette”
- Employee Number – please indicate your CLID information
- Driver Training Course – the date which you took your last training course (contact the EH&S office if not sure)
- State of Issuance - If your driver license is from a State other than Louisiana, please indicate this information
- Please indicate which type of vehicle (state, personal, and rental) you intend to drive in the course and scope of university business.
- Agency Head (designee) – the EH&S Director or Assistant Director shall sign this field.
- Employee Acknowledgement - Drivers should read and understand the information written in before any signature is offered. If an employee driver's personal vehicle is being used in the course and scope of the university's business, he/she must certify that they will maintain liability in accordance with state requirements. In the event of an at-fault, accident involving the employee's personal vehicle driven in the course/scope of

the university's business, the employee's insurance will be primary, state insurance will be excess. Contact the EH&S office for more information.

- Once completed, mail this form to the EH&S office.

Obtaining an ODR, High-risk Drivers, Driver Approval, and Other Information

Once a completed DA2054 form is received, the EH&S office shall request an Official Driving Record (ODR) for each university driver from the Louisiana Office of Motor Vehicles. The ODR lists any conviction codes associated with that driver. Based on those conviction codes, a high-risk driver is one whose records indicate *any* of the items listed below:

- Three or more convictions, guilty, or no contender (no contest) pleas for any moving violation within the past 12 months
- One or more conviction, guilty, or no contender plea within the past 12 months for:
 - ✓ Operating or driving a motor vehicle while intoxicated: DWI (DUI) or OWI (OUI)
 - ✓ Hit and run
 - ✓ Vehicle negligent injury, negligent homicide, or vehicular homicide
 - ✓ Reckless operation of a vehicle
 - ✓ Driving with a revoked or suspended license

Authorized drivers who receive a moving violation, revocation of their license or any conviction must report this information to the EH&S office immediately. These drivers will be required to re-take the driver safety course.

High-risk drivers will not be allowed to drive on university business for at least one year after the latest conviction, guilty plea, or no contender plea. Once an ODR is obtained and reviewed, the EH&S office shall notify in writing any high-risk drivers and their department head or supervisor the findings indicated in the ODR record. This document shall indicate the reason for classifying the high-risk driver and the duration for his or her suspension. Once that suspension has passed, the EH&S office shall review a new ODR for approval. Finally, high-risk drivers shall re-take the driver safety course before they are re-authorized to drive motor vehicles on state business (see section 18.4).

The EH&S office shall request an ODR each year thereafter for every employee or student driver, as well for each new employee or student driver as necessary. The EH&S office shall maintain all of these records for a minimum of three years.

18.4 Defensive Driver Training

Defensive driver training is required for every employee or student worker who wishes to drive a motor vehicle on state business. Whenever possible, all University drivers should take a training course within 90 days of the determination of their need to drive within the course/scope of the state's business. Additionally, all drivers must attend another training course every three years.

The University offers the Division of Administration/Office of Risk Management's approved defensive driver course. This is a one-hour, online training program (which can be offered as an instructor led class by the Assistant Safety Director if needed). UL Lafayette also requires a basic

road sign identification test to complete the driver safety requirements. The EH&S office shall coordinate all driver safety training. This paperwork must be sent to the EH&S office in order for the participant to receive credit for the course.

New employees shall be made aware of defensive driver training as part of their orientation training. Employees who wish to take the defensive driver course can do so by calling the EH&S office at 482-1840. They can also check the EH&S website for an updated schedule of classes.

Additional Training Requirements for University Bus Drivers

University bus drivers must meet the same training requirement as any other university driver. Additionally, university bus drivers must possess a CDL driver license. Finally, all university bus drivers must undergo additional field training supervised by Transportation Services personnel before they will be allowed to transport people in buses. Transportation Services personnel shall conduct this field training at the Cajun Field parking lot under controlled conditions. During this training session, university bus drivers shall demonstrate that they are capable of:

- Performing a pre-trip inspection
- Inspecting and identifying safety hazards on the bus
- Parking and securing the bus
- Controlling undisciplined bus riders
- Driving the bus in wet and slick conditions
- Driving the bus in heavy vehicle and pedestrian traffic
- Driving professionally and courteously

18.5 Accident Reporting and Record Keeping for Driver Safety

Any university driver involved in a motor vehicle accident should:

- Dial 911: The appropriate police department and other emergency personnel shall respond accordingly.
- Complete an ORM DA-2041 Driver's Accident Report Form (see guidelines below). This document is available for download on the EH&S website.
- Contact the EH&S Office at 482-1840 as soon as possible.
- A blank copy of the DA2041 form is included in the glove compartment of every state-owned vehicle.
- University drivers who use their personal vehicle for state business should keep a blank copy of this form in the glove compartment of their vehicle in the event of an accident.
- Once completed, please mail the DA-2041 form to the EH&S office for forwarding to ORM within 48 hours of the accident.

- The EH&S office shall maintain all documentation associated with the university driver safety program including:
 - ✓ DA-2054 Driver Authorization Form (see section 18.3)
 - ✓ ODR records from the Office of Motor Vehicles (see section 18.3)
 - ✓ Defensive driver training sign-in sheets (see section 18.4)
 - ✓ DA-2041 accident reports and investigations

The DA2054 Authorization and Driving History Form

- For detailed information on completing this document, please see section 18.3

18.6 University Policy - Moving Violations by Electronic Measures

University approved drivers are expected to follow all Federal, State, and Local laws, regulations, and ordinances while operating any vehicle in the course and scope of the state's business. This expectation also applies if enforcement is accomplished by electronic measures such as cameras, speed sensors, etc. This document addresses how the university will process moving violations identified by these electronic measures.

- Departments that operate state vehicles are encouraged to maintain and keep on file a written log documenting date, time, driver name, destination, etc.
- The registered owner of the vehicle is typically sent a Notice of Violation. For state-owned vehicles, this notice will be sent to the university along with any pictures attempting to identify the driver.
- The University will make every effort to identify the driver of the vehicle at the time of the violation. If successful, that driver will be responsible for paying any and all fees, fines, and penalties associated with the violation. The University EH&S Director shall send written notice to the driver of the violation and the driver must pay these monies to the issuing agency within the time allotted on the violation. The driver must provide the EH&S office with proof of payment (receipt, confirmation number, etc.) regarding this violation. The driver will be afforded any appeal opportunities allowed by the agency or entity issuing the violation. However, if the denial or proceeding of that appeal results in additional penalties, late fees, or additional fines, the driver will be responsible for this additional cost.
- If the university cannot identify the driver of the vehicle, the department responsible for the vehicle will be charged the applicable fees, fines, and penalties.
- The only exception to this policy is a Notice of Violation given to a vehicle driven by a University Police Officer who is acting in course and scope of the state's business, and in the act of responding to an emergency.
- The University shall not report any Notice of Violation to the Louisiana Department of Motor Vehicles or any insurance company. However, the university shall count the

Notice of Violation as a moving violation on the driver's record in determining the driving status of the university driver.

18.7 Motor Vehicle Inspection Procedures

All UL Lafayette, state-owned motor vehicles are maintained by the facility management department. These vehicles included maintenance trucks, vans for university departments to use, agricultural equipment for maintaining university grounds, and busses that support the university transit system. It is important to keep these vehicles in safe working condition. Therefore, at least monthly, each motor vehicle will be inspected for safety using the Mileage Vehicle Log approved by the Division of Administration.

These monthly inspections are performed by the Departmental Safety Coordinator, or a designee. These inspections shall be documented along with corrective action, if any noted on this documentation. If necessary, when motor vehicles are serviced for repairs, the items listed above shall be checked and deficiencies noted on the corresponding work order.

18.8 Courtesy Vehicles and Employees with Vehicle Allowances

University Policy Regarding the Use of Courtesy Vehicles and a Vehicle Allowance

Revised October 2009

General

The University may offer, at its discretion, the use of a non-state owned vehicle (commonly referred to as a Courtesy Vehicle) to employees. Typically, these vehicles are owned by dealerships and assigned to the university through formal arrangement. Alternatively, and some times concurrently, some employees are given a vehicle allowance as part of their employment compensation. This document outlines the rules and regulations regarding the use of these vehicles.

Courtesy Vehicles

Employees given a courtesy vehicle are encouraged to use that vehicle within the course and scope of the university's business. However, it is assumed that some trips in this vehicle will be personal in nature. For example, driving a courtesy vehicle home from work and to work from home is a personal matter. The university's insurance will cover any courtesy vehicle that is damaged within course and scope. However, courtesy vehicles that are damaged on a trip not in course and scope are not covered by the university's insurance. Therefore, the employee is required to provide the following coverage for courtesy vehicles:

1. A Minimum 15/30/15 Liability Coverage
2. Comprehensive and Collision Coverage

Note – for accidents occurring on State business, the State will reimburse for Collision deductible up to \$1,000.00

For all accidents, this employee purchased insurance will be considered the primary coverage for the vehicle. For accidents occurring while traveling on state business, the university's insurance will serve as secondary coverage for liability.

Vehicle Allowance

A vehicle allowance given to a university employee is a monetary amount used to subsidize the cost of transportation. This money may be used to purchase, lease, or rent a vehicle. Regardless, the employee is responsible for the cost of fuel, maintenance, insurance, etc. of this vehicle. This vehicle must be titled, registered, leased, or rented in the employee's name. If the employee is involved in an at fault accident in this vehicle within the course and scope of their employment, the employee's insurance is the primary carrier of coverage for this accident. However, the University's insurance can provide excess coverage (liability coverage in excess of the employee's coverage), and will reimburse the employee up to \$1,000.00 for the Collision coverage deductible on the vehicle (provided the vehicle has Collision coverage). The state does not reimburse the employee for any comprehensive claim or deductible on vehicles it does not own.

Documentation and Enforcement

Employees given a courtesy vehicle OR a vehicle allowance are required to sign an acknowledgement form signifying they understand the terms of this document. Employees are strongly encouraged to regularly inspect their vehicle for damage, and report ALL incidents to the local authority. Employees are required to provide the dealership with a Certificate of Insurance from their personal insurance naming the dealership and the university as additional insured. Employees failing to follow the requirements of this document are subject to disciplinary action to include, at a minimum, personal liability for any damages incurred, where applicable.

Acknowledgement of a Courtesy Vehicle and/or Vehicle Allowance

Revised, October 2009

Date: _____ Job Title _____

Name: _____ Department: _____

Check ALL that apply

Courtesy Vehicle

As part of your employment, the University is providing you with the use of a non-State owned vehicle. You are required to personally insure this vehicle with a minimum of 15/30/15 liability coverage, collision coverage, and comprehensive coverage as outlined in University policy. This coverage is necessary to insure any incident that occurs while you are using this vehicle for purposes that are not within the course and scope of your employment. For all accidents involving the courtesy vehicle, this employee purchased insurance will be considered the primary coverage for the vehicle. For accidents occurring while traveling on State business, the University's insurance will serve as secondary coverage for liability.

I, _____ acknowledge that I have read (or have been read) the above information and understand its content. Failure to follow the requirements of this document will result in disciplinary action, which may include termination of my employment with the University.

Signed: _____

Vehicle Allowance

As part of your employment, the University is providing you with a monetary allowance to subsidize your personal vehicle expenses. These expenses may be used by you to purchase, lease, rent a vehicle, and/or purchase insurance for any of these vehicles. In any case, you are required to personally insure this vehicle with a minimum of 15/30/15 liability coverage, and other coverage as required by law. If you are involved in an accident using your own vehicle while in the course and scope of your employment, your personal insurance will be the primary carrier of coverage, and the University's insurance will be secondary.

I, _____ acknowledge that I have read (or have been read) the above information and understand its content. Failure to follow the requirements of this document will result in disciplinary action, which may include termination of my employment with the University.

Signed: _____

18.9 Non-Registered/Licensed Motor Vehicles:

ATV's, Golf Carts and non-registered motor vehicles have grown in popularity because their light weight and oversized, low pressure tires allow them to maneuver in difficult terrain where larger vehicles cannot. These vehicles are now used extensively in security and law enforcement, construction facility and land management, outdoor recreation and sporting venues and emergency rescue and firefighting operations. All university Driver Safety Rules apply to the Non-Registered/Licensed Motor Vehicle program.

Important Points to remember:

- All accidents must be reported, as motor vehicle rules apply
- These vehicles are to be used for university business only
- Max speed limit on public roadways is 20 mph
- All vehicles must have the slow moving vehicles signs appropriately applied
- All state and local laws applicable on public streets
- Do not operate these vehicles when you are sick, tired, or impaired

Minimum requirements for ATV operators:

- At least 18 years of age
- Hold a valid driver's license
- Completed the ATV Safety training
- Refresher training every 3 years
- Adhere to all University safety rules regarding ATV or Non-Registered/Licensed Motor Vehicles
-

RS 32:299, subpart A (3):

"Off-road vehicles may be operated by university or college employees, law enforcement officers, and certified emergency technician-paramedics in the course and scope of their employment while on streets within the boundaries of state-owned colleges and universities. Incidental crossings of public roads or highways are authorized."

With permission comes responsibility. Regardless of the law, running ATVs on busy streets and intersections should be close to eliminated, but for our low speed surface streets, crossing streets, etc.