

UNIVERSITY OF NORTH CAROLINA SCHOOL OF THE ARTS
State Vehicle Operations Policy
Policy # 123

Source of Authority: G.S. 143-341;

G.S. 20-4.01;

G.S. 105-275;

G.S. 95-25.5

Revision Authority: Chancellor

History: **First Issued:** July 1, 2011

Revised: August 29, 2011

Related Policies: N.C.G.S. § 20-137
 Pertinent sections of the N.C. Motor Fleet Policy

Smoking Policy #703

Travel Policy #310

Responsible Offices: Purchasing Department

Effective Date: August 30, 2011

I. Purpose

This policy sets forth parameters concerning operation of state vehicles covered by the University's insurance coverage, which is part of a master policy covering agencies and departments of the State of North Carolina

II. Scope

This University's policy applies to operation of state vehicles by any UNCOSA authorized driver in the scope of employment or education. This policy does not apply to foundation-owned, dealership or courtesy vehicles, regardless of whether operated by a UNCOSA-affiliated driver.

III. Definitions

- A. "Appropriate department official" means the individual within a particular section, department, or division who oversees and is responsible for the vehicles assigned to that department.

- B. "Authorized driver" means a driver with a valid license who is:
 - 1. a state employee or
 - 2. a UNCOSA enrolled graduate student whose educational training requires the use of a State -owned vehicle and whose use of the State-owned vehicle is supervised and permitted by an authorized University official.

- C. "Driver's license with excessive points" means a driver whose current driving history contains more than the maximum points allowed (currently 6) by the N.C. Department of Administration's Division of Motor Fleet Management ("Motor Fleet Management").
- D. "State employee" means any individual (including a student) receiving compensation from the State of North Carolina while operating a vehicle in the scope of the individual's employment.

IV. Policy

A. Vehicles covered:

- 1. All University-owned vehicles, trailers, and mobile equipment are covered under the State's master insurance policy. UNCOSA must comply with the N.C. Department of Administration's Motor Fleet Management Division's regulations, policies, and procedures concerning vehicle assignment and use.
- 2. All University vehicles and most motorized equipment are eligible for liability insurance once the Director of Purchasing is **notified** of the University's ownership. **Campus departments are responsible for making this notification and arranging for this coverage.**
- 3. Departments wishing to obtain the optional collision, comprehensive or medical payment coverage should contact the Director of Purchasing to arrange for this optional coverage.

B. State insurance coverage requirements, limitations and exclusions:

- 1. The state requires that only authorized drivers operate University-owned vehicles, vehicles leased from Motor Fleet Management, or vehicles rented from private rental agencies for University use.
- 2. Excess liability coverage for personal vehicles: When an authorized driver operates a personal vehicle solely in the scope of that person's employment at the time of the incident, the state provides excess liability coverage. This coverage becomes applicable only when all primary liability insurance is exhausted or when there is no primary liability insurance available. The excess liability coverage excludes collision and comprehensive insurance coverages; it provides liability coverage ONLY.
- 3. Insurance Exclusions: As with any insurance policy, certain Terms and Conditions may exist which limit or exclude coverage. Contact the Director of Purchasing for information on these policy limitations or exclusions.

C. Driver's license examination; driver's history review and evaluation:

- 1. An authorized driver must show his/her valid driver's license to the appropriate department official **prior to operating a vehicle** if (by virtue of the nature of the vehicle or the area in which it is operated) a driver's license is required for lawful operation.
- 2. The appropriate official must send the driver's name or a photocopy of the driver's license to the UNCOSA Police Department for a driver's license record check **prior to** allowing the driver to operate a vehicle insured under this policy.
- 3. In addition to the above, once each year, each department to whom state vehicles are assigned must send license photocopies of its authorized drivers to the UNCOSA Police

Department. The UNCSCA Police Department will check the driving record of authorized drivers.

4. If the authorized driver's record shows six or more points or if the record causes significant concern regarding safety, the driver will not be eligible to drive a state vehicle.
5. In addition to the above, upon receiving a report of an infraction or charge (pursuant to Section E. below), unsafe vehicle operation, or other similar information concerning a specific driver, the driver's supervisor may request the UNCSCA Police Department to check the employee's driving record.

D. Vehicle Operation; Accidents:

1. Authorized drivers must operate vehicles covered under this policy in a safe, proper, and prudent manner. Obedience to all applicable state laws is expected.
2. Only individuals who possess the abilities and appropriate skills necessary to operate a particular vehicle may operate that vehicle. The ability to reach foot pedals, sufficient strength to operate steering systems safely, adequate eyesight, possession of knowledge and training necessary for safe operation, etc., are examples of such abilities and skills.
3. Operators should promptly notify the department to which the vehicle is assigned of any vehicle conditions posing a risk in operation or indicating that vehicle maintenance or repair is needed.
4. In the event of an accident or other incident involving damage to the vehicle, unless in need of emergency medical attention, the authorized driver must remain at the scene to ensure that a police report is completed. Subsequently, the authorized driver must ensure that the Director of Purchasing receives a copy of the report.

E. Requirement to report infractions or other vehicle-related charges: All authorized drivers must report infractions, charges or other vehicle-related charges to the appropriate department official (generally the employee's supervisor) within 5 days of receiving the infraction or other vehicle-related charge. The driver must also report the disposition of the charge upon resolution of the case.

F. Permitted passengers:

1. Students and non-State employees may be passengers in a covered vehicle in connection with attending activities or performance functions officially sanctioned by the University.
2. **Relatives:** Spouses and children are permitted to accompany state employees on trips in state-owned vehicles when sufficient space is available and when all travel is strictly for official state business. Although UNCSCA has a policy of nondiscrimination, under the Division of Motor Fleet Management's policy, domestic partners are not treated as spouses, and the Division's policy controls all state vehicle use.

G. Prohibited passengers:

1. Hitchhikers are not allowed to ride in any state-owned vehicle.
2. Family pets are not permitted in state-owned vehicles. Leader dogs for blind persons and other officially certified assistance dogs are excluded from this restriction.

H. Prohibited activities :

1. **Alcoholic Beverages and Drugs:** Under no circumstances may a UNCSA employee operate a state-owned vehicle while under the influence of intoxicating beverages, drugs or substances, or transport (except in performance of law enforcement duties) these items in a state-owned vehicle.
 2. **Use of State-Owned Vehicles for Private Purposes:** When an employee is required to use a state-owned vehicle for travel while away from his/her workstation, the vehicle may be used for travel to obtain meals and other necessities, but not for entertainment or any personal purposes. **A state employee may not use a state-owned vehicle for obtaining meals and other necessities unless he/she is in travel status, approved commuter status, or approved office-in-home.**
 3. **No Smoking in State-Owned Vehicles:** N.C.G.S. § 130A-493 prohibits smoking in state-owned vehicles.
 4. **No Texting, etc.:** N.C.G.S. § 20-137.4 prohibits sending or reading texts while operating a vehicle. Law enforcement is exempt from this requirement. Use of navigational devices (i.e. GPS) is permitted.
- I. **Seat Belts Use Required:** State law requires the driver and all passengers to wear seat belts (lap and shoulder belt even if the vehicle is equipped with an air bag) whenever the vehicle is in motion. Law enforcement is exempt from this requirement.
- J. **Sanctions for violation of this policy:** Absent extenuating circumstances, employees who violate this policy may have driving privileges suspended and may be disciplined up to and including termination.
- K. **Sanctions for drivers whose jobs require vehicle operation:** In addition to sanctions for violation of this policy, UNCSA may impose additional discipline upon an employee who a) must maintain a valid driver's license as part of his job duties and b) who engages in conduct that causes that driver's license to be suspended. Depending on how integral vehicle operation is to the employee's job duties, the penalty may range from a written warning to termination.

V. Revision History

August 29, 2011 – Revised and adopted by the Executive Committee of the University of North Carolina School of the Arts.

UNIVERSITY OF NORTH CAROLINA SCHOOL OF THE ARTS
State Vehicle Operations Procedures
Procedure # 123

A. Appropriate Department Officials must:

1. perform driver's license verifications before permitting an authorized driver to operate a department vehicle and semi-annually each fiscal year;
2. maintain records adequate to prove fulfillment of the above;
3. maintain records concerning reports of infractions or other vehicle operation related charges.

B. License Verification Requirements

1. The appropriate department official will verify the following information:
 - a. The authorized driver has an official, valid driver's license;
 - b. If the driver is an employee, the employee's name on the license is consistent with employment records;
 - c. The license is current and not expired;
 - d. The department's records reflect any restrictions listed on the license.
2. The appropriate departmental official will complete the attached "**Request for Employee Driver's License and Driving Record Review for Approval to Drive State Vehicle**" Form and submit to the UNCSA Police Department. (attached)
3. The appropriate departmental official will keep the returned form in a departmental file.

C. Invalid Licenses/No License

1. Any employee or student found to have an invalid license or no license shall immediately cease operating University vehicles. The authorized department official shall initiate the appropriate corrective action and the sanctions for violating the State Vehicle Operation policy shall apply.
2. The authorized department official shall request a driving record verification for the affected driver from the UNCSA Police Department. Appropriate corrective action shall be initiated after review of the employee's driving record.