Vehicle Accident Prevention and Safety

Policy Type: Administrative
Responsible Office: Office of Insurance and Risk Management, Safety and Risk Management, Division of Administration
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Policy Statement and Purpose

Virginia Commonwealth University is committed to supporting and promoting the safe, responsible and prudent operation of all university owned, leased or rented vehicles. Because vehicle operations are essential to the services provided by many of the university’s departments, preventing motor vehicle accidents requires a university-wide commitment to the departmental and individual responsibilities and procedures as set forth in this policy.

Noncompliance with this policy may result in disciplinary action up to and including termination of employment. VCU does not tolerate any form of retaliation against an employee who brings forth a good faith concern, asks a clarifying question, or participates in an investigation.

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Who Should Know This Policy

All university employees and students who drive a VCU vehicle for the purpose of conducting university business, as well as the supervisors and heads of departments that own or lease one or more vehicles.

Definitions

The following definitions are provided for the sole purpose of clarifying the narrative contained within this policy.

Accident

Any crash involving a VCU vehicle that results in damage to any person or property including the vehicle itself. Accidents will be given one of the following designations:

- **Non-Preventable Accident** - The accident will be defined as non-preventable when it is determined by the VCU Accident Review Committee after a review of all pertinent information, including any police report, that the driver was not responsible for the accident.

- **Preventable Accident** - The accident will be defined as preventable when the driver is found responsible after a review by the VCU Accident Review Committee of all pertinent information, including any police report.

- **Incident** - An event resulting from natural forces, from a non-perceivable object, or while the vehicle is properly parked. Incidents are not considered accidents under this policy. Examples include damage from hail, lightning, flood, road hazards and vandalism.

Frequent Driver

Any individual operating a VCU vehicle described as follows:

- A VCU employee whose job description requires a valid driver’s license as a condition of employment, or
- A VCU employee or student who operates a VCU vehicle an average of more than two times per week, or
- A VCU employee or student who operates a passenger van or bus while transporting passengers on VCU business, on any occasion.

Infrequent Driver

Any individual authorized to operate a VCU vehicle who is not considered a frequent driver under this policy, including an employee who occasionally rents a vehicle from a rental car agency to travel on VCU business.

Major Driving Violation

Any moving violation conviction determined by VCU to be significant, including, but not limited to:
Driving under the influence (DUI) of drugs or alcohol,
- Knowingly operating a vehicle while driver’s license is suspended or revoked for any reason,
- Use of a vehicle in commission of a felony,
- Hit and run accident or failure to stop after an accident, and
- Knowingly making a false statement to a police officer concerning an accident.

**Minor Driving Violation**

Any moving violation other than a major driving violation, including, but not limited to the following:

- Speeding over the posted speed limit,
- Traffic light or stop sign violation, and
- Improper lane change.

**Motor Vehicle Record**

A motor vehicle record, or MVR, is a transcript of an individual’s driving history and is obtained from the Virginia Department of Motor Vehicles (DMV) or another State’s licensing authority.

**Valid Driver’s License**

Any driver’s license, including any driver’s license duly issued by a foreign country, that is recognized as valid by the Commonwealth of Virginia and of the proper class for the type of vehicle to be driven.

**VCU Business**

Activities that are performed on behalf of VCU or in the course and scope of employment or in one’s role as a student.

**VCU Vehicle**

Any motor vehicle licensed for highway use, including trailers and motorcycles, owned by VCU or leased by VCU from the Commonwealth’s Department of General Services. This also includes vehicles that are rented from rental car companies by employees or students traveling on official university business.

**Contacts**

The Office of Insurance and Risk Management officially interprets this policy and is responsible for obtaining approval for any revisions as required by the policy Creating and Maintaining Policies and Procedures through the appropriate governance structures. Please direct policy questions to the Office of Insurance and Risk Management.

**Policy Specifics and Procedures**

The following procedures outline the responsibilities of the departments and individuals for complying with this policy. **Note:** The Driver Qualifications set forth below establish minimum standards, but departments may document additional requirements applicable to drivers employed by the department or driving department vehicles.

A. **Functional Responsibilities (Departments)**

1. All VCU Departments that operate one or more VCU vehicles must do the following:
a. Ensure data security measures are followed with respect to the transmission and storage of Motor Vehicle Records and Release Forms as required by the Virginia DMV and recommended by VCU Technology Services.

Note: Departmental data security regarding drivers’ records is subject to audit by VCU and the Virginia DMV.

b. Ensure that only employees and students who meet all of the qualifications as defined by this policy are permitted to drive a VCU vehicle.

c. Require that all frequent and infrequent drivers read this policy and sign the Vehicle Accident Prevention and Safety Acknowledgement Form before authorizing these individuals to operate a VCU vehicle. A copy of the completed acknowledgement form will be given to the driver and the original filed in his or her departmental personnel file.

d. Obtain a completed Motor Vehicle Record Release Form from job applicants and current employees whose jobs or new responsibilities meet the definition of a frequent driver. If the job applicant or employee possesses an out of state license, instruct them to obtain their motor vehicle record from that state’s licensing authority for review.

e. When hiring for a position that requires a valid driver’s license, it is recommended that a review of the job applicant’s motor vehicle record be completed prior to extending an offer of employment.

f. Schedule all new frequent drivers to complete and pass the university-approved defensive driving course and test within 30 days of becoming a frequent driver.

Note: If the new frequent driver meets all other qualifications set forth in this policy, he or she will be permitted to drive a VCU vehicle (with the exception of a passenger van) on an interim basis, pending successful completion of the defensive driving course. New frequent drivers must successfully complete all required training, including behind-the-wheel training, before being authorized to drive a passenger van.

g. Pay all costs associated with remedial defensive driving training for their employees, for example, if required for reinstatement of suspended driving privileges or following a failed second test.

h. Verify during the annual performance evaluation process that all frequent and infrequent drivers have a valid driver’s license. Place a photocopy of the license in his or her departmental personnel file.

i. Ensure that, in the event of an accident, VCU Police (or State Police if off campus) are notified promptly and before leaving the scene of the accident. Further ensure that the driver completes the Automobile Loss Notice Form and submits the completed and signed form to Insurance and Risk Management within 24 hours of the accident. Complete the
VCU Accident Report and Physician Selection forms if an injury occurs to a VCU employee.

j. On or before January 31st of each year, submit a list of all department frequent drivers to Insurance and Risk Management for the annual motor vehicle record review.

k. Take appropriate disciplinary action against drivers who fail to comply with this policy, as described below and in consultation with Human Resources when appropriate.

l. Pay the insurance deductible when applicable.

2. **Insurance and Risk Management**
   
a. Comply with and communicate to departments all data security measures as required by the Virginia DMV and recommended by VCU Technology Services for the transmission and storage of Motor Vehicle Record Release Forms and motor vehicle records.

b. Review motor vehicle records of prospective frequent drivers for hiring departments.

c. Process annual motor vehicle record reviews of all frequent drivers as submitted by the departments.

d. Communicate to each department head or designated departmental representative the motor vehicle record status of each frequent driver annually and as requested.

e. Present accidents to the Accident Review Committee.

f. Maintain records of accidents and related costs.

g. Prepare and present automobile claim summary data as requested.

3. **Human Resources**
   

b. Consult with departments on possible disciplinary actions.

4. **VCU Police**
   
a. Investigate or cause to be investigated all reported on-campus accidents.

b. Promptly notify Insurance and Risk Management of all accidents.

c. Forward to Insurance and Risk Management in a timely manner a copy of all police accident reports and related documentation.
d. Conduct behind-the-wheel training to prospective drivers of passenger vans and provide documentation of completed training to the drivers' department and to Insurance and Risk.

B. Driver Qualifications

1. Any employee or student who is permitted to operate a VCU vehicle (including infrequent drivers) must meet all of the following qualifications:

   a. Be at least 19 years of age and possess a valid driver’s license for a minimum of one year.

   b. Be at least 20 years of age and possess a valid driver's license for a minimum of two years to drive a passenger van.

   c. Have no medical condition that precludes the safe operation of a motor vehicle.

   d. Read and adhere to this policy and sign the Vehicle Accident Prevention and Safety Acknowledgement Form.

2. In addition to meeting the qualifications above, any frequent driver must:

   a. Authorize VCU to review his or her motor vehicle record whenever it is deemed necessary by the university by signing the Motor Vehicle Record Release form.

   b. Maintain an acceptable motor vehicle record, as defined in Section F.

   c. Demonstrate his or her knowledge and understanding of defensive driving principles by successfully completing a university-authorized defensive driving course within 30 days of becoming a frequent driver.

3. Additional training:

   Any driver of a passenger van must also complete the following trainings prior to transporting passengers:

   a. The university-authorized on-line van driving safety course and

   b. The behind-the-wheel van driving course taught by VCU Police

Note: Drivers requiring a Commercial Driver’s License (CDL) must complete all training required for a CDL. Departments are responsible for the related costs.

C. Safe Driving Regulations

All frequent and infrequent drivers are expected to be familiar with and ensure compliance with the following while responsible for any VCU vehicle or vehicle rented for university-approved travel:
VCU vehicles will only be used for purposes related to VCU business or university-sponsored events.

No person, other than VCU employees and students, will be transported in a VCU vehicle unless the person is being transported in connection with VCU business, law enforcement or emergency medical purposes, or as authorized by a Department Head or Dean.

Equipment, supplies, and all other items must be properly secured to prevent shifting during transport or falling from the vehicle.

To the extent possible, only employees of VCU should drive a VCU vehicle. When approved by department heads or deans, students may be allowed to drive.

No person will be allowed to ride on or in any vehicle non-passenger compartment including running boards, fenders, hoods, tailgates, or in truck beds.

All occupants of a VCU vehicle are required to wear seatbelts when the vehicle is in motion. (This does not apply to vehicles that are not required by law to have seatbelts, such as school buses.)

Hitchhikers and pets are not permitted in any VCU vehicle.

Cell phones and other electronic devices may be operated only hands-free. Talking on a cellular or two-way radio device that is not hands-free, text messaging and emailing are strictly prohibited when the vehicle is in drive or in motion.

Drivers of emergency vehicles may exercise those privileges granted to them under university policies and by the laws of Virginia. This provision does not relieve the driver of an emergency vehicle from the duty to drive with due regard for the safety of all persons.

No VCU vehicle shall be operated by a person who is under the influence of any alcoholic beverage, narcotic drug, hallucinogen, or substance or other condition that may impair the safe operation of the vehicle.

Frequent and infrequent drivers are required to notify their supervisor within five calendar days of any conviction for a driving violation which results in a restricted, suspended, or revoked license.

When towing a trailer, dolly or other equipment ensure that the trailer hitch is securely latched and that safety chains and other safety equipment are properly attached and operable.

Any VCU vehicle having a load that extends beyond the rear bumper of the vehicle will have the end of the load marked with a red flag or other warning in accordance with Virginia motor vehicle laws.
o Do not operate a VCU vehicle when the driver’s view is obstructed or the load interferes with the driver’s control or operation of the vehicle.

o Before leaving a VCU vehicle unattended, shut off the engine, remove the keys, set the emergency brake, and lock the vehicle.

o Consuming food is prohibited while driving a VCU vehicle.

o Whenever work requirements make it necessary for a VCU vehicle to block or obstruct traffic, place warning signs and/or traffic cones to warn motorists of the obstruction.

o At all times, obey local and Virginia traffic laws.

o When possible, position vehicles so as to avoid the necessity of backing up. When backing up is necessary, check the rear clearance of the vehicle from other vehicles or objects before moving.

o Any defects or damage that affect the safe operation of the VCU vehicle will be reported to the driver’s supervisor. It is the supervisor’s responsibility to arrange for such defects or damage to be corrected.

o Properly maintain and clean the vehicle after each use.

D. Accident Reporting

1. Render all appropriate aid to anyone injured and call 911, if needed.

2. While the vehicle is at the accident scene, notify the VCU Police (804-828-1234) or, if the accident occurs off campus, the Virginia State Police (911). Also notify your supervisor.

3. Document the names, addresses, and phone numbers of all persons involved in the accident, as well as any witnesses. Also document the insurance information of the vehicle owner as well as the license plate number of all vehicles involved in the accident.

4. To the extent possible, identify anyone injured or claiming to be injured.

5. Each VCU owned or leased vehicle will carry an insurance information packet. The packet will include an Automobile Loss Notice form (see Forms linked to this policy) that must be completed and forwarded to Insurance and Risk Management at Box 842501, 700 West Grace Street, Suite 3100, or faxed to 804-828-8510 within 24 hours of the accident.

6. If the accident involves a rental vehicle, contact your supervisor or Insurance and Risk Management and you will be provided with an Automobile Loss Notice Form to complete.

7. If an injury to an employee occurs, a VCU Accident report and Physicians Selection form should be completed within 24 hours of the injury and submitted to Employee Health Services.

8. If an accident occurs outside the Commonwealth of Virginia:
a. The driver must report the accident to the State Police, Highway Patrol, or local police department having jurisdiction before the vehicle is moved from the scene.

b. The driver must obtain information from the investigating officer about how to obtain a copy of the police accident report and the names, addresses, phone numbers and insurance information of the other vehicle owners involved in the accident.

c. This information is to be provided to the driver’s department immediately upon return, as well as to Insurance and Risk Management at Box 842501, 700 West Grace Street, Suite 3100 or fax to 804-828-8510 within 24 hours of the accident.

9. The failure to make a report of a vehicle accident as required by this policy and the laws of the Commonwealth will be handled in accordance with the Commonwealth of Virginia Standards of Conduct or other applicable disciplinary policies applicable to faculty and student drivers.

E. Accident Review and Actions

The VCU Accident Review Committee is comprised of a minimum of five VCU employees and reviews each potential accident. The committee will consider all relevant information including information provided by the VCU driver, witnesses to the accident, and information contained in any police reports in determining its decision. After reviewing all of the material, the committee will evaluate the event as preventable, non-preventable, or incident.

If damage to the VCU vehicle exceeds $2,000 or the preventable accident causes injury, the committee may provide a written report of the findings to the driver’s department head. The department head will consult with HR Employee Relations and then advise the driver of the findings and of any action that will be taken with respect to their driving privileges. In addition:

1. An employee frequent driver will be required to successfully complete a remedial defensive driving course at the department’s expense before driving privileges may be restored. A student’s driving privileges will be revoked permanently.

2. If an employee frequent driver has a second preventable accident within a 12-month period that results in damage to the VCU vehicle in excess of $2,000 or causes injury, the employee’s driving privileges will be suspended for 30 days, and he or she will be required to successfully complete a remedial defensive driving course at the department’s expense before driving privileges may be restored.

3. An employee frequent driver who has three preventable accidents within a 24-month period that result in damage to the VCU vehicle in excess of $2,000 or cause injury will have his or her driving privileges permanently revoked.

Further discipline may include appropriate action under the Commonwealth of Virginia Standards of Conduct policy, Administrative and Professional Faculty and Faculty Holding Administrative Positions, Faculty Promotion, and Tenure policy, Rules and Procedures or other university policies as applicable and may affect continued employment.
F. Motor Vehicle Record Review

1. Authorization – Employees, prospective employees, and students who meet the definition of a frequent driver will authorize VCU by signed release to obtain and review his or her Virginia motor vehicle record whenever it is deemed necessary by the university. Frequent drivers possessing an out-of-state driver’s license will provide a current motor vehicle record to their supervisor within 30 days of request.

2. Motor Vehicle Record Request – A current frequent driver list will be submitted to Insurance and Risk Management by each department head (or his or her designated representative) in January of each year for an annual motor vehicle record review. Interim requests, as deemed necessary by a driver’s supervisor, are to be submitted to Insurance and Risk Management based on recent accident history or notification by the driver of a driving related conviction or change in license status.

3. Analysis of Motor Vehicle Records – Motor vehicle records will be assessed based on the criteria below as a minimum standard. In certain circumstances, frequent drivers may be held to higher standards, depending on the nature of the driving, the driver’s department, or concerns about the driver’s ability to drive safely.

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<th></th>
<th>Acceptable</th>
<th>Conditional</th>
<th>Unacceptable</th>
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<tbody>
<tr>
<td>Minor Violations</td>
<td>2 or fewer violations in the past three years</td>
<td>3 violations in the past three years</td>
<td>4 or more violations in the past three years</td>
</tr>
<tr>
<td>Major Violations</td>
<td></td>
<td></td>
<td>A single conviction in the past three years *</td>
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* See Restricted Driving Privileges on page 11

Motor Vehicle Record Evaluation Grid - Students

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<tr>
<td>Major Violations</td>
<td></td>
<td>A single conviction in the past three years</td>
</tr>
</tbody>
</table>
4. **Actions**

**Acceptable:** The department head or designated representative and driver will be notified of the result of the report. No further action is required.

**Conditional:** The department head or designated representative will be notified of the results of the report. The employee driver will be given a verbal notification and counseled by his or her supervisor regarding the conditional status of their motor vehicle record and the importance of practicing safe driving habits. The documentation will be maintained in the employee’s departmental file or personnel file, as appropriate. The supervisor will request a new motor vehicle record for the driver in six months to re-evaluate the individual’s university driving privileges. During this period, the employee may continue to operate a VCU vehicle.

**Unacceptable:** The department head or designated representative will be notified of the results of the report. VCU driving privileges for an employee driver will be subject to immediate suspension until the employee’s motor vehicle record reflects an Acceptable or Conditional status. A student with an unacceptable MVR will no longer be permitted to drive for VCU.

a. The employee may be issued formal discipline and or removal based on motor vehicle infractions and/or restrictions to his or her driving privileges.

b. The unacceptable status of the employee’s motor vehicle record may also be documented in a counseling memo or a disciplinary action. Documentation will be maintained in the employee’s departmental file or personnel file, as appropriate.

c. The supervisor will order a new motor vehicle record for the employee as necessary to re-evaluate the employee’s driving privileges and to discuss areas of concern.

Prior to reinstatement of suspended driving privileges, the employee will be required to successfully complete the university approved defensive driving course.

5. **Restricted Driving Privileges** – An employee frequent driver who receives a 1st offense conviction for a major driving violation (including DUI) and is granted restricted driving privileges (to/from and while at work) may be permitted to drive a VCU vehicle after a review by the employee’s department in consultation with Human Resources. Eligibility to drive is solely at the determination of the employee’s department head or designated representative in consultation with Human Resources. Employee frequent drivers may also be subject to administrative or disciplinary actions for 1st offense convictions. To be eligible to drive for VCU with a license restricted by the DMV:

a. The employee must otherwise have an acceptable motor vehicle record.

b. The employee must have properly notified their supervisor of any change in their driving record. Failure to notify of status change will void eligibility to drive a VCU vehicle.
c. For DUI convictions, the court must specifically authorize the employee to drive for his or her employer without an ignition interlock device.

d. Once the supervisor is aware of the status change and the request for driving privileges, the supervisor must contact Human Resources within five working days. The department, in consultation with Human Resources, will determine if the employee will be authorized to drive a VCU vehicle.

e. If approved, the supervisor will notify Insurance and Risk Management so the employee’s motor vehicle record can be monitored and their frequent driver database record can be updated.

f. An employee whose driving privileges are restored to an unrestricted status by the DMV will notify their supervisor and provide documentation of this change. The supervisor will then advise Insurance and Risk Management so their frequent driver database record can be updated.

g. An employee frequent driver who has two convictions for a major driving violation in a five-year period will have their VCU driving privileges revoked and will be subject to other appropriate administrative or disciplinary action.

Forms

All forms can be accessed from the Safety and Risk Management website:

1. Automobile Loss Notice Form
2. Motor Vehicle Record Release Form
3. Vehicle Accident Prevention and Safety Acknowledgement Form

Related Documents

1. Department of Human Resource Management Standards of Conduct
2. VCU Policy: Alcohol and Other Drugs
5. VCU Policy: Administrative and Professional Faculty and Faculty Holding Administrative Positions
6. VCU Policy: Rules and Procedures
FAQ

1. **Question**: When I am driving a VCU vehicle, am I permitted to use my cell phone?
   
   **Answer**: Cell phones and other electronic devices must be operated hands-free. Texting and emailing are strictly prohibited when the vehicle is in drive or motion. This also applies to vehicles rented for university approved travel.

2. **Question**: Does the Commonwealth’s automobile insurance program cover my personal automobile while being driven for university business?
   
   **Answer**: No, insurance follows ownership of the vehicle. Therefore, when an employee or student of the university is driving a personal vehicle on university business, the vehicle owner’s personal auto insurance is primary. The Commonwealth’s liability coverage may also apply, but only after limits on the owner’s personal auto policy are exhausted.

3. **Question**: If I rent a vehicle to travel on VCU business, does the Commonwealth’s automobile insurance program cover the rental vehicle or should I purchase the insurance offered by the rental car company?
   
   **Answer**: The Commonwealth’s automobile insurance program does cover rental vehicles. However, if the rental vehicle is damaged and you are at fault, your department may be responsible for a $1,000 deductible. However, if you rent through Enterprise/National or Hertz Rentals for domestic travel using the appropriate VCU contract number, the damage waiver fee will be included in the price of the rental and is a reimbursable expense.

   If you are renting a vehicle outside of the United States, purchase both the damage waiver and liability coverage offered by the rental car company of your choice. Both are reimbursable expenses for international travel.

4. **Question**: I drive a VCU vehicle on occasion but not often. Does this policy apply to me?
   
   **Answer**: Yes. To be permitted to drive a VCU vehicle, every employee and student must be at least 19 years of age (20 years of age to drive a passenger van). You must also possess a driver’s license that is recognized as valid by the Commonwealth of Virginia and agree in writing to abide by the rules and regulations of this policy. Your supervisor will determine, based on the requirements of your job, if you are considered to be a frequent driver and subject to periodic motor vehicle record reviews and training.
5. **Question:** Does a new hire need to complete the defensive driving course prior to being authorized to drive a VCU vehicle?

   **Answer:** Providing the new hire has an acceptable motor vehicle record and meets all other Driver Qualifications, he or she will be permitted to drive a VCU vehicle on an interim basis, pending successful completion of the defensive driving course within thirty days on the job. However, no employee or student is permitted to transport passengers in a passenger van until all training (defensive driving, van driving safety, and van driving behind the wheel) is successfully completed.

6. **Question:** What happens if I do not pass the defensive driving training course?

   **Answer** - Drivers are permitted to take both the defensive driving course (and van driving safety course, if applicable) twice. Driving privileges are subject to suspension for a second failed test. However, a driver may take the course a third time with the approval of their Department Head. The department will incur the cost of the third test.

7. **Question:** My department’s standards for drivers are more strict than found in the Vehicle Accident Prevention and Safety policy. Is this allowed?

   **Answer:** Yes. The Driver Qualifications establish minimum standards for the university. Departments may hold their drivers to higher standards, provided these standards are consistently applied to all drivers within the department.

8. **Question:** Why are drivers of passenger vans required to complete behind-the-wheel training in addition to the defensive driving course?

9. **Answer:** The size and handling characteristics of these vehicles demand that anyone who will transport passengers be trained and demonstrate their ability to operate a passenger van safely.