



# Procedure CO-CV-PR2 Driving Records/Training

Dates Effective: From: February 13, 2020

Responsible Officer: Vice President for Administration and Campus Operations

Sponsoring Department: Environmental Health and Safety

Errors or changes to: Office of Legal Affairs

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## Objective

The purpose of this procedure is to outline the responsibilities and procedures covering the authorized use of University-owned and operated vehicles, procedures for updating the inventory of vehicles for insurance purposes, requirements for the use of vehicles, requirements for authorization of drivers, and guidelines for reporting vehicle accidents.

It also serves as a comprehensive guide for University employees regarding the management of risk as well as operational and legal issues associated with the use of motor vehicles for official University business.

The Vice President for Administration and Campus Operations is responsible for full implementation of the requirements outlined within this procedure.

## Scope

This procedure applies to all University employees who are required or allowed to drive University-owned or leased vehicles in the course and scope of their regular job duties for official University business.

## Procedures

## Responsibilities

### Authorized Drivers

It is the responsibility of the employee to complete and submit the "Request for Review of Motor Vehicle Record (MVR)" to have their driving record history checked. Thereafter, the employee's MVR will be automatically reviewed and rated at least annually. If a full 36-month history is not available from the Texas Department of Public Safety (TX DPS), the prospective driver must obtain a copy of their driving history from any previous state(s) of residence. Drivers must successfully complete the required driver training courses every three (3) years to remain an authorized driver of University vehicles. If a driver is involved in an accident while driving a University vehicle, they should notify the Environmental Health & Safety Office with details as soon as possible, but no later than by the next business day.

### Supervisors

It is the supervisor's responsibility to ensure that employees in their department who operate University vehicles are current on all requirements and are authorized to drive.

### Environmental Health & Safety

The Environmental Health & Safety Office (EH&S) receives all employee requests for MVR reviews and submits them to The University of Texas System (UT System) Office of Risk Management (ORM). ORM obtains the history from the Texas Department of Public Safety and then assigns a rating of acceptable or unacceptable. EH&S is also responsible for administering driving training, maintaining documentation of completed training and approved MVR records, and compiling a list of authorized drivers for the University. EH&S coordinates the reporting of all accident claims to UT System.

## I. General Requirements

Vehicles shall be used legally, courteously and safely. To reduce the risk of accidental loss associated with the use of vehicles by the University, UTA has adopted a comprehensive fleet safety program to include policies and procedures for the following: minimum driver standards; driver's motor vehicle record checks for authorized drivers and potential drivers; post-accident reviews and remedial actions; driver training; drug and alcohol testing for drivers of commercial motor vehicles; and other policies and procedures consistent with the State Vehicle Fleet Management Plan and UT System Administrative Policy UTS157 Automobile



## Insurance Coverage for Officers and Employees and General Requirements for the Use of Vehicles.

The University recognizes a responsibility for UTA motor vehicles to be operated in a safe manner. Therefore, before employing a person as an authorized driver of a University-owned vehicle for official University business, it is the policy of UTA to request from the Department of Public Safety a Motor Vehicle Report (MVR) showing a history going back at least 36 months that lists all convictions for traffic violations issued to the potential employee and a verification that the person has a valid Texas driver's license.

Incumbent authorized drivers will have their motor vehicle driving records checked as follows:

- At least every twelve (12) months after initially authorized;
- Promptly after the employee has been involved in an automobile accident while driving on official University business; and
- Promptly after the employee receives a moving traffic citation while on official University business.

## II. Requirements for the Authorization of Drivers

Authorization of drivers for the use of vehicles for official University business shall be limited to employees of the University unless otherwise approved in writing by the U. T. System Office of Risk Management or UTA's Vice President for Administration and Campus Operations, who may use his/her discretion to approve the limited use of any University-owned motor vehicles for official University business. This approval authority applies only to:

- third party contractors utilizing University-owned vehicles for the purpose of meeting their responsibilities under a University contract. All contracts that may allow the use of University-owned vehicles by non-employees shall be reviewed by UT System Office of Risk Management and UTA Legal Affairs to ensure that adequate transfer of liability is included in the contract language; and
- use of University-owned vehicles by nonstudent volunteers.

Approved non-employee drivers must meet the same training and MVR record requirements indicated in this procedure for employees.

UTA's Environmental Health & Safety Office will maintain a list of authorized drivers of University-owned vehicles to include:

- Driver's name (as it appears on his or her license);
- Department assigned to;
- Driver's license number;
- Date of birth;
- Driving status (acceptable or not acceptable);
- Date of last training/counseling; and
- Notations regarding any misconduct with the vehicle or any reprimands concerning his or her driving, or any positive remarks regarding his or her safe driving.

Authorized drivers and applicants seeking a position that requires authorization to operate a University-owned vehicle will be evaluated on the most recent three-year history reflected on their MVR and points will be assigned accordingly. If the total points equal four or more for the immediately preceding 36 months, the person shall not be authorized to operate a University-owned vehicle. If UTA is unable to obtain a three-year driving record history, then UTA's Vice President for Administration and Campus Operations may use his/her discretion to authorize the employee to operate a University-owned vehicle for official University business. However, under no circumstances will an employee be approved or authorized to operate 12 and 15-passenger vans without fulfilling the acceptable 3-year driving history requirement.

### Type A Violations

Convictions for Type A violations appearing on the MVR count as four (4) points against an authorized driver's or applicant's record. Type A violations include:

- Criminal negligent homicide - 1st or 2nd degree
- Driving while intoxicated (DWI)
- Driving while under the influence of drugs (DUI)
- Drag Racing / Speeding Contest
- Aggravated Assault with motor vehicle
- Driving while license suspended
- Murder - with motor vehicle

- Reckless driving
- Fleeing from police officer
- Felony use of Commercial Motor Vehicle (CMV)
- Felony use of CMV - controlled substance
- Driving while license disqualified - CMV

For the purposes of this procedure, the definition of a DUI/DWI conviction means: being convicted, receiving a probated sentence, or pleading no contest for driving a commercial or non-commercial vehicle under the influence of alcohol or drugs, or while intoxicated.

### Type B Violations

Convictions for Type B violations appearing on the MVR count as one (1) point against an authorized driver's or applicant's record. Type B violations include all moving traffic violations not listed above as a Type A violation. Type B violations do not include non-moving administrative offenses (examples: outdated inspection stickers, no proof of insurance, license plate missing).

### Reporting Responsibilities

An authorized driver of a University-owned vehicle shall immediately report to his or her supervisor a suspension or revocation of his/her driver's license or any Type A violation as defined in this procedure, including the nature of the charge, the plea entered by the driver, the scheduled court date, and the findings of the court. An employee who fails to provide required notice shall be subject to disciplinary action up to and including termination. An employee that has been charged with a type A violation will not be authorized to operate University-owned vehicles until that employee can show evidence that the charge has been dismissed or adjudicated.

Additionally, an authorized driver shall promptly report to his or her supervisor if he/she has been involved in a Type B violation as defined by this procedure or an at-fault automobile accident while operating a University-owned vehicle for official University business.

An employee who operates a University-owned, rented, leased, or personal vehicle for official University business at a time when his or her license was expired, suspended or revoked, shall be subject to disciplinary action up to and including termination.

### III. Driver Training

Driver training is required for each authorized driver of University-owned vehicles at least every three (3) years. The UTA Defensive Driving Awareness course may be accessed and completed on the Environmental Health & Safety Training Management website at <https://uta-ehs.org>.

If an employee has completed a Defensive Driving Course with an outside agency within the past three (3) years and they can provide EH&S with a certificate, this will also satisfy the training requirement.

#### Commercial Driver's License (CDL)

A CDL is required of authorized drivers who operate commercial motor vehicles (CMVs) for official University business (see Definitions section for description of a CMV).

In accordance with the US Department of Transportation's Federal Motor Carrier Safety Regulations, 49 CFR Parts 40 and 382, employers shall test drivers holding a CDL for drugs and alcohol. The regulations call for pre-employment, post-accident, reasonable suspicion, random, return-to-duty, and follow-up drug and alcohol testing program that meets the regulatory requirements.

### IV. Operation of 12 and 15-Passenger Vans

12 and 15-passenger vans will only be operated by experienced, authorized drivers who understand and are familiar with the handling characteristics of the vans, especially when the van is fully loaded. Employees will not be approved to operate 12 and 15-passenger vans without fulfilling the acceptable 3-year driving history requirement per Section II of this procedure.

#### Training

In addition to the above requirements for approval to drive University vehicles, each driver of University-owned, rented, or leased 12 and 15-passenger capacity vans is required to attend specialized driver training at least every three (3) years. The van-specific training consists of an online course plus a behind-the-wheel on-the-road driving test. To access the 12 and 15-passenger van-specific online course go to <https://uta-ehs.org>. Please visit the [EH&S website](#) to obtain the dates and times of scheduled behind-the-wheel training sessions.

#### Other Requirements

- Except as allowed by Section IV, 12 and 15-passenger vans shall not be used to carry more than nine (9) occupants (including the driver) at any one time.
- Seat belt use is required at all times by all occupants of 12 and 15-passenger vans.
- Vehicles shall be properly loaded - consult the owner's manual to determine the maximum load for the vehicle and the proper distribution of that load. Passengers shall be seated only in recognized seats and in an arrangement designed to spread out the load. Luggage shall be placed in the rear behind the last seat and shall not be allowed on the roof when the van is being operated.
- Tires shall be inspected to assure that they are properly inflated and not worn before each trip.
- A driver may not operate the vehicle for more than 10 hours in a 24-hour period. Trips requiring more than ten hours driving time to reach a point of destination will require overnight lodging or a second driver.
- Van drivers shall take a mandatory 30-minute rest break every four (4) hours.
- For trips scheduled for longer than two (2) hours, assign a navigator to assist each driver. The navigator must stay awake while on duty.

Special 12-Passenger Van Provisions for Newer Vehicles: Use of a 12-passenger van that meets all of the following criteria may forgo the nine (9)-passenger-only limitation:

- 12-passenger vans must not be a converted, modified, or otherwise altered 15-passenger van.
- 12-passenger vans must have a wheel base of approximately 135 inches or more.
- 12-passenger vans must not have the ability to seat more than 12 passengers including the driver and have assigned seat belts for each seat.
- 12-passenger vans must be equipped with an Electronic Stability Control (ESC) or Traction Control System (TCS).
- 12-passenger vans should also be equipped with other safety features, such as front and side curtain bags, antilock brakes, and a tire pressure monitoring system.

If you have any questions regarding this subject, please refer to Section 5 of [UTS 157](#), or contact the Environmental Health & Safety Office at 817-272-2185 or [ehsafety@uta.edu](mailto:ehsafety@uta.edu).

## V. Low Speed Vehicles (LSV)

To be authorized to drive low speed vehicles, drivers must meet the same requirements in place to drive any standard motorized University vehicle. LSVs include golf carts, mules, and other low speed utility vehicles.

EH&S has established a prescribed [Low Speed Vehicle Travel Route](#) to minimize the risk of injury associated with LSV accidents. Under no circumstances are LSVs allowed to travel on any part of Cooper Street. Use of LSVs on other major thoroughfares such as Davis Street, Mitchell Street and UTA Boulevard is discouraged and should only occur when necessary. When moving from one side of campus to the other, it is recommended that LSVs cross Cooper Street on Nedderman Drive.

## VI. Distracted Driving

Distracted driving is a serious safety risk, not only to the driver, but also to other occupants in the vehicle, other vehicles on the road and pedestrians. In order to reduce the risks associated with distracted driving, certain conduct is prohibited while driving a University-owned vehicle or while driving a personal vehicle while on University business, including:

- Use of a handheld cell phone while operating a vehicle. This includes, answering or making phone calls, engaging in phone conversations, and reading or responding to emails, instant messages, tweets, and text messages.
- Operating laptops, tablets, portable media devices, and GPS devices.
- Reading maps or any type of document, printed or electronic.

These restrictions apply whether the vehicle is in motion or stopped at a traffic light. Drivers must pull over safely to the side of the road or another safe location before checking messages, returning calls, text messaging, emailing, reading maps for directions, or programming GPS devices.

In addition to the restrictions of this procedure, employees must adhere to all state or local distracted driving laws. A violation of this procedure will subject the employee to disciplinary action up to and including termination.

## VII. Insurance Coverage

### University-Owned Vehicles (including long-term {greater than 6 months} leased vehicles)

- Under the provisions of Texas Civil Practice and Remedies Code Section 101.027 and Texas Government Code Section 612.002, liability insurance has been purchased for officers and employees of the University covering liability arising from the use and operation of University-owned and operated vehicles while on official University business. The UT System Office of Risk Management procures any necessary insurance coverage and issues certificates of insurance.
- Automobile liability coverage is provided for authorized drivers of University-owned vehicles through the system-wide automobile liability policy. Under the terms of the policy, the insurance company will periodically audit the inventory of vehicles covered. To assist in this audit, the UTA Office of Facilities Management Fleet Manager shall update all vehicle information (additions, deletions, and changes) through The University of Texas System Risk Management Information System. When performing updates, the fleet contact shall assign a Vehicle Classification Rating to each vehicle in accordance with the "Motor Vehicle Classification Schedule" found in [Appendix A of UTS 157](#). The Fleet Manager will update vehicle information as soon as possible after receiving information that requires an update.
- Optional liability and physical damage insurance is available to departments for University-owned vehicles. In the event of an accident, a deductible will be charged to the employee's department or the student organization budget. The University employee responsible for the vehicle may be personally liable for the entire loss if the University vehicle is used by an unauthorized individual, for an unauthorized purpose, or in an unauthorized manner.

### Rental (Hired) Vehicles (including short-term {less than 6 months} lease vehicles)

- With limited exceptions, when an employee rents a Vehicle from a rental company under The UTS Rental Agreement, liability, comprehensive, and collision insurance coverages are automatically provided. The Traveler or Travel Coordinator should refer to the list of exceptions/non-participating locations ([Rental Cars](#)) and, as applicable, purchase the Collision Damage Waiver (CDW) or Loss Damage Waiver (LDW); (this is a reimbursable expense).
- The Hired/Non-Owned insurance coverage is in excess of the insurance secured through the rental agreement. When a provider under the UTS Rental Agreement is not used, employees must purchase the Collision Damage Waiver (CDW) or Loss Damage Waiver (LDW). This is a reimbursable expense. Please contact the U. T. System Office of Risk

Management for an explanation of other coverage options, as some of these coverages are not reimbursable.

- UT System has agreements in place with Avis, Enterprise, Hertz and their affiliates, i.e. Alamo, Budget and Dollar. These companies all include CDW or LDW on passenger vehicles as a part of their daily rental rate when the rental is reserved in advance by the institution. They will also provide the CDW or LDW on vehicles that are not classed as passenger vehicles, i.e. Box Trucks, at an extra cost to UTA. UT System requires the purchase of this insurance.
- The employee must notify EH&S at least 72 hours prior to the trip if any rental Vehicle will be taken off road or if a vehicle is being rented or leased for extensive travel (travel outside of the 48 contiguous states or rented or leased for more than 30 days). The following information must be provided with the notification:

dates insurance coverage is needed;

city and state where the vehicle is being rented;

name, address and phone number of the rental company;

make, model, license number, vehicle identification number, and value of vehicle;

names of the individuals that will be driving the vehicle; and

purpose of the rental.

- If renting a Vehicle for use outside of the United States of America, please refer to the Section A. of the heading "Travel Outside of the United States of America" below on page 12 of this procedure. If renting a Vehicle for use in the country of Mexico, please refer to the Section B. of the heading "Travel Outside of the United States of America" below on page 12 of this procedure.
- If a rental or leasing company requires a copy of the Certificate of Insurance before releasing the vehicle, University departments should contact EH&S to obtain a copy of the [UT System Liability Certificate](#). The same information listed above will be required.

Rental (Hired) Charter Bus Vehicles (including short-term, less than six months, lease vehicles).

Chartered buses have inherent and unique exposures that require the contract charter company and any subcontractor bus companies to follow certain guidelines and insurance requirements. UTA has master agreements with bus companies that must be used whenever a charter bus is required locally. Employees requiring use of a local bus charter should contact UTA Procurement Services. Any use of a charter bus not under a UTA master contract requires a contract in place first and approved by the UTA Office of Legal Affairs and must comply with the contract requirements outlined in Appendix C under Item 5. Any questions about the guidelines and insurance requirements should be directed to the Office of Risk Management.

### Personal (Non-University Owned) Vehicles.

- Employees are strongly discouraged from using personal vehicles for conducting official University business. When the employee utilizes their own vehicle to conduct official University business, their personal auto insurance will be primary at all times. Each employee should be aware of the following:
  - that they must have a valid driver's license issued by the state where they permanently reside that is not currently expired, suspended or revoked;
  - that they must carry auto liability insurance that meets the minimum requirements in their state of residence; and
  - that the U.T. System Hired/Non-Owned insurance coverage is secondary to the employee's personal auto liability insurance in the event of any claim or litigation.
- The Hired/Non-Owned policy provides liability-only coverage for employees using their personal vehicles while conducting official University business. This coverage is secondary to any personal auto insurance the employee has, and is only for property damage or bodily injury to third parties. It does not provide any coverage for physical damages sustained to the employee's vehicle.
- If an employee using his or her personal vehicle for official University business is involved in an accident, they should notify EH&S immediately but at the minimum no later than by the next business day. Employees shall follow the post-accident claim procedures section of this procedure if a personal vehicle is involved in an accident while being used for official University business.

### Physical Damage Insurance Coverage

Insurance covering physical damage to a University-owned or leased vehicle is also available to institutions. This coverage is typically purchased for newer vehicles or

when lease terms require physical damage insurance. The Office of Risk Management automatically obtains quotes for physical damage on vehicles two years old or newer. The institutions have the option to reject physical damage coverage once it has been quoted by removing those vehicles from the schedule.

#### Travel Outside of the United States of America

- A. The UT System Office of Risk Management has purchased a Foreign Package Policy that provides coverage for autos used outside of the United States of America, its territories and possessions, Puerto Rico, and Canada. This policy provides liability and physical damage coverage for both private owned passenger vehicles and hired/non-owned vehicles. Most rental car agencies in foreign countries will require that their insurance be purchased in order to rent their vehicles. The foreign business auto liability insurance would be excess over the coverage that is purchased from the rental agency.
- B. The UT System Office of Risk Management has also purchased a Mexico Tourist Policy. When traveling into Mexico on official University business, UT System drivers must have in their possession a vehicle specific Mexico auto identification card and a copy of the Mexico Tourist Policy. These documents are required to be carried by Mexican law. The Mexico Tourist Policy provides liability and physical damage coverage for owned private passenger autos and hired vehicles, and liability for non-owned vehicles.

Each year prior to renewal of the Mexico Tourist Policy, departments must advise EH&S of any University-owned vehicles that will be used for Mexico travel during the year. Departments must provide the year, make, model, and vehicle identification number of the vehicles they want listed on the policy. EH&S will give a Mexico auto identification card for these vehicles as well as a copy of the policy. If a University-owned vehicle that was not submitted for renewal is being used, departments must contact EH&S and provide the year, make, model, and vehicle identification number of the vehicle. EH&S will obtain and supply a Mexico auto identification card and a copy of the policy.

Additionally, the UT System Office of Risk Management has obtained approval from select UT System rental agreement providers to allow the University to use its Mexico Tourist Policy to cover its rented vehicles when traveling into Mexico. Departments who wish to rent a vehicle in Texas for use in Mexico should contact EH&S for requirements and to obtain quotes for insurance.

## VIII. Post-Accident Claims Procedure

Reporting procedures shall ensure that authorized drivers understand their post accident claim handling and reporting responsibilities so that the Vice President for Administration and Campus Operations or designee is immediately made aware of any incidents that could lead to a claim under any automobile insurance policy purchased by or for the benefit of the University.

### Driver Responsibilities

While at the scene of the accident authorized drivers shall attempt to obtain as much information as possible, including the license plate number of any vehicles at the scene, names, and insurance information from the other parties involved in the accident. As soon as possible, the authorized driver shall provide this information to EH&S.

Authorized drivers of University-owned vehicles should advise other parties involved in the accident that the accident will be reported to the University's insurance company, who will be in contact with the claimant. Authorized drivers should not make any representations regarding insurance coverage or admit fault to other parties involved in the accident, because the insurance company's adjuster will make the determination of coverage available under the insurance policy and assess liability.

If an authorized driver is involved in a vehicle accident off-campus and the police department having jurisdiction does not issue a police report, then the authorized driver must submit a [UTA Vehicle Accident Report](#). This form is required to be carried in all University vehicles along with the proof of insurance. The authorized driver must submit this form within one (1) business day to EH&S via email to [ehsafety@uta.edu](mailto:ehsafety@uta.edu), by fax at 817-272-2144, or in campus mail to Box 19257.

### Institution Responsibility

EH&S will coordinate all reporting of accident claims to the UT System Office of Risk Management. The authorized driver involved in the accident shall provide all appropriate information to EH&S as soon as possible, but no later than the next business day.

## IX. Accident Review Board

### Purpose

The objective of the Accident Review Board (ARB) is to encourage safe driving habits by UTA employees and reduce the occurrence of preventable motor vehicle accidents involving University employees. The ARB will review the causes of vehicle accidents to determine if they may have been preventable in an effort to generate recommendations to drivers, supervisors, and administrators to assist in the prevention of similar accidents.

### Board Reporting and Membership

- The ARB reports to the Vice President for Administration and Campus Operations. The Board will provide written reports which summarize the review process for each accident investigated. The chair is responsible for submitting reports to the Vice President for Administration and Campus Operations.
- The Board will meet on a monthly basis, or at the call of the chair according to need. A minimum of three (3) voting members must be present to constitute a quorum.
- The Board shall consist of the following members:

Chair - Chief of Police or Appointed Designee (non-voting member)

Director of Office of Facilities Management

Director of Environmental Health & Safety

Vehicle Fleet Manager

EH&S Insurance/Risk Management liaison

Human Resources representative

## X. Review of Accidents

All accidents, regardless of how minor, involving University-owned or leased vehicles must be promptly reported by the driver to UTAPD, EH&S, and to the employee's supervisor. At that time EH&S will submit a Request for Review of Motor Vehicle Record (MVR) to obtain a current copy of the driver's MVR showing a history

going back at least 36 months which lists all convictions for traffic violations. The results of the Motor Vehicle Report will be reviewed by the ARB.

The ARB will conduct a review of all vehicle accidents. The ARB shall make a preventability determination utilizing the [Vehicle Accident Classifications](#). The Board will consider only the facts and circumstances of each individual case in determining preventability. A driver's past driving history will have no bearing on this determination.

### Accident Review Board Procedures

The chair shall set meeting dates and times. The chair shall provide all members of the board with a copy of the Vehicle Accident Classifications criterion to assist in determining preventable and non-preventable incident classifications.

The chair shall provide all members with a copy of the documents that will be reviewed during the board meeting. The driver's name and/or vehicle number should be "blacked out" from all reports before making copies for the board members' review. The chair shall ensure that no ARB member reviews their own incident.

The chair will present the facts about each accident under review. Accidents are referred to by the incident report number or date only. The driver's name should never be mentioned, nor should the driver appear in person before the board. The driver is represented by data on the accident report and other documentation.

When applicable, the accident facts are presented through the following information:

- Police Department reports
- Environmental Health & Safety reports
- Witness statements
- Written statement from driver
- Written statement from driver's supervisor
- Diagrams, photographs, and other evidence

The voting board members will then make a determination as to whether or not the accident was "preventable" or "non-preventable". The Vehicle Accident Classifications criterion will be used to make this determination. The classifications are based on National Safety Council Rules.

The board will complete the [Vehicle Accident Review](#) form, which includes any recommendations for corrective actions, and forward the form to the Vice President for Administration and Campus Operations for review. These recommendations may include number of points to be assessed to the driver, recommendation to suspend driving privileges, and/or recommended changes to University vehicle driving policies and procedures. After review and approval by the Vice President for Administration and Campus Operations, EH&S will coordinate the implementation of the board's recommendations with the department administrators concerned.

### Appeal of the Board Decision

The driver may appeal a decision within ten (10) days of receipt of the Board's written notice by submitting a written appeal to the Vice President for Administration and Campus Operations. The Vice President for Administration and Campus Operations will review the original decision, supporting documentation, and the written appeal and respond to the driver in writing within ten (10) days, advising them of the decision. The original ARB decision will stand unless there is a compelling reason to overturn the decision. The decision of the Vice President for Administration and Campus Operations is final.

### Ramifications of Preventable Accidents

When an accident is determined to have been "Preventable", the ARB will apply points to the driver as described below. The accumulation of four (4) or more points from the ARB within any thirty-six (36) month period will result in the automatic revocation of University vehicle driving privileges. The points applied by the ARB are separate and are not added to the points determined from a driver's MVR check, as described in Section II, Requirements for the Authorization of Drivers.

- The first determination of a "Preventable" accident will result in a face-to-face meeting between the driver and driver's supervisor. Consistent with the goals of the University, it is hoped that this meeting will raise the "awareness" of the driver, and ultimately result in safer driving habits. The driver will be required to complete UTA's Defensive Driving Awareness Course. The driver will be assessed one (1) point if the accident involved a fixed object or two (2) points if the accident involved another moving vehicle or pedestrian.
- The second determination of a "Preventable" accident within a thirty-six (36) month period will result in a meeting with the supervisor and required completion of the University's Defensive Driving Awareness Course. The driver will be assessed one (1) point if the accident involved a fixed object or two (2) points if the accident involved another moving vehicle or pedestrian. Additionally, the driver will be suspended from driving a University vehicle for a period of ten (10) working days.

- The third determination of a "Preventable" accident within a thirty-six (36) month period will result in a meeting with the supervisor and required completion of the University's Defensive Driving Awareness Course. The driver will be assessed one (1) point if the accident involved a fixed object or two (2) points if the accident involved another moving vehicle or pedestrian. Additionally, the driver will be suspended from driving a University vehicle for a period of twenty (20) working days.
- Below is a summary of consequences when the ARB determines an accident to be "Preventable".

Preventable Accident	First Determination	Second Determination within 36 months	Third Determination within 36 months
Meeting w/Supervisor	Yes	Yes	Yes
Defensive Driver Training	Yes	Yes	Yes
Accident Involved Fixed Object	1 point accessed	1 point accessed	1 point accessed
Accident Involved Moving Vehicle or Pedestrian	2 points accessed	2 points accessed	2 points accessed
Driving Privileges Suspended	No	10 working days	20 working days

Revocation of Driving Privileges	No	No - Less than four (4) points accumulated Yes - Four (4) or more points accumulated	
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- Records will be maintained by EH&S. Copies will be forwarded for documentation in the employee's departmental file and the employee's Human Resources file.

### Suspension of Driving Privileges

If any single "preventable" accident involves any one of the following, it will be recommended to the Vice President for Administration and Campus Operations that the driver be suspended from driving University vehicles. The Board will recommend the duration of the suspension depending on the circumstances.

- A conviction of legal intoxication or drug involvement while operating a University vehicle.
- A determination that the driver did not have a valid Texas driver's license at the time of the accident.
- A determination that the driver's actions were reckless under the circumstances and created a serious safety hazard.

If the ARB determines that it is in the best interest of the University, it may recommend to the Vice President for Administration and Campus Operations that a driver be suspended from driving University vehicles until such time as the outcome of a particular incident can be determined.

NOTE: Any employee who cannot perform the essential functions of his/her job due to suspension or revocation of University vehicle driving privileges as a result of ARB action may be subject to administrative/disciplinary action such as reassignment, suspension without pay, demotion, or termination of employment. Nothing in this procedure will prevent the Office of Human Resources from taking disciplinary action in excess of that stated in this procedure based on additional factors or history.

## Definitions

**Authorized driver:** An authorized driver is an employee of The University of Texas at Arlington ("University") who is eligible to operate a University-owned or rented vehicle for Official University Business. To be eligible, an employee must hold a valid Texas driver's license, have an acceptable driving record, and complete the required driver training.

**Commercial Motor Vehicle (CMV):** The U.S. Department of Transportation, Federal Motor Carrier Safety Administration, defines a CMV as any self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property when the vehicle:

- has a gross combination weight rating of 11,794 kilograms or more (26,001 pounds or more) inclusive of a towed unit(s) with a gross vehicle weight rating of more than 4,536 kilograms (10,000 pounds);
- has a gross vehicle weight rating of 11,794 or more kilograms (26,001 pounds or more)
- is designed to transport 16 or more passengers, including the driver; or
- is of any size and is used in the transportation of hazardous materials as defined in 49 U.S.C. 5103 and is required to be placarded under 49 CFR, Part 172, Subpart F.

**Employee:** An employee is a person employed in the service of the University under an appointment or oral or written express contract for hire whose name appears on UTA payroll.

**Low Speed Vehicle (LSV):** A LSV is a vehicle that has a top speed of less than 35 miles per hour. LSVs may include golf carts, golf cart-type LSV, mules, Bobcat utility carts, gators, ATVs, and mule-type LSV (i.e., designed by the manufacturer primarily for transporting persons with the option of a cargo bed).

**Official University business (as it relates to operating a motor vehicle):**

Official university business includes activities such as driving a vehicle during the course and scope of employment for the University regardless of the frequency of driving or operating duties.

**University-owned vehicle:** University vehicles are vehicles to which the University holds title or a vehicle leased by the University for more than six months. This includes golf carts, utility vehicles, tractors, and other equipment covered under the University's insurance program. All staff who drive on Official University Business must observe all applicable laws and have a valid driver's license issued in

the state where they permanently reside that is not currently suspended or revoked.

**Vehicle:** A vehicle is equipment of a motorized, vehicular nature. This includes golf carts, utility vehicles, tractors, and other equipment. All staff who drive on Official University Business must observe all applicable laws and have a valid driver's license issued in the state where they permanently reside that is not currently suspended or revoked.

## Rationale

The University recognizes a responsibility for UTA motor vehicles to be operated in a safe manner. Vehicles shall be used legally, courteously and safely. This procedure has been developed to reduce the risk of accidental loss associated with the use of vehicles by the University.

## Relevant Federal and State Statutes

N/A

## Relevant UT System and UTA Policies, Procedures, and Forms

[UT System Administration, Policy UTS157](#)

Environmental Health & Safety website:

[Driving UT Arlington Vehicles](#)

[Request for Review of Motor Vehicle Record CO-CV-F1](#)

[Defensive Driving Awareness Training](#)

[15 Passenger Van Training](#)

[System wide Certificate of Liability Insurance](#)

[Low Speed Vehicle Travel Route Map](#)

[UTA Vehicle Accident Report](#)

[Vehicle Accident Classifications](#)

[Vehicle Accident Review Form](#)

## Contact Information

If you have any questions about this procedure, contact the following departments:

<b>Subject</b>	<b>Office Name</b>	<b>Telephone Number</b>	<b>Email/URL</b>
All topics in procedure	Environmental Health & Safety	(817) 272-2185	<a href="mailto:ehsafety@uta.edu">ehsafety@uta.edu</a>
Website access	Office of Legal Affairs	(817) 272-5577	<a href="mailto:Polycysite@uta.edu">Polycysite@uta.edu</a>

## Appendices

UTS157-Appendix A: [Motor Vehicle Classification Schedule](#)

UTS157-Appendix B: [MVR Points Schedule](#)

UTS157 – Appendix C: [Appendix C: Charter Bus Contract Guidance and Insurance Requirements](#)