



## Guidelines for Driving UTHealth Vehicles

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**PURPOSE:** To provide guidance and direction for all individuals including managers, supervisors, employees, faculty, staff, and students whose duties include driving UTHealth vehicles in the course of performing their job or carrying out the mission of UTHealth.

**POLICY: Adoption of Guidelines for individuals who drive UTHealth vehicles and related disciplinary policies will provide and reduce liability exposure to UTHealth.**

All departments with any individual whose responsibilities require the operation of UTHealth vehicles shall ensure that the affected individuals comply with this Policy.

Application of Policy:

- Present Individuals
  - Environmental Health & Safety ("EH&S") will review driving records quarterly and notify the Department and the Fleet Manager of any status changes. Individuals who do not currently meet the qualifications (i.e. 4 points or greater) within the previous 3 years should be reviewed individually by the Department.
- Applicants
  - All individual's whose responsibilities will require the operation of a UTHealth vehicle ("Applicant") must possess a valid Texas driver's License. All Applicants must have no more than 1 moving violation or motor vehicle accident during the last three-year period prior to application.

## Drivers

All individuals who may be called upon to drive a UTHealth vehicle shall have a Motor Vehicle Record (MVR) check and points will be assigned accordingly as indicated below. \* An acceptable point total range to drive a UTHealth vehicle shall be between 1-3. Any individual whose total points equal 4 or greater shall not be permitted to operate a UTHealth vehicle.

\* Type A Violations - Convictions for Type A violations 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 | • Murder - with motor vehicle                  |
| • Driving while intoxicated                       | • Reckless driving                             |
| • Driving while under the influence of drugs      | • Fleeing from police officer                  |
| • Drag Racing / Speeding Contest                  | • Felony use of CMV - controlled substance     |
| • Aggravated Assault with motor vehicle           | • Felony use of Commercial Motor Vehicle (CMV) |
| • Driving while License suspended                 | • Driving while License disqualified - CMV     |

\*\*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 count as one (1) point against an authorized driver's or applicant's record. Type B violations are all moving traffic violations not listed above as a Type A violation. Type B violations do not include non-moving administrative offenses (examples: out-dated inspection stickers, no proof of insurance, License plate missing).

At-Fault Accidents - Each at-fault accident counts as two (2) points. If a moving traffic violation conviction appears on a driving record along with an accident on the same date, this usually means that person was at-fault in the accident. Accidents shall be reviewed by the insurance company and EH&S, shall make a determination if there is an at-fault question. Accident reports may be obtained from the Texas Department of Public Safety.

An MVR shall be obtained on all individuals whose job duties or responsibility would include driving an UTHealth vehicle:

- Prior to employment
- Quarterly
- If the individual has been involved in an accident
- If the individual receives a moving traffic citation

EH&S shall maintain a list of all regular drivers submitted by various departments/units. EH&S will conduct a quarterly driver's License check of all individuals who drive UTHealth vehicles. All MVRs will be on file and will be made available upon the request of the individual or the department's supervisor.

## **Driver Training**

UTHealth shall require driver training for each authorized driver of UTHealth vehicles at least every three years. Driver training may include, but is not limited to:

- Defensive driving;
- One-day seminars on driving improvement;
- Driver training videos on specific driving skills in which the driver may be deficient; or
- Hands-on, behind-the-wheel training.

## **Official Use of Vehicles**

- Use of vehicles owned, leased or rented by UTHealth for personal reasons is a violation of public law.** Individuals authorized to use vehicles for domicile-to-duty authority must not use these vehicles to conduct personal business in conjunction with official UTHealth business. Personal business includes, but is not limited to, trips to the post office, clothing/grocery stores, fast food establishments, laundries, banks or credit unions.
- As a rule, transportation to a dining facility is an individual's responsibility. However, UTHealth management may authorize individuals to take vehicles owned, leased or rented

by UTHealth to local dining facilities when necessary to meet UTHealth's mission. This authority shall not be given for personal convenience, but rather to those individuals having emergency or rapid response requirements such as law enforcement personnel.

### **Guidelines for Disciplinary Action**

UTHealth vehicles may be used only for official business. Any violation of this policy is subject to disciplinary action up to and including termination. Individuals whose total points equal 4 or greater shall not be eligible to drive a UTHealth vehicle and may be subject to termination if the individual's main job duty is driving unless otherwise determined by department head.

An individual will also be subject to disciplinary action if:

- Failure to notify supervisor that the individual is taking medication that impairs the individual's driving ability.
- Failure to report any traffic citation or motor vehicle accident.

### **Disciplinary action may include, but is not limited to:**

- Attending a defensive driving course at individual's expense.
- Suspension or revocation of driving responsibilities. If driving responsibilities is a regular requirement of the individual's job, disciplinary action may result in termination.

The Department Director in which the individual is assigned will recommend appropriate disciplinary action.

### **Driver Responsibilities**

It is the responsibility of each individual who may be called upon to drive a UTHealth vehicle to comply with the following:

- Use UTHealth vehicle for official business only.
- Obey all local, state, and federal laws when operating UTHealth vehicle.
- Possess at all times a valid and appropriate Texas driver's License.
- Ensure that the vehicle has a current State of Texas inspection sticker before operating any vehicle.
- Use safety belts at all times during operation of vehicle.
- Use reasonable care in operating and maintaining the vehicle.
- Ensure vehicle(s) interior and exterior are maintained in a clean and safe serviceable condition.
- Secure and lock the vehicle when it is unattended.

- Park in designated areas only. Parking or driving on campus sidewalks is never allowed.
- Ensure that appropriate vehicle maintenance is performed.
- Report vehicle malfunctions or maintenance needs to the appropriate department designee.
- Obtain receipts for all reimbursable purchases. Such receipts must reflect the vehicle License number, description of the item purchased, and the cost of each item. Gasoline purchases must reflect the cost per gallons, the number of gallons, and the total cost on each receipt.
- Notify the appropriate department designee in the event of a vehicle failure. The department designee will advise and approve actions to take.

### **Individual's Responsibility and Liability for Negligent Operation**

Operators of UTHealth vehicles will be liable for speeding tickets, parking tickets, seat belt violations, or any other types of citations.

An individual operating a UTHealth vehicle where the individual is negligent is subject to disciplinary action up to and including termination.

### **Department Responsibilities**

In addition to the list of drivers kept by EH&S, the department manager shall maintain an individual report on each driver.

The Driver History Record should include under the "History" section, notations regarding:

- Training the driver has received, including the date.
- Notations regarding any misconduct with the vehicle or any reprimands concerning driving habits.
- Any positive remarks regarding safe driving.

State vehicles are exempt from carrying proof of liability, but in order to prevent a citation from being issued, ensure that each vehicle assigned to the department carries the proof of liability provided by EH&S each year during renewal of the insurance policy. Vehicles that are leased do require proof of insurance and this proof of liability will also be distributed by EH&S each year.

Ensure that a scheduled, recorded maintenance program is performed for each vehicle. The program should at least follow the manufacturer's suggested maintenance schedule.

UTHealth shall maintain records for the Fleet Vehicle Maintenance Programs.

Each department shall maintain a complete record of an accident and traffic violation history for each individual called upon to drive a UTHealth vehicle. All violations related to driving a motor vehicle on or off the job must be reported to a department manager and this information must be reported to EH&S within 24 hours.

Reporting accidents and misuses is the responsibility of all parties. An aggressive prevention program reduces motor vehicle accidents and misuses. Motor vehicle accident and misuse prevention programs at all levels should stress and include:

- Conducting vehicle safety orientation and education and observing recognized safety practices.
- Investigating, analyzing and reporting motor vehicle accidents and misuses.
- Taking appropriate action against offenders.
- Ensuring an adequate stock of emergency equipment, i.e., chains, flares and warning kits are maintained and available for vehicles traveling off campus.
- Providing vehicle operators with instructions to follow, including agencies to phone, when accidents occur.

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

Individuals are strongly discouraged from using personal vehicles for conducting official UTHealth business. UTHealth utilizes the "Hired/Non-Owned" policy which provides liability coverage only for individuals using their personal vehicles while conducting official UTHealth business. The liability coverage in this case applies only as a secondary coverage to the individual's personal auto policy. If an individual using his or her personal vehicle for official UTHealth business is involved in an accident, EH&S must be notified to handle the reporting of a claim.

### **Vehicles and Traffic Safety**

#### **1. Traffic Rules**

- a. Texas Department of Public Safety traffic rules and local traffic ordinances prevail for operations of all vehicles.
- b. Cell phone usage by drivers is prohibited while operating University vehicles or otherwise driving for University business.
- c. Motor vehicles shall have an up-to-date state inspection sticker and be maintained in a safe working condition at all times.
- d. All drivers that receive both, moving and non-moving (e.g. parking tickets) violations are the responsibility of the driver cited.
- e. Drivers shall possess a valid Texas driver's License.
- f. Drivers shall obey all traffic signs and rules.
- g. Smoking is not permitted in UTHealth vehicles.
- h. Park in designated areas only. Parking or driving on campus sidewalks is never allowed.

#### **2. Seat Belts**

- a. State employees and their passengers shall comply with State law regarding seat belts.
- b. Occupants in the front seat of all vehicles shall wear seat belts.

#### **3. Vehicle Accidents**

All motor vehicle accidents occurring on UTHealth property, as well as those involving UTHealth employees on institutional business off-site must be reported to **713-500-HELP** (phone 713-500-4357) and the appropriate UTHealth supervisor immediately.

All accidents must be reported to EH&S at 713-500-8100.

#### **4. Passengers in Trucks**

**Only during emergencies** will people be allowed to ride in the bed of a truck and passengers riding in the bed of trucks or on the back of other trucks shall be seated within the bed or on built-in seats. Passengers shall not lean against the tailgate or sit on wheel wells, toolboxes, etc.

#### **5. Vehicle Capacity**

When transporting material or personnel, the total load shall not exceed the capacity of manufacturer's recommendation of the vehicle.

#### **6. Trailer Hitches/Towing Equipment**

Trailer hitches and other towing equipment shall be utilized according to the manufacturer's recommendations and not altered in any way.

### **Reporting and First Response**

#### **Auto Accidents Involving UTHealth Vehicles**

1. If there are any injuries:

- a. Remain at the scene of the accident.
- b. Have an observer call **911** for Emergency Medical Services and Houston Police Dept. Also contact UTPD at (713) 500-4357.

Provide the following information:

- (1) Your name.
- (2) Your location (Street and Block Number).
- (3) The type of emergency – Auto Accident.
- (4) Special directions (if any).

- c. If towing is required, contact FIXT (713) 500-3498 and arrangements will be made via Davis Chevrolet Wrecker Service (713) 794-2560 or Russell-Smith Ford Wrecker Service (713) 663-4111.
- d. Get the names of all witnesses, including occupants of other vehicle(s), then retain all other information required on the Auto Accident Report which is located in the vehicle's glove box or contact Risk Management & Insurance (713) 500-8100 within the department of Environmental Health & Safety.

2. If there are no injuries and if the vehicle(s) can be moved:



- a. Move the vehicle(s) to the side of the road or otherwise out of traffic.
- b. Telephone **HPD** (713-222-3131) and provide them with the following information:
  - (a) Your name.
  - (b) Your location.
  - (c) The type of emergency – Auto Accident.
  - (d) Special directions (if any).
- c. Get the names of all witnesses, including occupants of other vehicle(s), then retain all other information required on the Auto Accident Report that is located in the Vehicle Packet, or call Environmental Health & Safety (713-500-8100).
- d. If the accident occurred on the UTHealth campus contact UTPD (713) 500-HELP (4357).

**Do not admit negligence, fault, or guilt. Do not commit UTHealth or the insurance carrier to pay for damages. The insurance carrier representing UTHealth will make that determination.**

#### **Vehicle Misuse**

UTHealth personnel have an obligation to report suspected cases of vehicle misuse to the Fleet Manager, Bryan Evans (713-500-8133, [bryan.c.evans@uth.tmc.edu](mailto:bryan.c.evans@uth.tmc.edu) )

#### **Drug Testing of Commercial Drivers License (CDL)**

A CDL is required of authorized drivers who operate commercial motor vehicles (CMVs) for official UTHealth business. 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.

# Guidelines for Driving UTHHealth Vehicles

## Acknowledgement

I acknowledge receipt of the *Guidelines for Driving UTHHealth Vehicles*. I understand I am responsible for reading and complying with the guidelines. Questions regarding the guidelines may be addressed to my supervisor or the Environmental Health and Safety Department at 713-500-8100.

\_\_\_\_\_

Signature of employee

\_\_\_\_\_

Name (Please print)

Department: \_\_\_\_\_ Position: \_\_\_\_\_

Phone #: \_\_\_\_\_ Home Zip Code: \_\_\_\_\_

Tx. Drivers License #: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Today Date: \_\_\_\_\_