



## Motor Vehicle Records & Vehicle Use

### Motor Vehicle Records & Vehicle Use Policy

*Approved By and Date:*

*Board of Trustees* 2/10/2020

*Executive Leadership Team* 1/13/2020

#### **Policy:**

The operations of Kilgore College necessitate the use of vehicles; and there is the potential for accidents that result in injuries, fatalities, damage to property and reputation, and claims against the College for third-party liability, property damage, and workers' compensation. In recognition of this exposure to the College, Kilgore College will review, with the cooperation of the employee, the employee's driving record and confirm the existence of a valid driver's license prior to an employee's using any vehicle for College business, regardless of vehicle ownership. As such, this policy applies to College-owned, personal, and/or rental vehicles utilized during the course of College business.

Although not employed by the College, members of the Board of Trustees are also subject to this policy while using their personal vehicles or rental vehicles for College business.

#### **Procedures:**

*Approved By and Date:*

*Executive Leadership Team* 1/13/2020

Any employee operating a College vehicle or his/her own vehicle while conducting College business must be at least eighteen (18) years old, and have a current, valid U.S. driver's license. An employee must be authorized and approved in accordance with this policy prior to operating a motor vehicle for College business.

The Office of Human Resources will conduct the required review of employee driving records prior to use of any vehicle on College business. This includes College-owned vehicles, rental vehicles, and personal vehicles. Employees holding jobs requiring regular driving for College business as an essential job function, or as a condition of employment, must be able to meet the driver eligibility standards outlined below at all times and must sign an authorization for release of driving information prior to hire and as requested thereafter. Such employees will have their driving records checked on a yearly basis or more often if needed in the College's discretion. Employees whose jobs require regular driving for College business are subject to termination if they fail to meet driver eligibility standards at any time. For other jobs where driving is considered only an incidental function of the position, approval to drive for College business will be determined on an as-needed basis in accordance with the College's driver eligibility standards outlined below. Such employees must sign an authorization for release of driving information upon request, and may be subject to termination if they refuse to do so.

The last three years of driving experience shall be reviewed to determine the eligibility of the driver to operate a vehicle on behalf of the College. The College may consider employee's driving record

beyond the past three years in its sole discretion. Anyone determined to be an “Unacceptable Driver” as outlined below may not operate a vehicle on College business.

Employees approved to drive on College business are required to inform Kilgore College immediately of any changes that may affect their legal or physical ability to drive, any changes that affect their continued insurability, any suspension or revocation of their driver's license, any arrests involving a driving related charge, any tickets related to driving (other than parking tickets), or any motor vehicle accidents that occur while on College business. Failure to report such matters promptly and fully to the employee's supervisor or College administration shall result in disciplinary action, including termination.

Employees driving a College-owned or rental vehicle on College business must keep in the vehicle a copy of the College's current Texas Liability Insurance Card. A copy of the card may be obtained from the Procurement Services Office. Employees involved in a motor vehicle accident while on College business must immediately report this to their supervisor or a College administrator, preferably from the scene of the accident, unless immediate reporting to the supervisor from the scene is not possible. Employees involved in accidents must also attempt to gain as much information as possible regarding the accident, other vehicles/drivers, witnesses, and insurance information. This requirement applies whether driving his/her own vehicle or a College vehicle.

Employees who drive a vehicle on College business must exercise due diligence to drive safely and maintain the security of the vehicle and its contents. Employees are also personally responsible for any driving infractions, tickets, or fines that occur as a result of their driving.

Employees who operate a motor vehicle while on College business when their license is suspended or revoked shall be subject to disciplinary action, including termination. Employees are not permitted, under any circumstances, to operate any vehicle for College business when any physical or mental impairment causes the employee to be unable to drive safely or violate any law. Additionally, employees shall not operate any vehicle for College business while using or consuming alcohol, illegal drugs, or prescription medications that may affect their ability to drive. These prohibitions include circumstances in which the employee is temporarily unable to operate a vehicle safely or legally because of impairment, illness, medication, or intoxication.

Employees who operate personal vehicles for College business must have current auto liability coverage for bodily injury and property damage. Employee's personal insurance policy shall apply if using his/her own vehicle for College Business. Employees must furnish proof of such coverage to the Office of Human Resources upon the first instance of driving on College business for inclusion in their personnel file. Employees must notify Human Resources of any subsequent changes to their insurance coverage. Failure to report such changes to the Office of Human Resources will result in disciplinary action.

Employees may not use a hand-held cell phone, tablet or similar device while operating a vehicle on College business whether the vehicle is in motion or stopped at a traffic light. This includes, but is not limited to, answering or making phone calls, engaging in phone conversations, reading or responding to emails, instant messages, text messages, conducting searches on the internet or otherwise. If College employees need to use their phones, they must safely pull over to the side of the road or another safe location.

Employees shall not conduct any non-College business in a College owned or rental vehicle. This includes personal errands or stops, or taking routes other than what is necessary for the College's business to be conducted.

No non-employees or non-students shall be allowed in a College owned or rented vehicle. Only persons related to College business shall be allowed in a College owned or rented vehicle.

Employees are required to:

- a. Wear a seatbelt at all times.
- b. Comply with all laws of the State in which they are driving and not exceed the posted speed limit at all times.
- c. Maintain a courteous attitude on the road and follow defensive driving techniques.

It is recommended that employees do the following, according to best practices:

- a. Turn off cell phones or put them on silent or vibrate before starting the car
- b. Modify voicemail greetings to indicate they are unavailable to answer calls or return messages while driving

Failure to comply with any of the above requirements may result in disciplinary action, up to and including termination of the employee.

Driver Eligibility Standards:

- a. Acceptable Driver (meets 1 of the categories below)
  - 1) 2 moving traffic citations or less
  - 2) 2 not-at-fault motor vehicle accidents or less
  - 3) 1 at-fault motor vehicle accident
- b. Unacceptable Driver (meets any of the categories below)
  - 1) 3 or more accidents (regardless of fault)
  - 2) One or more Type A violations
  - 3) Any combination of accidents and Type B violations which equal 4 or more
  - 4) 3 or more Type B violations
  - 5) An operator's license that has been suspended or revoked
- c. *Type A Violations*
  - 1) Driving while intoxicated
  - 2) Driving under the influence of drugs
  - 3) Refusing a substance abuse test
  - 4) Driving with an open container
  - 5) Negligent homicide arising out of the use of a motor vehicle
  - 6) Operating a motor vehicle during a period of suspension or revocation of an operator's license
  - 7) Using a motor vehicle for the commission of a felony
  - 8) Aggravated assault with a motor vehicle
  - 9) Operating a motor vehicle without the owner's authorization
  - 10) Permitting an unlicensed person to drive
  - 11) Reckless driving
  - 12) Speeding contest
  - 13) Hit and run (bodily injury and/or physical damage) driving
  - 14) Fleeing a police officer
- d. *Type B Violations*
  - 1) All moving violations not listed in Type A Violations