



# Eastern Kentucky University

## Policy and Regulation Library

Administrative Regulation: 9.4.2ADR

Responsible Office(s): Public Safety

Effective: February 28, 2020

Next Review Date: February 28, 2023

## Administrative Regulation: 9.4.2ADR

### Utility Cart Safety

#### Statement

University Employees and Authorized Persons have both the privilege and responsibility to safely operate any vehicle utilized to complete Approved University Business. Drivers operating commercial utility vehicles to include but not limited to a golf cart, Gator, Utility Task Vehicle (UTV), or similar type of utility vehicle (collectively referred to and defined in this Policy as Utility Carts) to complete Approved University Business will operate the vehicle safely and in compliance with Laws and Policies, and are expected to avoid accidents and injuries to self, passengers, property and the general public.

All-Terrain Vehicles (ATVs) are not permitted on University Property and will not be operated or utilized by any Employee or Authorized Person.

This Policy applies to all Employees and Authorized Persons who operate Utility Carts on Approved University Business.

The purpose of this Policy is to prevent injury and damage resulting from the misuse of Utility Carts through operator safety training and following established procedures for safe operations, equipment maintenance and awareness of the work environment.

Any person who accepts the privilege of operating a Utility Cart on Approved University Business is deemed, by doing so, to have the knowledge, training and skill to safely operate the Utility Cart and shall be fully accountable for their actions and the consequences thereof.

The safe operation of Utility Carts requires conscientious application and adherence to the minimum standard of care provided by this Policy.

Employees and Authorized Persons who fail to comply with this Policy may face disciplinary action and/or sanctions appropriate to the terms of their employment and/or contract with the University.

## Entities Affected

Employees and Authorized Persons who operate Utility Carts on Approved University Business. Supervisors who authorize use of Utility Carts.

## Procedures

### I. Responsibilities

#### a. Deans, Directors, Budget Unit Heads, and Department Heads

- i. Shall ensure that all Utility Carts and Approved Operators within their unit comply with the requirements of the Utility Cart Safety Procedure.
- ii. Shall ensure that each Utility Cart owned, leased, or operated by their department is scheduled for and receives semi-annual preventative maintenance services by the University maintenance garage or lessor. Preventative maintenance services shall include, but is not limited to, verification of the presence and proper operation of various safety features and adjustment of the setting for speed governors as may be appropriate.
- iii. Shall ensure that each individual who has been assigned to operate a Utility Cart, or who would reasonably be expected to operate a Utility Cart within the course and scope of their employment or service to the University, complies with the following:
  1. Is an Approved Operator;
  2. Receives appropriate training prior to the commencement of responsibility to operate Utility Carts;
  3. Retains training records per University Policy 11.3.1P, Records Management;
  4. Attends Utility Cart safety training initially and at a minimum of every three years thereafter;
  5. Is provided periodic evaluation, counseling and training as may be appropriate to correct non-compliance with this Policy;
  6. Shall ensure that completed Utility Cart Information Acknowledgement Forms are maintained on record within their department per University Policy 11.3.1P, Records Management.

#### b. Employees/Authorized Persons

- i. Shall be knowledgeable regarding the requirements of this Policy.

- ii. Shall acknowledge responsibility and accountability for compliance with this Policy by completing the Utility Cart Acknowledgement Form.
      - iii. Shall attend Utility Cart safety training as required.
      - iv. Shall review the owner's manual for each Utility Cart they will operate.
    - c. Supervisors
      - i. Shall be knowledgeable regarding the requirements of this Policy.
      - ii. Shall ensure that each Approved Operator within their area is appropriately advised of all requirements of this Policy.
      - iii. Shall obtain and maintain on file, per University Policy 11.3.1P, Records Management, a statement signed by each Employee/Authorized Person who has been authorized to operate Utility Carts, attesting to their knowledge and understanding of this Policy.
      - iv. Shall ensure that Employees review this Policy every three years and shall consider comments or concerns, observed or reported, regarding each operator's compliance with this Policy at the time of Employee performance appraisals.
      - v. Shall implement procedures for control of Utility Carts registered to their department. Such procedures may include the use of sign out logs for keys to ensure only Approved Operators operate the Utility Cart under their care and control.
    - d. Environmental Health and Safety Department
      - i. Shall coordinate University-wide compliance programs.
      - ii. Shall facilitate Utility Cart safety training as requested.
- II. Mandatory Equipment
  - a. All Utility Carts shall display a slow-moving vehicle emblem in compliance with KRS 189.820.
  - b. All Utility Carts shall be equipped with functional horn, headlights, brake lights, back-up alarm and amber warning light on top of the Utility Cart. Utility Carts without a roof shall have a roll bar, and an amber warning light affixed to a 36-inch pole attached to the Utility Cart.
  - c. University Procurement Services shall adhere to these specifications when procurement requests are received.
- III. Training
  - a. Utility Cart training can be one of the following:
    - i. Training from the Department of Environmental Health & Safety. A training certificate will be issued.

- ii. A training program provided by the Utility Cart manufacturer specific to the Utility Cart being operated. Completion of training must be documented.
  - iii. A universal Utility Cart training program as approved by the Department of Environmental Health & Safety. Completion of training must be documented.
- b. The training must include, at a minimum:
  - i. Review of the owners and operations manual specific to the Utility Cart being operated.
  - ii. Review of this Policy.
  - iii. Safe operating procedures.
  - iv. Review of applicable Laws and Policies.

#### IV. Standard of Safety

- a. No passengers will be permitted in the bed of a Utility Cart for any reason (see allowable exemption below).
- b. All individuals in the Utility Cart must have their own seat.
- c. Seat belts must be used if provided in the Utility Cart.
- d. It is unlawful to cross the Eastern Bypass in a Utility Cart. If crossing must occur, the Utility Cart must be placed on a trailer and transported across the Eastern Bypass in accordance with 9.4.1R, Motor Vehicle Use Policy.
- e. It is unlawful to operate a Utility Cart on any roadway rated for 35 MPH or greater.
- f. It is unlawful to operate a Utility Cart on any roadway after sunset.
- g. Utility Carts shall be operated with the utmost courtesy, care, and consideration for the safety and convenience of pedestrians. Pedestrians shall be afforded the right-of-way at all times.
- h. Utility Carts shall be operated in such a manner that they do not impede or interfere with normal pedestrian or vehicular traffic flow on roadways, ramps, or sidewalks.
- i. Utility Cart Approved Operators shall be responsible for the security of ignition keys for the period that the Utility Cart is assigned to them and shall not leave the keys in the Utility Cart unattended.
- j. Utility Carts shall be operated within and between University-owned properties only.
- k. Authorization to operate a Utility Cart is contingent on the possession of a valid driver's license. Employees/Authorized Persons shall immediately notify their supervisor if and when their license is suspended, revoked or surrendered.

- l. University Employees, officers and agents, contractors, vendors, volunteers or guests of the University are the only passengers permitted in a Utility Cart.
- m. Supervisors shall ensure that Utility Carts are operated in accordance with the manufacturer's recommendations. A Utility Cart shall not be modified in any manner that negatively affects the speed, safety, or recommended mode of operation of the Utility Cart.
- n. Any Utility Cart intended to be operated in excess of 20 MPH shall be equipped with specific safety features that include, but are not limited to, seat belts, windshields, headlights, roll bar, and rear view mirrors. All speed limits shall be observed.
- o. The speed limit for Utility Cart operation off the roadway (i.e., parking lots) is **15 MPH**. Utility Cart operation on a sidewalk, plaza, greenspace, or in an area where space is shared with pedestrians warrants Utility Cart operation at **walking speed only**.
- p. Supervisors shall ensure that each Utility Cart is tagged with the maximum load capacity recommended by the manufacturer. Utility Carts equipped with a back carriage shall not be overloaded.
- q. Approved Operators shall not operate Utility Carts owned or leased by other departments unless approval has been granted by a person with authority within the department to which the Utility Cart is registered.
- r. If any equipment which affects the safe operation of the Utility Cart is not functional or not operating as intended, the Utility Cart shall be placed "out-of-service" and not used until repairs can be completed.
- s. All Utility Carts shall be operated in compliance with common rules of the road, regardless of whether the Utility Cart is being operated on sidewalks or roadways.
- t. Approved Operators of Utility Carts not equipped with turn indicators shall use appropriate hand signals.
- u. Any and all incidents and accidents involving a Utility Cart shall be reported immediately to the University Police at (859) 622-1111. Only after University Police have been contacted shall the driver contact their supervisor.
- v. Utility Carts shall be operated in accordance with the following specific rules:
  - i. Utility Carts shall not be parked within ten (10) feet of an entrance or exit of any building, except at loading docks.
  - ii. Operators shall stop at all blind intersections and sound horn before proceeding.

- iii. Utility Carts shall not be parked in any manner likely to obstruct or interfere with the flow of pedestrian or vehicular traffic except when being used as a safety barricade.
- iv. Operators shall not stop Carts in the middle of roads and/or walkways with the exception of yielding to pedestrians or other vehicles.
- v. Utility Carts shall not be driven in buildings.
- vi. All body parts (i.e., feet, legs, hands, arms) shall be kept inside the Utility Cart when in motion.
- vii. Operators shall ensure the Utility Cart is not in gear before starting or powering on.
- viii. Operators shall check the area behind the Utility Cart before backing up.
- ix. Operators shall slow down before and during turns. All turns should be executed at reduced speeds.
- x. Operators shall observe the occupant limits of the Utility Cart.
- xi. All occupants shall remain seated while the Utility Cart is in motion.
- xii. All occupants are required to wear seatbelts if the Utility Cart is so equipped.
- xiii. When the Utility Cart is to be unattended, the Operator must turn the key to the off position, remove the key and engage the parking brake.
- xiv. Drive the Utility Cart only as fast as terrain and safety considerations allow.
- xv. Operators shall always consider the terrain, existing vehicular and pedestrian traffic conditions, as well as the environmental factors that may affect their ability to operate the Utility Cart safely.
- xvi. Operators shall avoid sudden stops or change of direction that may result in loss of control.
- xvii. Operators shall brake to control speed while traveling down an incline.
- xviii. Maintenance on any Utility Cart will be performed by Facilities Services Maintenance Garage personnel, an authorized mechanic, an authorized dealership or lessor.
- xix. Use of any type of headphones while operating a Utility Cart is strictly prohibited. Individuals found in violation of this rule will be subject to immediate revocation of Approved Operator status.
- xx. Use of any type of electronic personal device including but not limited to cell phones, smart phones, and smart watches while operating a Utility Cart is strictly prohibited. Individuals found in violation of this

rule will be subject to immediate revocation of Approved Operator status.

## V. Exemptions

- a. The following are permissible exemptions:
  - i. The Athletics Department may transport injured players from a field of play for medical treatment with a Utility Cart that has been properly equipped for this purpose.
  - ii. Use of golf carts by golfers during the course of playing golf at the University Club at Arlington are exempt from this Policy; but are subject to compliance with University Club at Arlington Member Handbook and Cart Rules.

## Definitions

- **Approved Operator:** An Eligible Driver who has completed the Approved Operator process and been approved by the department or contractor for which they will be operating a Utility Cart.
- **Approved University Business:** Work assisting in the completion of the mission of the University, approved by the supervisory position at the level of Director, Department Chair or higher, or their designees. A Utility Cart will not be used for any purpose other than Approved University Business and use should not be approved until this definition is met.
- **Authorized Persons:** Non-Employees (e.g., contractors and vendors) who are on Approved University Business.
- **Eligible Driver:** Employees and Authorized Persons who may be eligible to become an Approved Operator if they:
  - have a need to drive on Approved University Business;
  - are at least 18 years old;
  - possess a valid driver's license for the duration of operation of the Utility Cart;
  - complete the Utility Cart training specific to the Utility Cart they will be operating;
  - read and understand the owner's manual for the Utility Cart they will be operating; and
  - know and adhere to the State of Kentucky motor vehicle laws.
- **Employees:** Students, faculty and staff employed with the University.
- **Laws and Policies:** Federal or state laws, administrative Policies, and University policies or procedures.
- **University:** Eastern Kentucky University, including all regional campuses.

- **University Property:** Any real property, buildings, and facilities under the primary control of the University through ownership, lease, or other means.
- **Utility Cart:** Any non-licensed motorized vehicle which is intended for use on University premises only; and is generally used for the transportation of persons or cargo, including but not limited to:
  - Golf Cart
  - Gator
  - Utility Task Vehicle (UTV)
  - Riding Lawn Tractor
- **Utility Task Vehicle (UTV):** A two (2)- to six (6)- person vehicle of either a 2/4/6-wheel drive configuration that is designed for off-road use. Examples include: John Deere Gator, Kubota RTV, Kawasaki Mule, or any similar vehicle.

**Violations of the Policy**

Employees and Authorized Persons who fail to comply with this Policy may face disciplinary action and/or sanctions appropriate to the terms of their employment and/or contract with the University.

**Statutory or Regulatory References**

KRS 189.820  
 KRS Chapter 189  
 University Policy 9.4.1R, Motor Vehicle Use  
 University Policy 11.3.1, Records Management

**Regulation Adoption Review and Approval**

Regulation Issued

<u>Date</u>	<u>Entity</u>	<u>Action</u>
02/28/2020	Board of Regents	Adopted
09/09/2019	President Benson	Extended as Interim
01/28/2019	President Benson	Approved