



Subject: FLEET SAFETY

Policy No. 126

**PURPOSE**

To provide guidance for the implementation of New York University's (NYU) Fleet Safety Program, which includes selection of drivers who operate University vehicles.

**1.0 DEFINITIONS**

**1.1 University Vehicle**

A University Vehicle is any vehicle that is owned, leased or rented by the University or University-affiliated group (or individual) and for which the University or University-affiliated group pays and will be held accountable, and which will be used for NYU business. University-affiliated groups include, but are not limited to, sororities/fraternities, sport teams, clubs and student organizations.

**1.2 University Driver**

A University Driver is anyone, such as an employee, student, or University-affiliate, who will drive a University Vehicle (see Section 1.1). Only NYU approved drivers (see Section 3.1) shall be allowed to drive a University vehicle.

**1.3 Rental Vehicles**

A rental vehicle is considered a University Vehicle if a University Department or a University-affiliated group ultimately is expected to be financially responsible for the rental. Unless renting from the University approved Rental Agency, and under the University rental agreement number, maximum third party liability coverage shall be purchased from the rental agency unless otherwise instructed.

**1.4 Personal Vehicles**

Per NYU 's Controller's Division, the "University assumes no responsibility for damage to an employee-owned automobile as a result of an accident or with respect to any loss as a result of wear, fire, the elements, or theft of automobile, its parts, accessories, or any personal property contained therein. Furthermore, liability insurance carried by the University may or may not apply, and if it does is excess over an employees own auto insurance. for loss resulting from bodily injury or death of the driver or others or from damage to property." Use of personal vehicles is therefore discouraged. Should a personal vehicle be used for University business, the driver "shall satisfy [themselves]

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as to the adequacy of [his/her] automobile liability insurance protection for the conditions under which the vehicle is to be used".

1.5 BAC - Blood Alcohol Concentration

The amount of alcohol in the bloodstream, measured in percentages. BAC is most commonly attained by breath analysis. BAC is dependent on a person's gender and weight, the number of drinks and the number of hours since the first drink. Any alcohol concentration is defined as a BAC of 0.02% or greater (per the National Highway Traffic Safety Administration). The legal limit set by most states as driving under the influence (DUI) is 0.08%BAC. A level of 0.02%-0.07% can be considered as driving while impaired (DWI) and driving while ability impaired (DWAI)

\*One drink will put a male's (<200 lbs.) or woman's (any weight) BAC over 0.02%.

## PROCEDURES

### 2.0 Responsibility

2.1 Administration, Department Heads, Department Chairs, Deans, Supervisors of University-affiliated Groups (such as sororities, fraternities, and clubs), or designees.

2.1.1 Determine which employees, students or others in the department(s) should be a University Driver.

2.1.2 Distribute University Driver Approval Request Forms to prospective University Drivers, ensure proper completion of these forms and forward completed forms to the Human Resources Officer.

2.1.3 Keep driver list current and ensure proper driver license is held.

2.1.4 Ensure that driver completes the on-line driver safety training.

2.1.5 For new hires, as part of the prospective employee's background check, have a driver's license check if that person's job requires that person to drive a University vehicle. If an existing employee has not had a license check, the department in charge will be responsible for arranging this through Human Resources.

2.1.6 Administer the approval process for a University Driver (Sections 3.1 and 3.2).

2.2 Human Resources / Human Resources Officers (HRO)

2.2.1 Arranging for driver license checks through approved HR vendor for existing and new drivers.

2.2.2 Maintain personnel documents relating to the University Driver Fleet Safety Program in confidential personnel files for 7 years, post-employment. These documents include the following:

University Driver approval forms

\* New hire driver's license search results

2.2.3 Provide information on resources available for evaluating and resolving problems associated with the misuse of alcohol or the use of controlled substances as necessary.

### 2.3 Environmental Health and Safety

2.3.1 Implement and manage the University Fleet Safety Program.

2.3.2 Audit Human Resources Department and Administrators, Department Heads, Department Chairs, Deans, Supervisors of University affiliated groups on an annual basis to ensure compliance with program.

2.3.3 Notify any other department in the University that is deemed necessary to implement the Fleet Safety Program.

2.3.4 Revise policy as necessary.

2.3.5 Arrange for on-line driver safety training for University Drivers.

## **UNIVERSITY DRIVER APPROVAL**

### 3.1 Approval

The prospective driver's Department Head, Department Chair or Supervisor shall provide the University Driver Approval Request Form (See Appendix A) to the prospective driver. A copy of the completed form shall be kept on file and a copy forwarded to Human Resources Officer. New hires will automatically have a driver's license check (as part of the background check) if that person's job requires that person to drive a University vehicle. If an existing employee has not had a license check, the department in charge will be responsible for arranging this through Human Resources. Approval to operate a University Vehicle will be contingent upon meeting the below criteria:

\* be at least 20 years old;

\* approval and an annual driver's license search to determine driving/moving violations and points;

- \* provide evidence of a valid U.S. driver license appropriate for the type of vehicle that may be operated;
- \* have a minimum of one year driving experience appropriate for the type of vehicle that may be operated;
- \* have not been convicted of a Driving Under the Influence (DUI) or Driving While Intoxicated (DWI) violation within the last ten (10) years; should a hearing be pending, the Human Resources Officer must be notified immediately;
- \* have incurred no more than two moving violations on his/her driving record during the past three years;
- \* inform their Human Resources Officer if a controlled substance is being used for medical purposes;
- \* have read and signed the "Information on New York University's Fleet Safety Policy" (see Appendix B);
- \* have successfully completed the Driver Safety Training, and agree to annual refresher training,;
- \* agree to comply with the University's Drug and Alcohol Use Policy (Section **3.3**);

### 3.2 Maintenance of University Driver Approval

To maintain approval, the University Driver must meet the following criteria. (collaboration between Human Resources and the Department Head, Chair, Dean or Supervisor of University affiliated group) is responsible for verifying annually that the criteria are met.

- \* maintain a valid U.S. driver license for the type of vehicle that may be operated;
- \* agree to the annual license search to determine driving violations and points;
- \* have incurred no more than two moving violations during the past three years;
- \* agree to comply with the Drug and Alcohol Use Policy outlined in Section 3.3; and
- \* complete the annual driver safety refresher training.

### 3.3 DRUG AND ALCOHOL USE

- 3.3.1 No University Driver shall operate a vehicle after consuming alcoholic beverages which may cause his/her blood alcohol concentration (BAC) to be 0.02% or greater or when physically impaired to drive. Supervisors who know or have reason to believe that a University Driver has been drinking alcohol, is using a controlled substance, other than for medical reasons, has a medical condition or is using an over-the-counter medication that may impair the driver, shall not permit the University Driver to operate a University Vehicle.
- 3.3.2 No University Driver shall be on duty or operate a University Vehicle while in the possession of open containers of an alcohol beverage.
- 3.3.3 No University Driver shall consume an alcoholic beverage while operating a University Vehicle. No passenger in the vehicle shall consume any alcoholic beverage.
- 3.3.4 No University Driver shall operate a University Vehicle within eight (8) hours of consuming an alcoholic beverage.
- 3.3.5 No University Driver shall operate a vehicle when using any controlled substance, other than prescribed medication. If a University Driver has a medical condition or is taking a over-the-counter medicine that may affect their ability to operate a vehicle safely, the driver must notify his/her HRO of the medical condition or use of over-the-counter medication, and not operate a University Vehicle.
- 3.3.6 NYU's Drug and Alcohol Policy shall be adhered to.

### 4.0 DENIAL, TERMINATION AND SUSPENSION OF UNIVERSITY DRIVER

#### 4.1 Denial

University Driver Approval will be denied for the following reasons:

- 4.1.1 The applicant does not meet the requirements outlined in Sections 3.1 and 3.2 for University Drivers
- 4.1.2 It is determined that information was misrepresented on the University Approval Forms (Appendix A).

#### 4.2 Termination

4.2.1 University Driver Approval will be terminated without the possibility of future reconsideration for approval for gross misconduct which includes::

- \* leaving the scene of an accident involving a University Vehicle driven by the University Driver;
- \* using a University Vehicle to commit a felony;
- \* driving under the influence of alcohol or driving while intoxicated.
- \* violation of the Drug and Alcohol Use Policy outlined in Section 3.3.
- \* all cases to be reviewed by HR/HRO.

## 5.0 UNIVERSITY VEHICLE USE

- 5.1 Only those who have received approval as outlined under Sections 3.1 may operate a University Vehicle or University Commercial Vehicle.
- 5.2 Trips over 300 miles (roundtrip) require either an overnight stay or a second University driver.
- 5.3 The number of passengers cannot exceed a maximum of ten (10), which includes the driver, or the number of seat belts, whichever is less.
- 5.4 Seat belt use is mandatory for the driver, and all passengers, at all times. It is the responsibility of the driver to ensure that all passengers are wearing seatbelts.
- 5.5 The current insurance certificate for the vehicle must be located within the vehicle at all times.
- 5.6 The employee shall provide his/her supervisor with the violation the same day of issue. The supervisor and employee will meet to review the violation, why it was issued, what corrective actions need to be taken, if any, and who will pay the fine (University or Driver). The driver assumes full responsibility and is responsible for paying any fines resulting from traffic or parking violations out of unreasonable carelessness (e.g, but not limited to moving violations).  
The University Driver assumes full responsibility and paying any fines resulting from traffic or parking violations out of unreasonable carelessness.
- 5.7 All NYS Traffic Laws shall be observed.
- 5.8 A University Vehicle must not be used for personal business unless approved by the Department responsible for that driver (e.g.,

## 6.0 UNIVERSITY VEHICLE MAINTENANCE

A uniform maintenance program should be implemented so one vendor is responsible for maintenance of University vehicles.

### 6.1 Vehicle Log

The Department in charge of a vehicle(s) is to maintain a maintenance log for each vehicle. The log is to contain information on the vehicle including quarterly inspections and scheduled maintenance. A copy of the vehicle maintenance log should also be kept in the responsible Department's office. A placard shall be placed in the vehicle's glove compartment indicating the location of the log.

### 6.2 Vehicle Inspections

#### 6.2.1 Pre-Trip/Pre-Shift Inspection

Prior to each trip, or at the beginning of each shift, the driver must inspect the vehicle for the proper functioning of following items. If any problems cannot be corrected by the driver, the driver must notify the Department in charge of the vehicle, in writing, to arrange repair of the vehicle before the vehicle is used.

- \* Oil/Fuel level (via gauge)
- \* Windshield wipers operational, including washer fluid
- \* Visually inspect tire pressure
- \* Mirrors (rear view, driver and passenger side)
- \* Head Lights Operational, Tail Lights, Hazard Lights)
- \* Horn operational
- \* Check for visible leaks
- \* Note any damages to vehicle

#### 6.2.2 Quarterly Inspections

Every Quarter the Department in charge of the vehicle must inspect the vehicle and complete the Quarterly Inspection form in Appendix C. The Department must keep a copy of the Quarterly Inspection Form in the vehicle maintenance log and forward a copy of the Quarterly Inspection form to the Purchasing Department for retention with the vehicle's records.

### 6.3 Scheduled Maintenance

Scheduled maintenance is to be performed as recommended by the vehicle manufacturer. The Department in charge of the vehicle is responsible for maintenance. The Department is to keep a copy of the Scheduled Maintenance Form (per manufacturer's recommendations) in a vehicle log. Annual emission inspections are also required to be maintained by the Department in charge of the vehicle.

## 7.0 ACCIDENT REPORTING

- 7.1 A driver must immediately notify any accident to his/her supervisor. Appropriate contact information must be provided to the driver or located with the car's vehicle literature stored in the car.
- 7.2 An accident report form (Appendix D, NYS DMV form MV-104) is to be completed and submitted to the driver's Department Head, Chair, Dean or Supervisor for all accidents involving a University Vehicle, or a Personal vehicle driven on University business.
- 7.3 The Department Head, Department Chair, Dean, Supervisor of the University affiliated group shall immediately report all accidents involving a University Vehicle, or a Personal vehicle driven on University business, to the Insurance Department.
- 8.0 **NON-NYU TRANSPORTATION**
- 8.1 Under the Department of Transportation's Controlled Substances and Alcohol Use and Testing Regulation, any outside transportation vendor hired who supplies commercial drivers and vehicles (buses used to transport University-affiliated groups) must provide written assurance that the vendor complies with the Department of Transportation's Controlled Substances and Alcohol Use and Testing Regulation. It is the responsibility of Public Safety, who is responsible for hiring the outside vendor to provide transportation services, to obtain the written assurances and forward it to the NYU Insurance Department.