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Chapter 5 Parking and Transportation

Section 1, Motor Vehicle Use

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Responsible Office(s): Office of Parking and Transportation Services

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Motor Vehicle Use Regulation

Statement

EKU employees have both the privilege and responsibility to safely operate any vehicle driven to complete Approved Business. Drivers operating an EKU Vehicle or a personal vehicle to transport students, to complete Approved Business will operate the vehicle safely and in compliance with applicable statutes and regulations and are expected to avoid accidents and injuries to self, passengers, property and the general public.

This regulation applies to employees who drive University vehicles on Approved Business. This policy also applies to employees who drive their personal vehicles to transport students on Approved Business.

An Approved Driver is responsible for the operation of an EKU Vehicle that is owned, leased, rented (including outside rental vehicles), or for driving a personal vehicle when transporting students to complete Approved Business. It is the responsibility of each Approved Driver to know and abide by this Motor Vehicle Use Regulation.

This regulation outlines the Approved Driver designation process and the responsibilities of Approved Drivers. Employees travelling on Approved Business should also review [the Travel Requirements and Procedures Regulation](#).

Entities Affected

- Employees who operate EKU Vehicles to complete Approved Business
- Employees who drive their personal vehicles on Approved Business to transport students
- Supervisors who authorize travel for Approved Business
- The Parking and Transportation Department
- Facilities Services
- The Office of Risk Management and Insurance
- The Office of Human Resources

Background

No previous regulation existed.

Definitions

Approved Business

Approved Business is defined as work assisting in the completion of the mission of EKU, within the scope of EKU employment and approved by the supervisory position at the level of Director, Department Chair or higher. An EKU Vehicle will not be used for any use other than Approved Business. Driving should not be approved until it meets this definition.

Approved Driver

An Eligible Driver who has completed the Approved Driver Process and been approved by the Parking and Transportation Department.

Approved Drivers Needing Driver's Training

Approved Drivers Needing Driver's Training may drive on Approved Business once a Driver's Training Course (offered by or arranged through Parking and Transportation Department and the EKU Traffic Safety Institute) has been successfully completed. Training may consist of online training programs and classroom and driving range instruction depending on the training required.

EKU Vehicle

An EKU Vehicle is any licensed vehicle for expected highway use that is owned, leased, or rented, including outside rental vehicles, by EKU and used to complete Approved Business. Approved Drivers may reserve vehicles by contacting a rental agency (subject to rental agency agreement(s) Please see Purchasing and Stores <http://purchasing.eku.edu/>)

Eligible Driver

Eligible Drivers are employees and student employees who may be eligible to become an Approved Driver if they:

- have a need to drive on Approved Business
- are at least 18 years old, and
- have a continuous driver's license for at least the last three (3) consecutive years. Out of state or International Eligible Drivers who do not have a Kentucky or U.S. driving record will be asked to provide equivalent records from the state or country where they are authorized to drive.

Motor Vehicle Fleets and Fleet Managers

EKU **owned vehicles** assigned to departments will be maintained by designated department Fleet Managers.

Motor Vehicle Record (MVR)

An official driving history maintained by a governmental agency for a specific driver over a specific period of time.

Passenger(s) in ECU Vehicles

Only employees of the University, individuals on Approved Business, official guests of the University, individuals to whom the University wishes to extend a courtesy, and enrolled students of the University may ride in an ECU Vehicle.

Restricted Driver

An employee, based on information reflected on a MVR, who is not permitted to drive any ECU Vehicle or rental vehicle on Approved Business until completion of the Approved Driver Process and approval by the Parking and Transportation Department.

Vehicle Accident Packet

A packet of information placed in the glove box of all EKU Vehicles that includes:

1. "Proof of Insurance" Card
2. "Procedures to Follow in a Vehicle Crash" Form

Procedures

The Approved Driver Process is as follows:

Approved Driver Process**To become an Approved Driver**

- Employees who drive their personal vehicles on Approved Business and do not have a need to transport students do not fall under the Approved Driver Process or this regulation.
- Eligible Drivers must have a need to drive an EKU Vehicle or their personal vehicle (for transporting students only) on Approved Business.
- Eligible Drivers must complete an initial Motor Vehicle Record Disclosure/Release Form to be considered for Approved Driver designation.
- Eligible Drivers must each year at the time of their Parking Permit renewal read and accept the EKU Parking Regulations and the Motor Vehicle Use Policy on Bosscars to be considered for an Approved Driver designation.
- Eligible Drivers who do not register a car on Bosscars but have a need to drive a EKU Vehicle on Approved Business or their personal vehicle to transport students must contact Parking and Transportation.

Ordering Motor Vehicle Records

MVRs will be accessible only by the Parking and Transportation Department, the Office of Human Resources, if necessary, and EKU's insurance carrier.

MVRs for Current employees:

For current employees who are Eligible Drivers, the Parking and Transportation Department will order a Kentucky MVR.

Eligible Drivers who do not have Kentucky or U.S. driving records will be asked to provide equivalent records from the state or country where they are authorized to drive.

MVRs will not be ordered for current employees who drive their personal vehicles and do not have a need to transport students.

MVRs for Job candidates:

The Office of Human Resources orders and reviews MVRs for candidates who are selected for hire and will be classified as Eligible Drivers

For Current employees:**Determination of Driving Categories**

For current employees who are Eligible Drivers, the Parking and Transportation Department will review MVRs to determine if an Eligible Driver is qualified (or will remain qualified) to become either an Approved Driver, an Approved Driver Needing Driver's Training or a Restricted Driver.

If an Eligible Driver is qualified or remains qualified as an Approved Driver, no further action is taken.

If a current employee is designated as an Approved

Driver Needing Training or a Restricted Driver, Parking and Transportation Department will advise the Office of Human Resources.

For Job candidates:

If a candidate selected for hire is designated as an Approved Driver Needing Training or Restricted Driver, the Office of Human Resources will contact the hiring official to determine the next step.

Factors used to determine driver Classifications (for both current employees and job candidates)

The following factors will be used by the Parking and Transportation Department and the Office of Human Resources in determining the driver classification of employees or job candidates required to drive on ECU Approved Business:

- Age of driver
- Continuous driver's license for at least the last three (3) consecutive years.
 - Number of moving violations within the past 3 years
 - Number of At-Fault accidents within the past 3 years

Employees with a conviction for any of the following factors within the past three years will not be allowed to drive on ECU Approved Business:

- Vehicular Homicide
- Driving Under the Influence
- Operating a Vehicle on a Suspended/Revoked License
- Leaving the Scene of an Accident
- Using a Vehicle in the Commission of a Felony
- Reckless driving, Contest/Racing
- Unauthorized use or Theft of a Motor Vehicle
- Attempting to Elude Authority or Failure to Appear in Court.

Driver classification may be re-evaluated when an ordered MVR shows improvement.

Information regarding Eligible Employees who are not designated as an Approved Driver will be provided to the Office of Human Resources. Approved Driver information will not be provided to the Office of Human Resources.

Driver Training (see also training regarding towing and 12 passenger below)

For Approved Drivers:

Approved Drivers are not required to undergo additional training (unless towing or driving a 12 passenger van). Employees driving personal cars on Approved Business who do not have need to transport students are not required to undergo additional training.

For New employees:

Newly hired employees who may have a need to drive on Approved Business will undergo online drivers training provided by the Office of Human Resources as included in the new employee orientation package.

For Approved Drivers Needing Drivers Training:

Approved Drivers Needing Driver's Training may drive on Approved Business after they have successfully completed a driver's training course. Driver's training will be arranged by the Parking and Transportation Department. Training may consist of online training programs and classroom and driving range instruction depending on the training required.

For Restricted Drivers:

Restricted Drivers may not drive any EKV-Vehicle nor a personal vehicle on Approved Business until they complete the Approved Driver Process and are approved by the Parking and Transportation Department.

MVR Information Disputes

The Eligible Driver must address any disputed MVR information with the agency providing the MVR.

Vehicle Operation Procedures

Motor Vehicle Inspection

For EKV Vehicles Only:

Before each day's use of any vehicle for Approved Business, a visual inspection of the vehicle will be performed by the Approved Driver. A visual inspection should also be completed by the Approved Driver at the end of each day's use of any vehicle.

The Approved Driver will ensure that all lights, signals, windshield wipers and horn are in working order, the tires are properly inflated and that there is no known damage to the vehicle being readied for use.

Any cargo should be inspected after loading and before driving to verify a secure load.

If concerns are noted, please contact your specific Motor Vehicle Fleet Supervisor before travel.

Safety-Belt Use

Per Kentucky Statute [KRS 189.125 \(6\)](#), the Approved Driver will ensure that all occupants of the vehicle wear safety belts at all times when the vehicle is in use. Passengers will not travel in vehicles that are not equipped with restraints or in areas of the vehicle intended for cargo or where seats with restraints are not available. This applies to all EKV Vehicles and personal vehicles being used for Approved Business. No safety feature in a vehicle will be disabled.

Passengers

Passengers permitted in EKV Vehicles are limited to employees of the University, individuals on Approved Business, official guests of the University, individuals to whom the University wishes to extend a courtesy and enrolled students of the University. Family members who are not employees of the University or on Approved Business may not ride in EKV Vehicles. Hitchhikers and casual riders are not permitted in EKV Vehicles.

Texting

Per [KRS 189.292](#)- The Approved Driver shall not write, send or read a text-based communication or instant message or email while operating an EKV Vehicle that is in motion.

Cell Phone Use/Distractions

While operating a vehicle on Approved Business, the use of electronic communication devices (navigational systems entry, cell phones including email access, or web browsing) is strongly discouraged.

If the Approved Driver must use a cell phone or other electronic device for voice communications while the vehicle is in motion:

- Use should be kept to a minimum
- Remain alert to traffic and other vehicles around you
- Be completely familiar with the phone before using it
- Be prepared to break conversation to respond to a traffic hazard
- Don't hesitate to abruptly drop the phone when an urgent situation arises
- Keep both hands on the wheel by using your phone's hands-free or speaker phone feature, if installed.

In addition to refraining from use of electronic communication devices, it is strongly encouraged that an Approved Driver refrain from the following when driving:

- Personal grooming
- Using DVD players
- Reading
- Eating
- Changing clothes
- Searching for things in the vehicle
- Completing paperwork

Safe Vehicle Operation

All Approved Drivers must follow all motor vehicle laws and operate the vehicle in accordance to the vehicle manufacturer's handbook.

Towing

Towing is prohibited unless Approved Drivers have received required training through Parking and Transportation. Please contact Parking and Transportation for appropriate training.

Towing is not permitted with 12-passenger vans.

Passenger Vans

EKU does not own, lease or rent 15-passenger vans. Fifteen-passenger vans are not permitted for use for Approved Business.

EKU owns and makes available through Parking and Transportation Department 12-Passenger Vans for Approved Business.

When using any passenger van, please follow these general guidelines:

Loading:

- Do not load anything on the roof of any van.
- Do not load any luggage or equipment above any seat top. Spread out the luggage or Equipment to allow for stability.
- All occupants must be seated and must wear seat belts when the vehicle is moving
- Towing will not be permitted with 12-passenger vans, whether owned, leased or rented.

Driver:

- Any driver of a 12-passenger van (owned, rented or leased) for Approved Business must be qualified as an Approved Driver and have successfully completed the 12-Passenger Van Driver's Training Course offered by the Parking and Transportation Department.

In-Case-of-Accident

The Parking and Transportation Department will place within the glove box of each ECU owned vehicles (intended to be driven more than three miles from Campus) a disposable camera (for accident documentation only), emergency flares and a Vehicle Accident Packet that includes:

1. "Proof of Insurance" Card
2. "Procedures to Follow in a Vehicle Crash" Form

At the time of any vehicle accident, an Approved Driver must do the following:

1. Stop. Pull off the roadway and turn on vehicle hazard flashers.
2. Contact Police #911 (An official police report is required.)
3. Contact medical care #911, if necessary.

4. Open and use the Vehicle Accident Packet.
5. Call the insurance company's phone number on the "Proof of Insurance" card.

It is the duty of the Approved Driver to report accidents involving any EKU Vehicle to Public Safety as soon as possible but within 24 hours of the accident (859-622-1111)

The following information is required when reporting an accident:

1. The Police Accident Report from the responding officer, including the date and time of the accident;
2. the name address and telephone number of any and all other drivers involved in the accident;
3. the name, address and telephone number of any and all insurance company(ies) related to any and all drivers involved in the accident;
4. the name and contact information of any witnesses to the accident, if known.
5. **If possible, take pictures of the accident.**

Daily Driving Distance

Drivers are expected to exercise prudence and to abide by all applicable laws. They should not drive more than 10 hours per day. Combination work/driving time should not exceed 14 hours in any one 24 hour period.

Tobacco Use in EKU Vehicles

The use of tobacco products is prohibited in vehicles owned, leased, or rented by the University.

Weapons

Please see the Interim Deadly Weapons and Dangerous Materials/Instruments as defined in University Interim Policy 9.4.1P.

Annual Road Test

Each owned or leased EKU Vehicle will be annually

road tested and inspected by a certified mechanic under the authority of each Motor Vehicle Fleet Supervisor to ensure road and intended use worthiness.

For each owned or leased ECU Vehicle, the appropriate Motor Vehicle Fleet Supervisor is charged with maintaining each vehicle per the guidelines in the vehicle manufacturer's operating manual to ensure that appropriate scheduled maintenance and routine upkeep is performed. Motor Vehicle Fleet Managers will maintain appropriate documentation of all vehicle maintenance.

Mileage Payment

ECU will reimburse the current approved mileage rate for driving a personal vehicle on Approved Business. See [Travel Requirements and Procedures Regulation](#).

Operating a Vehicle while Impaired

Approved Drivers will not operate any vehicle on Approved Business while under the influence of alcohol, drugs, fatigue, or under any other conditions in which the driver's ability to operate the vehicle is impaired. In addition, an Approved Driver will not permit the use of any alcohol or illegal drugs by any passenger in the vehicle they are operating.

Motor Vehicle Security

ECU Vehicles are to be locked when not in use and parked in the most secure location as reasonably possible. Any valuables should be secured or, if possible, removed from the vehicle. The University is not responsible or liable for stolen items.

**Personal Vehicle Use For
Approved Business-Insurance
Coverage**

No EKU employee should be required to use their personal vehicle for Approved Business. If personal vehicles are used for Approved Business the Approved Driver must have and maintain in-force state required minimum automobile insurance.

Purchasing Fuel

For EKU Vehicles, use the fleet card provided in the vehicle for fuel purchases. If in an area where this card is not accepted, use a University procurement card or a personal credit card for fuel purchases.

For rental vehicles, use a procurement card or a personal card for fuel purchases.

For personal vehicles, use cash or a personal card for fuel purchases.

When using cash or a personal credit card, submit receipts for fuel purchases in accordance with the Travel Requirements and Procedures Regulation.

Responsibilities

Approved Driver

- Approved Drivers must complete an initial Motor Vehicle Release Disclosure form.
- Assists with pre and post trip inspections on EKU Vehicles.
- Report accidents involving any EKU Vehicle to local law enforcement and to EKU Public Safety (859-622-1111) as soon as possible but within 24 hours of the accident.
- It is recommended that rental car insurance be purchased on vehicles rented outside the United States. The cost of this insurance will be reimbursed by the University.

**Directors, Department Chair, or
supervisory positions**

- Designates and approves Approved Business
- Supervisors of Student employee Eligible

Drivers complete the appropriate portion of the Motor Vehicle Release/Disclosure Form for student employee Eligible Drivers and submit to Parking and Transportation.

Eligible Driver**Regular Employees:**

Must complete Motor Vehicle Record Disclosure/Release Form on Bosscars.

Student Employees:

Student employee Eligible Drivers must submit the Motor Vehicle Release/Disclosure Form to their supervisors.

Human Resources

- Updates job templates/descriptions to incorporate driving requirements.
- Orders and reviews MVR's of candidates who are recommended for hire and will be classified as an Eligible Driver. Notifies applicants and hiring officials of unsuccessful MVR checks.
- Notifies current employees and their supervisors of unsuccessful MVR check.

Motor Vehicle Fleet Managers

- Maintains owned or leased EKV Vehicle per the guidelines and recommended service maintenance schedule found in the vehicle manufacturer's operating manual.
- Responsible for annual inspection of vehicle by certified mechanic.

**Parking and Transportation
Department**

- Orders and reviews MVR's for existing employees who are Eligible Drivers
- Designates driving categories
- Provides MVR results of non-Approved Drivers to the Office of Human Resources
- Coordinates driver's training
- Receives reports of accidents involving ECU Vehicles

Violations of the Policy

Violations of this regulation will be reviewed in accordance with normal University procedures.

Interpreting Authority

Executive Director of Policy Compliance and Governance

Statutory or Regulatory References

[KRS 189.125 \(6\)](#)

[KRS 189.292](#)

[KRS Chapter 186 Licensing of Motor Vehicles, Operators and Trailers](#)

[KRS Chapter 189 Traffic Regulations-Vehicle Equipment and Storage](#)

[KRS 189A- Driving Under the Influence](#)

[18 USC Chapter 123-Federal Drivers Privacy Act](#)

[601 KAR 2:010-Drivers Privacy Protection](#)

Relevant Links

[Travel Requirement and Procedures Regulation](#)

[Motor Vehicle Record \(MVR\) Disclosure/Release Form](#)

Policy Adoption Review and Approval

April 9, 2013

Approved by President as a Regulation