Administrative Procedure

Number:	431
Effective:	12/16/2019
Supersedes:	N/A
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Subject: USE of UNIVERSITY and PRIVATELY OWNED VEHICLES

1.0. PURPOSE:

To establish the policy and procedures for the use of University and privately owned vehicles on State business, domestic travel and University sponsored field trips. An effective State Vehicle Driver Training program establishes a quantifiable method of tracking employee participation and ensures compliance with state mandates.

2.0. ORGANIZATIONS AFFECTED:

All organizational units of the University, excluding auxiliary organizations, as appropriate.

3.0. REFERENCES:

3.1. The California State University (CSU), Use of University and Private Vehicles Policy Guidelines.

3.2. CSU Executive Order 691, Delegation of Authority: Motor Vehicle Inspections.

3.3. CSU Executive Order 1069, Risk Management and Public Safety.

3.4. CSU Technical Letter RM 2012-02 – Motor Vehicle Programs.

3.5. CSU Systemwide Risk Management and Public Safety Memorandum dated February 19, 2013, Subject: Vans & Commercial Drivers' License Endorsement.

3.6. California State University, Los Angeles (Cal State LA) Administrative Procedure 418, Risk Management Policy.

3.7. Cal State LA Administrative Procedure 500, Automotive Management.

3.8. California Vehicle Code Sections 23123 and 23123.5.

4.0. POLICY:

4.1. It is the policy of Cal State LA to promote and facilitate a comprehensive state vehicle driver's training program while minimizing the risk of injury to its employees and financial loss to the State of California, the Trustees of the CSU, the University, their officers and representatives. This is accomplished by requiring employee participation in a certified training program, by tracking employee participation/attendance, and by participating in the Department of Motor Vehicles (DMV) Virtual Private Network (VPN) Program.

Approved: _____ **Date:** _____

4.2. University vehicles shall be used only in the conduct of University or State business. No University officer or employee shall use, or permit the use of, any University vehicle other than in the conduct of University or State business.

4.3. Motorcycles and bicycles shall not be used in carrying out University or State business, except for police motorcycles as approved by the President. Bicycles that are used solely on campus property are exempted contingent upon completion of the defensive driving course and as approved by the President; use of a helmet is mandatory.

4.4. The following conditions are considered to be a misuse of University vehicles:

- Driving a University vehicle without authorization by proper University officials.
- Driving without a valid California or other State operator's license of the appropriate class for the type of vehicle being driven.
- Permitting a person who is not a University employee to drive a University vehicle.
- Engaging in unsafe practices, including failure to use and to ensure that all passengers use all available safety equipment in the vehicle being operated. Safety equipment includes seat belts and/or shoulder harnesses.
- Falsification of travel logs, travel authorizations, defensive driver training program certificates, accident reports, or other forms relative to the use of the vehicle.
- Improper storage or parking of University vehicle.
- Personal use or conveying passengers other than persons directly involved with University or State business, except with the approval of the employee's immediate supervisor.
- Failure to comply with any law, regulation, or policy regarding the use of University vehicles, including the requirement to have satisfactorily completed a CSU approved defensive driver training course.

Employees misusing University vehicles may be personally liable for damages to persons or property caused to third parties and the legal expenses of defense. Employees who misuse University vehicles also may be subject to disciplinary action.

5.0. DEFINITIONS:

5.1. Active Status - California driver in good standing; non-negligent operator.

5.2. Department Vehicle Coordinator (DVC) - Designated by the senior administrator for any department owning a vehicle(s). The Department Vehicle Coordinator is responsible for assisting the Motor Vehicle Inspector (MVI) with the coordination of all vehicle maintenance and other requirements of the Motor Vehicle Inspection Program (MVIP). Also assists the Campus Fleet Manager to ensure compliance with the policies and procedures related to the appropriate use of University and private vehicles while on University or State business.

5.3. Department of Motor Vehicle (DMV) Virtual Private Network (VPN) Program - An encrypted virtual tunnel over the Internet from the campus to the DMV to allow for the sending and receiving of files in a secure manner to prevent hackers from obtaining sensitive data. The DMV collects/provides vehicle registration and driver license data. Data includes violation types and suspension effective dates, if applicable.

5.4. Injury and Illness Prevention Plan (IIPP) - Established program for the protection of students, faculty, staff and visitors from potential hazards and/or conditions which may compromise the safety and health of our campus community.

5.5. Motor Vehicle Inspection Program (MVIP) – Program related to vehicle specification, acquisition, inspection, repair and disposal established in accordance with Executive Order 691 – Motor Vehicle Inspections. This program applies to all University vehicles.

5.6. Motor Vehicle Inspector (MVI) – Responsible for overseeing MVIP compliance and for reporting through the Director of Facilities Services.

5.7. Prohibited Status - Negligent operator whose state driving privilege is suspended or revoked by DMV.

5.8. Restricted Status - Negligent operator. Consists of a review of the driving record to determine and consider the severity of the violations, which sanctions use of driver's license for employment purposes during specific hours of employment. Restrictions may be imposed for employment and non-employment incidents/accidents.

5.9. Risk Assessment - The evaluation of identified loss and liability exposures and their impact to the University.

5.10. Risk Identification - Method by which risk exposures are continually assessed to identify potential loss and liability sources. Source examples are: employee/student travel, state vehicle use, hazardous materials management, claims management, contracts, public/occupational safety, educational programs, youth programs, non-University use of facilities, event planning, and construction.

5.11. Risk Management Technique - A proven/experimental loss prevention strategy and/or risk transfer approach designed to take an already identified potential risk or liability and apply systematic measures to reduce or eliminate its financial, property, or human loss.

5.12. Senior Administrators – Those individuals reporting to the President or Vice Presidents.

5.13. State Vehicle Driver Program – Administered by the Risk Management/Environmental Health and Safety (RM/EHS) office to ensure that employees receive adequate and effective safety instruction regarding driving and driver safety while on official state business travel.

5.14. University Employee (employee) - Those persons who have completed all prerequisites to CSU employment, which includes: CSU faculty, staff, student assistants, and persons in appointed volunteer status.

5.15. University Vehicles - Any motorized device for land transportation owned, leased, or rented by the University, State or any State agency, including and not limited to automobiles, trucks, golf/electric carts, tractors, etc.

5.16. Volunteers - Those persons appointed through Human Resources Management (HRM) who perform work or provide services to the University, without financial gain, whether on a long- or short-term basis for event specific assignments.

6.0. RESPONSIBILITIES:

6.1. The President will:

6.1.1. Develop and implement campus risk management policies and procedures in accordance with CSU Executive Order 1069.

6.2. The Campus Fleet Manager will:

6.2.1. Be the Management Personnel Plan (MPP) Facilities Services Administrator responsible for the oversight of the Auto Shop.

6.2.2. Coordinate with Risk Management and Environmental Safety (RM/EHS) to determine who meets the qualifying definition of a University employee and who will be authorized to drive on official University or State business, and the types of vehicles they are qualified to use.

6.3. RM/EHS will:

6.3.1. Coordinate involvement with appropriate levels of management at the University to effectively reduce and/or eliminate the risk or exposure to the campus.

6.3.2. Develop a systematic method of tracking employee participation in the State Vehicle Defensive Driver Training program.

6.3.3. Coordinate with Business Financial Services to ensure employees driving on state business have on file a Form 261 (Appendix 8.4.).

6.3.4. Ensure receipt of proper documentation required for participation in the DMV VPN Program.

6.3.4.1. In the event an employee's driver's license has been suspended, the appropriate department administrator will be notified in writing, and advised when the violation has been corrected.

6.3.5. Ensure prompt reporting of a motor vehicle accident on the Vehicle Accident Report – Std. 270 (Appendix 8.1.) and completion of a post-accident review by a safety coordinator and/or supervisor. This includes completion of the State Driver Accident Review – Std. 274 (Appendix 8.2.).

6.3.6. Issue instructions and guidelines, and provide clarification on all relevant laws, regulations, policies and procedures, including the use of cellular phones.

6.3.7. Ensure that the following criteria have been met prior to authorizing the release of a University Vehicle or authorizing an employee to use a privately owned vehicle on official University or State business.

6.3.7.1. Employee is in an active, State-funded pay status or in an appointed volunteer status.

6.3.7.2. Employee has satisfactorily completed the CSU approved defensive driver training course administered by RM/EHS, and maintains a good driving record (see Appendix 8.3.).

6.3.7.3. The electronic DMV VPN file containing the driving history data for each registered participant is maintained.

6.3.7.4. Employee has a valid California driver license in their possession and the driver license is of the correct class for the type of vehicle they are driving.

6.3.7.4.1. Although the University strongly discourages the use of fifteen (15) passenger vans or greater, in the event the use of such a van is determined to be necessary, employees driving these vans are required to have an appropriate commercial driver's license (CDL).

6.3.7.5. Out-of-country visiting faculty employee here for more than six (6) months possesses a valid United States driver license.

6.3.7.6. The employee is familiar with all applicable changes to the California Vehicle Code (CVC).

6.3.7.7. Authorization to Use Privately Owned Vehicles on State Business – Std. 261 (Appendix 8.4.) is signed before authorization to drive is given.

6.3.7.8. Employee has participated in the State Vehicle Defensive Driver Training course at least once each four (4) years.

6.3.8. Coordinate with the DVC, as appropriate, to ensure compliance with section 6.3.6. of this procedure.

6.4. Senior Administrators will designate a DVC for all vehicles under their purview.

6.5. Department Supervisors will plan, assign, monitor, and evaluate the work activities of employees with regard to travel assignments, in accordance with established University, CSU, State of California, and Federal requirements. All work assignments regarding travel on State business shall be facilitated in a manner, which minimizes the risk and liability to the University, while fulfilling the administrative and instructional goal(s) of the institution.

6.6. The DVC will:

6.6.1. Ensure that employees using University vehicles under their purview:

6.6.1.1. Meet eligibility requirements.

6.6.1.2. Complete the Vehicle Daily/Per Use Check List (Appendix 8.5.).

6.6.1.3. Complete the Monthly Travel Log – Std. 273 (Appendix 8.6.).

6.6.2. In coordination with RM/EHS, determine the types of vehicles employees are qualified to use.

6.6.3. Submit the Monthly Travel Logs – Std. 273 for each vehicle to the MVI by the second (2^{nd}) working day of each month.

6.7. Employees will:

6.7.1. Participate in and attend a State Vehicle (vehicle/van) Defensive Driver Training program at least once every four (4) years.

6.7.2. Perform the duties and tasks of their position in a manner that presents the lowest risk and exposure to themselves and the University.

6.7.3. Become knowledgeable of and submit all required documentation, adhere to risk management-related standards, guidelines and regulations that pertain to their work assignments.

6.7.4. Report any vehicle related accidents while conducting State business or any activity that presents an undue risk and/or liability to the University to RM/EHS.

6.7.5. Register with RM/EHS if their work demands require the use of a University or privately owned vehicle.

6.7.6. Adhere to all instructions, guidelines, policies, procedures, and all relevant laws and regulations related to the use of University and privately owned vehicles, including wireless communication devices and wireless telephone laws.

6.7.6.1. Annually complete the Std. 261 (Appendix 8.4.).

6.7.6.2. Submit appropriate court documentation for correction of vehicle violations to RM/EHS, as appropriate.

6.7.7. Complete the Vehicle Daily/Per Use Check List **each time prior to** accepting the keys to a University vehicle, including electric carts.

6.7.8. Complete the Monthly Travel Log – Std. 273 (Appendix 8.6.).

7.0. PROCEDURES:

7.1. State Vehicle Driver Program:

7.1.1. Employee name, California (CA) driver's license number, State Form 261, department affiliation and date of attendance in a defensive driver training class shall be recorded for all employees participating in the State Vehicle Driver Program.

7.1.2. An annual record of driving performance shall be obtained through the DMV VPN program.

7.1.3. Records of attendance shall be maintained by RM/EHS for all employees participating in the State Vehicle Driver Program.

7.2. Driving Record

7.2.1. RM/EHS will:

7.2.1.1. Establish a driving record review process, to include:

7.2.1.1.1. Annual review of driving record.

7.2.1.1.2. Evaluation of DMV report when a person's driving record or action(s) give cause for doubt on ability to drive safely.

7.2.1.1.2.1. DMV criteria to determine suspension, includes:
4 points in 12 months OR
6 points in 24 months OR
8 points in 36 months.

7.2.1.2. Determine driving eligibility based on the employee's driving history and their compliance with DMV standards.

7.2.1.2.1. Active Status:

a. Valid California Driver's License.

b. Less than 4 points in 12 months, or less than 6 points in 24 months, or less than 8 points in 36 months.

7.2.1.2.2. Restricted Status (any one of the following):

a. Restricted use of California Driver's License.

b. A Driving Under the Influence (DUI) conviction within the last twelve (12) months.

c. A vehicular felony conviction within the last twelve (12) months.

d. At fault vehicular accident while on State business within the last twelve (12) months.

7.2.1.2.3. Prohibited Status (any one of the following):

a. Revoked or suspended California Driver's License.

b. 4 or more points in 12 months; or 6 or more points in 24 months; or 8 or more points in 36 months.

7.3. Authorization to Use Privately Owned Vehicles

7.3.1. Campus management is responsible for authorizing persons to drive privately owned vehicles to conduct official University or State business.

7.3.2. Certification is required, in writing, prior to granting authorization ensuring that the person has the following:

7.3.2.1. Liability insurance in the following amounts:

a. $15,000 Personal injury to, or death of, one person,

b. $30,000 for personal injury to, or death of, two or more persons in one accident, and

c. $5,000 for property damage.

7.3.2.2. Coverage adequate for the work to be performed.

7.3.2.3. A vehicle equipped with safety belts in operating condition.

7.3.2.4. A vehicle in safe mechanical condition as required by law.

7.3.2.5. An approved current year certification statement (Std. Form 261) signed by an authorized person on file with RM/EHS (see Appendix 8.3.).

7.4. State Vehicle Driver Program Process

7.4.1. Employees new to the program are required to submit the following documents and complete the State Vehicle Defensive Driver Training course:

7.4.1.1. State Vehicle Driver Program Training Enrollment Form.

7.4.1.2. Authorization to Use Privately Owned Vehicle (Std. 261).

7.4.1.3. Copy of private vehicle personal insurance.

7.4.1.4. Copy of valid (CA) driver license.

8.0. APPENDICES:

8.1. Vehicle Accident Report (Std. 270).

8.2. State Driver Accident Review (Std. 274).

8.3. State Vehicle Driver Program Enrollment Form.

8.4. Authorization To Use Privately Owned Vehicles on State Business (Std. 261).

8.5. Vehicle Daily/Per Use Check List.

8.6. Monthly Travel Log (Std. 273).