

## University of Maine System

### ADMINISTRATIVE PRACTICE LETTER

**SUBJECT: MOTOR VEHICLE ADMINISTRATION AND GUIDELINES**

#### TABLE OF CONTENTS

- I. General**
- II. University Vehicles and Administration Defined**
- III. Vehicle Acquisition and Registration; Rentals and Private Vehicles**
- IV. University Approved Drivers**
- V. Vehicle Use Guidelines**
- VI. Accidents, Violations, and Misuse of Vehicles**
- VII. Vehicle Safety Maintenance and Inspection**
- VIII. Regulations for Vehicles on University Property**

***Attachment I: Motor Vehicle Record Criteria for Drivers***

***Attachment II: Vehicle Insurance***

***Attachment III: Guidelines for Incident Reporting: Motor Vehicle Accidents***

***Attachment IV: Incident Report: Motor Vehicle Accident***

***Attachment V: Vehicle Information Resources***

## University of Maine System

### ADMINISTRATIVE PRACTICE LETTER

#### **SUBJECT: MOTOR VEHICLE ADMINISTRATION AND GUIDELINES**

#### **I. GENERAL**

Motor vehicles are an accepted part of everyday life and essential to the accomplishment of the goals of the University of Maine System (University). However, by their very nature, vehicles on and off University locations pose a significant risk to University faculty, administration, staff, students, visitors, and the general public. In response to this risk, the University has developed Administrative Practice Letter (APL) Section II-B outlining the University's motor vehicle administration and required guidelines.

The vehicle procedures outlined in APL Section II-B apply System-wide. However, APL Section II-B represents the minimum policy guidelines or requirements of the University. Each university (henceforth "campus") can elect to incorporate additional restrictions or requirements to serve the best interest of the individual campus or its employees.

The System Office reserves the right to audit compliance to this APL and to change either System or campus procedures when necessary to respond to an ever changing risk and insurance environment.

#### **II. UNIVERSITY VEHICLES and VEHICLE ADMINISTRATION DEFINED**

##### **A. University Vehicles**

"University Vehicles" include all vehicles owned or leased by the University, as well as all vehicles rented or borrowed for University use. All such vehicles fall under the authority of the campus Vehicle Administrator and Risk Manager, as defined below, including vehicles controlled by individual campus departments or colleges. In addition, personally owned vehicles used to conduct University business must be driven in compliance with this APL where applicable.

##### **B. Campus Vehicle Administrator**

Each university must designate a campus "Vehicle Administrator" with explicit authority and responsibility for the administration of all vehicle standards, including the requirements outlined in this APL. The name of that individual should be provided to the University System Risk Manager. The Vehicle Administrator may designate one or more employees to carry out the functions of vehicle administration; however, ultimate responsibility lies with the Vehicle Administrator.

## **ADMINISTRATIVE PRACTICE LETTER**

### **SUBJECT: MOTOR VEHICLE ADMINISTRATION AND GUIDELINES**

The Vehicle Administrator will maintain records on University drivers and vehicles. Such records should include but are not limited to the following: approved and prohibited drivers, driver license information, driver motor vehicle record, pertinent information on vehicles (year, make, model, identification number, plate number, date of purchase), maintenance records, vehicle usage, and vehicle accidents and misuse.

#### **C. University System Risk Manager**

The University System Risk Manager (Risk Manager) is the System-wide authority for all University vehicle administration and guidelines. The Risk Manager has the authority to ensure that all System vehicle policies and procedures are adhered to, and acts as a resource for consultation to the campuses regarding University vehicle issues. Any exceptions to System vehicle policies and procedures need to be approved by the Risk Manager. In addition, the Risk Manager has the authority to change a campus decision regarding vehicle issues, including vehicle use or drivers, whenever it is in the best interest of the University. The Risk Manager will resolve any issues or conflicts regarding vehicles, including interpretation of this APL.

The Risk Manager is also responsible for overseeing University vehicle insurance and claims. Information regarding University vehicles and accidents or misuses must be submitted to the Risk Manager by the campus in accordance with Section VI of this APL.

### **III. VEHICLE ACQUISITION & REGISTRATION; RENTALS & PRIVATE VEHICLES**

#### **A. Owned and Leased Vehicles**

The following regulations control the acquisition and registration of vehicles owned or leased by the University of Maine System:

1. All purchases and leases must follow procedures outlined in APL Section VII-A *University of Maine System Purchasing Procedures*.
2. All campuses should plan their vehicle purchasing strategy so as to make it possible to participate in the System Procurement vehicle bids done twice a year.
3. All vehicle purchase, sales, and lease agreements, titles and registrations must be in the name of the University of Maine System, 16 Central Street, Bangor, Maine 04401.
4. Vehicles for the Chancellor and Presidents are governed by the Board of Trustee policy.

## University of Maine System

### ADMINISTRATIVE PRACTICE LETTER

#### **SUBJECT: MOTOR VEHICLE ADMINISTRATION AND GUIDELINES**

5. All University owned and leased vehicles must carry University (300- ) license plates, except vehicles purchased or leased for use by the Chancellor, University Presidents, or others in special circumstances approved by the System Treasurer.
6. The campus Chief Financial Officer or designee may sign purchasing contracts and leases for 300-plate vehicles and campus presidents' vehicles. Purchasing contracts and leases for all other vehicles must be signed by the System Treasurer or designee.
7. All registrations must be processed by Risk Management in the System Office. Original titles and copies of registrations are to be kept on file at the System Office.
8. New vehicles should be purchased or leased instead of purchasing or leasing used vehicles whenever possible. New vehicles typically meet higher safety and environmental standards and benefit from manufacturer assistance to dealers for governmental agencies.
9. No vehicle may be purchased or leased when the campus has knowledge of safety problems or concerns, such as vehicles with a U.S. Department of Transportation Advisory or Warning. An exception may be made if adherence to the recommendations of any U.S. Department of Transportation Advisory or Warning fully corrects or addresses all safety problems or concerns. The System Office of Strategic Procurement should be consulted prior to any such purchase or lease.
10. Safety features, as well as cost, should be given consideration for new and used vehicle purchasing or leasing. Safety features needed for a particular vehicle should be included in the bid specifications. Safety feature considerations should include but are not limited to suitability for designated purpose, crashworthiness, cargo capacity and load position, towing capacity, ergonomics, fuel efficiency and emissions.

#### **B. Rented or Borrowed Vehicles**

1. Campuses may contract for the rental of vehicles, not to receive 300-plates, for a period not to exceed six months; for longer periods, rentals will be considered as leases and be subject to all lease requirements. Consecutive rentals to avoid compliance with this requirement are not allowed.
2. No vehicle may be rented or borrowed that contradicts any requirement found in this APL, without specific approval from the Risk Manager.

## University of Maine System

### ADMINISTRATIVE PRACTICE LETTER

#### **SUBJECT: MOTOR VEHICLE ADMINISTRATION AND GUIDELINES**

3. No vehicle may be rented or borrowed when the campus has knowledge of safety problems or concerns, such as vehicles with a U.S. Department of Transportation Advisory or Warning. An exception may be made if adherence to the recommendations of any U.S. Department of Transportation Advisory or Warning fully corrects or addresses all safety problems or concerns.

4. Refer to APL Section IV-B *Travel and Expense Procedures* on use of rental vehicles for University Travel.

#### **C. Private or Personally Owned Vehicles**

It is ordinarily in the best interests of the University if University vehicles are used for conducting University business. However, if this is not possible or practical, personally owned vehicles may be used. Such use is solely at the discretion of the vehicle owner and vehicle driver. Personally owned vehicles used for University-related business should be properly registered, inspected, insured, and appropriate for such use, as determined by the vehicle driver. No private vehicle should be used for University business if the vehicle or usage contradicts this APL. The University recommends that personally owned vehicles used for University business carry at least \$300,000 liability insurance. See Attachment II for additional information.

#### **IV. UNIVERSITY APPROVED DRIVERS**

1. Driving a University vehicle is a privilege conferred by the University in its own discretion, and only University approved drivers are permitted to drive University vehicles. A "University Approved Driver" is a driver who has requested the privilege to drive a University vehicle and the Vehicle Administrator has approved the request. Requirements for approval are outlined in this section.

2. All University drivers must be made aware of University requirements regarding vehicle use as outlined in this APL.

3. The University reserves the right to deny use of a University vehicle to any individual.

4. The University reserves the right to deny an individual from carrying passengers on University business in any vehicle including personally owned vehicles.

## University of Maine System

### ADMINISTRATIVE PRACTICE LETTER

#### **SUBJECT: MOTOR VEHICLE ADMINISTRATION AND GUIDELINES**

5. University approved drivers may drive vehicles from another campus subject to approval verification, availability, and guidelines of the campus that controls the vehicle.
6. Failure to comply with this APL may result in disciplinary action, and/or may result in suspension or termination of University vehicle driving privileges.
7. No one under 18 years of age shall be permitted to drive a University vehicle. Drivers under the age of 21 are not permitted to drive vehicles that are transporting more than 5 passengers, unless the driver has at least two years of driving experience without a moving violation or an at-fault accident, and the Vehicle Administrator approves the driver and usage.
8. Potential drivers may be required to satisfactorily complete driver training or testing, at the Vehicle Administrators discretion, based on campus guidelines and the vehicle being driven.
9. University buses, mini-buses, vans, mini-vans or trucks may be driven only by persons with an appropriate license and whose ability to handle such vehicles has been demonstrated, through a test-drive and/or by acceptable evidence of prior experience with the type of vehicle involved. If prior experience is inadequate, it is the Vehicle Administrator's responsibility to assure that that driver is properly trained prior to approval.
10. Student Drivers. If necessary and appropriate to fulfill the mission of the University, it may be permissible from time-to-time to have enrolled students drive University vehicles, but only for University related and sponsored business. The student must become an approved University driver. The campus Vehicle Administrator has the authority to make the final decision regarding student drivers. Each student must have written authorization of a University faculty or staff person responsible for the activity and with the authority to approve such usage. The faculty or staff member approving student usage must be identified at the time the vehicle is signed out. Whenever possible, a staff or faculty member should be in the vehicle during usage. Students employed by the University are still considered students and not employees with regard to driving privileges.
11. Volunteer Drivers. In special circumstances, the campus Vehicle Administrator can approve University volunteers as drivers if it is in the University's best interest. Volunteer drivers must be a University-approved volunteer and meet the requirements established to become a University approved driver.

**ADMINISTRATIVE PRACTICE LETTER**

**SUBJECT: MOTOR VEHICLE ADMINISTRATION AND GUIDELINES**

12. Except in an emergency situation, no one is allowed to drive a University vehicle if they are not a University approved driver, including co-workers, contractors, visitors, friends, spouses or other family members. It is the University approved driver's responsibility not to permit any unauthorized person to operate a vehicle assigned exclusively to them or their department.

13. If a visiting speaker, performer, lecturer or other guest of the University is to be provided with transportation, the vehicle should be rented in his or her name from an outside rental firm and charges should be reimbursed, if appropriate, by the hosting University campus or campus department. Unless the driver has obtained insurance elsewhere, liability and physical damage coverage should be purchased from the vehicle rental firm in the driver's name as the driver will be responsible for any claims that result from his or her usage of the vehicle.

14. The campus Vehicle Administrator must verify the driver license of all university drivers prior to authorizing use of a University vehicle. All persons driving University vehicles must be properly licensed to drive in Maine. State law requires residents who drive University vehicles to have a Maine license, but allows nonresidents to drive on a valid license from their home state or province. Drivers from countries other than the U.S. or Canada must have a valid and verifiable driver's license to drive legally in Maine. Drivers must have their license in their possession when operating a University vehicle.

15. The Vehicle Administrator must maintain on file a record of driver information, including driver name, birth date, license number, state of license, license expiration date, and the result of the driver's motor vehicle record check. A record should also be kept of drivers who were denied use of University vehicles and the reason for the denial.

Reproduced or photocopied driver licenses should not be retained on file and, if received, should be destroyed. The only exception regards commercial driver's licenses; State law allows copies of these to be retained if the commercial license is a requirement of the individual's employment with the University.

**ADMINISTRATIVE PRACTICE LETTER**

**SUBJECT: MOTOR VEHICLE ADMINISTRATION AND GUIDELINES**

16. All drivers of University vehicles are subject to University and insurance company verification of their driving record. Vehicle Administrators are to verify the motor vehicle records of all University drivers whenever possible to determine if the driver's record meets University standards. It is suggested that motor vehicle record verification should be done at least annually and when any new driver has requested use of a University vehicle. The decision of whether or not an individual's record is acceptable lies with the Vehicle Administrator based on established criteria. Driver record criteria will be determined by the Risk Manager and provided to the Vehicle Administrators (see **Attachment I**).

The campus Vehicle Administrator will obtain the official driving record of drivers with Maine licenses. Unless the campus has internal means to check records, drivers with licenses from another state or country must provide proof of their driving record; acceptable proof can be a copy of the state or country's official Motor Vehicle Record, or an acceptable signed letter from the driver's insurance agent or insurance company clearly verifying the individual's driving record. Failure to adhere to the criteria may jeopardize the University's insurance; in such instances, the campus permitting the usage without System Risk Manager approval, may be required to fund any costs resulting from that usage.

17. A University vehicle driver will not be allowed to continue to operate a University vehicle and may be subject to disciplinary action for the following violations:

- Operation of a University Vehicle when ones license has expired, been revoked or suspended;
- Violation of Operating Under the Influence (OUI) laws or other major traffic violation (major violations are determined and defined by the State);
- Misrepresentation of a driving record; misrepresentation of the reason and/or authority to operate or use a University Vehicle.

18. An approved University driver must report immediately to the Vehicle Administrator any change in license status, such as license suspension or revocation. Any citation or violation received while operating a University vehicle must be reported. In addition, all moving violations and at-fault accidents must be reported, even if the violation or accident occurred while operating a vehicle other than a University vehicle, prior to driving a University vehicle. The Vehicle Administrator will determine if the violation or accident is significant enough to affect the driver's privilege to drive a University vehicle.

## University of Maine System

### ADMINISTRATIVE PRACTICE LETTER

#### **SUBJECT: MOTOR VEHICLE ADMINISTRATION AND GUIDELINES**

19. Both the driver and the department or employee requesting the driver's approval will be notified in most instances if it is determined that a driver is not approved for driving a University vehicle.

#### **V. VEHICLE USE GUIDELINES**

The following guidelines control the use of all University vehicles:

1. University Vehicles are to be used only for University business or related University approved activities.
2. Drivers must operate University vehicles in accordance with the guidelines or requirements as outlined in this APL and know and observe all applicable traffic laws, ordinances, and regulations. Failure to comply with University vehicle guidelines may result in loss of driving privileges and/or disciplinary action.
3. The Vehicle Administrator has the authority to deny or revoke an individual's authorization to use University vehicles if that individual does not comply with University policies or procedures, or exhibits poor judgment of any kind while operating a University vehicle.
4. Drivers must use safe driving principles, practices, and techniques at all time. Drivers must operate University vehicles, as well as personal vehicles being used for University business, in a manner so as to reduce the likelihood of accidents and assure the safety of University employees, passengers, and the general public, and also so as to not damage public, private or University property. Safety should not be compromised or lives put in jeopardy for any reason.
5. Departments with vehicles under their control must abide by the System and campus guidelines and requirements. Departmentally controlled vehicles fall within the scope of the authority granted the Vehicle Administrator.
6. Except in rare instances, all passengers must be participating in a University business or University sponsored activity or event at the time they are traveling in a University vehicle. Passengers should be limited to employees and students of the University, others on University business, individuals engaged in courtesies by or for the University, and certain family members if approved by campus administration and the Vehicle Administrator. No children are allowed as passengers in a University vehicle, except in instances approved by campus administration and the Vehicle Administrator.

**ADMINISTRATIVE PRACTICE LETTER**

**SUBJECT: MOTOR VEHICLE ADMINISTRATION AND GUIDELINES**

7. No University vehicle can be used to carry passengers for a fee. Such action may void the University's insurance.
8. Hitchhikers are not permitted in University vehicles, except in emergency situations, such as if drivers choose to render assistance to disabled motorists. However, any such action should be done with extreme caution and only if the situation warrants it; contacting the police should be the first step.
9. No driver shall transport more passengers or a heavier load than the vehicle is designed to carry.
10. All transportation requests for student-related activities must be authorized in writing by the sponsoring department head, faculty advisor, or appropriate administrator.
11. University vehicles must not be loaned, rented or leased to individuals or to organizations not directly affiliated with the University.
12. University vehicles must not be loaned, rented or leased to University employees, students or others for non-University use or activities. Also, the use of University vehicles for personal gain, such as delivery of goods or services, is prohibited.
13. Prior to operating a University vehicle, drivers or the person responsible for signing out the vehicle should inspect the vehicle for safety concerns, such as checking tires, wipers, horn, lights and other safety equipment for observable defects. Any defects should be reported immediately to the Vehicle Administrator to determine if the vehicle is safe to operate. The responsibility of inspecting the vehicles prior to use may also be assumed by the Vehicle Administrator.
14. Drivers must protect University vehicles and property from theft or vandalism by parking in safe areas and by turning the vehicle off, removing the key, and locking the vehicle when left unattended. The University is not responsible for personal articles lost or stolen from a University vehicle.
15. No vehicle with University (300- ) plates may be kept overnight at the home of a University employee or student. The driver's supervisor may approve an exception for a specific trip in the case of an early morning departure or a late day return, which will be shortened by leaving from or returning to the home location. Such permission may be granted to increase safety, efficiency and reduce University costs. Individual campuses may require additional approval by the Vehicle Administrator.

## University of Maine System

### ADMINISTRATIVE PRACTICE LETTER

#### **SUBJECT: MOTOR VEHICLE ADMINISTRATION AND GUIDELINES**

16. All operators and passengers of University vehicles must wear seat belts whenever seatbelts are available. It is the driver's responsibility to make sure that all passengers wear their seat belts. The driver should refuse to take any passenger who refuses to cooperate and may not operate the vehicle if passengers do not have seat belts properly fastened.

17. In the rare instance where a child is a passenger in a University vehicle, the child must be provided with a safety or booster seat when required by law. It is the driver's responsibility to make sure that all children are seated correctly in the proper safety device.

18. Drivers misusing University vehicles may be held personally liable for damages to persons or property, as well their own legal expenses and defense, since the driver is acting outside the course and scope of permitted University business. Drivers who misuse University vehicles are also subject to disciplinary action by the University.

19. No animals are allowed in University vehicles, except in instances where this is an appropriate intended use of the vehicle. An exception is also made for Service Dogs (such as for the visually or hearing impaired) accompanying a passenger; however, proof of certification may be required.

20. University vehicles are only to be used for their intended purposes. Any off-road use should be approved by the Vehicle Administrator and be with a vehicle appropriate for such use.

21. All attempts should be made to avoid having an athletic team member drive a vehicle to or from an event in which they are participating. If another driver is not available, it is acceptable for a volunteer to become certified as a University approved driver for such travel.

22. Drivers should be rested and not drive more than 8 hours per day. The University recommends that periods of uninterrupted driving not exceed 2 or 3 hours, separated by rest breaks.

23. Vehicles should be driven at speeds that are appropriate for road conditions. Vehicle use may be delayed or denied by the Vehicle Administrator if weather or conditions make driving the vehicle unsafe.

24. Smoking or use of tobacco products is prohibited in University vehicles.

## University of Maine System

### ADMINISTRATIVE PRACTICE LETTER

#### **SUBJECT: MOTOR VEHICLE ADMINISTRATION AND GUIDELINES**

25. No drivers, before or during trips, are permitted to use medications, alcohol, drugs or other substances that cause drowsiness or other physical or mental impairment. The driver of the vehicle must not be under the influence of illicit drugs and/or alcohol at any time.

26. No hazardous chemicals, weapons, hazardous waste, or illegal drugs may be transported in University vehicles, unless with proper administration authorization, in writing. Alcoholic beverages may not be transported except for administration approved catering purposes.

27. Employees using cellular phones in vehicles should follow the safety and security guidelines outlined in APL Section VII-D *Cellular Telephone Acquisition, Use and Reimbursement*.

28. No modification of University vehicles shall be made without approval of the Vehicle Administrator. This includes but is not limited to affixing signs, stickers, antennas, ladder, bike racks, ski racks. Trailer hitches and towing for personal reasons are not permitted. Hauling loads with University vehicles that could structurally damage the vehicle, or make driving the vehicle unsafe, are prohibited.

29. Use of any radar or other speed monitoring detection device in University vehicles is prohibited, except for administration-approved use by University Police or Public Safety.

#### **VI. ACCIDENTS, VIOLATIONS, AND MISUSE OF VEHICLES**

##### **A. Accidents**

1. The Vehicle Administrator should inform drivers of University procedures for responding to emergency situations and for reporting accidents.

It is the driver's responsibility to follow University procedures and State laws regarding required actions in the event of an accident. The University's procedures and State of Maine requirements can be found in **Attachment III** of this APL.

2. Any accident involving University owned, leased, or rented vehicles, or personally owned vehicles being used for University business, must be reported to the campus Vehicle Administrator as soon as possible and within 48 hours of the time of the accident. The University approved driver of the vehicle is responsible for reporting the accident. The accident should also be reported to the driver's supervisor and to any other person or department, such as Public Safety, if so directed by the Vehicle Administrator.

## University of Maine System

### ADMINISTRATIVE PRACTICE LETTER

#### **SUBJECT: MOTOR VEHICLE ADMINISTRATION AND GUIDELINES**

3. The campus must report the accident on the required forms to the Risk Manager as soon as possible and within 48 hours from notification so a claims investigation can be initiated.
4. Whenever possible, the driver should seek police assistance in recording the events of an accident.
5. Under Maine law all accidents involving personal injury or death to a person or estimated property damage of \$1,000 or more must be reported to the local police, Sheriff's Office or State Police.
6. Each University owned or leased vehicle must contain within it a System Motor Vehicle Accident Report Form and Liability insurance Information card. This card provides guidelines and reporting form in the event of an accident, and includes liability insurance verification for law enforcement.
7. Preventable at-fault accidents may result in revocation or suspension of driving privileges, and/or driver testing and training, as well as disciplinary action. Examples of preventable at-fault accidents include but are not limited to: accidents caused by following too close to another vehicle, accidents while backing up the vehicle, accidents at intersections, and accidents that result from driving too fast for the conditions. The Vehicle Administrator will review all accidents and determine if the accident was preventable. Along with determination of driving privileges, the information will also be used to determine specific needs for accident prevention training and changes in University vehicle use guidelines.
8. Once an accident investigation and appraisal are completed, all accident damage to a University vehicle must be repaired as quickly as possible and in the least expensive manner appropriate to bring the vehicle back to the condition it was in prior to the accident.

#### **B. Fines, Violations and Citations**

1. Drivers are personally responsible for fines or citations resulting from their actions. No University funds of any kind may be used to pay such fines. Fines and citations become part of the driver's record and are not the responsibility of the University.
2. If a violation, suspension or revocation occurs during the period an individual is designated as an approved driver, it is the driver's responsibility to make the Vehicle Administrator aware of this prior to driving a University vehicle again.

## University of Maine System

### ADMINISTRATIVE PRACTICE LETTER

#### **SUBJECT: MOTOR VEHICLE ADMINISTRATION AND GUIDELINES**

3. Any fines, violations or citations received while driving a University vehicle, including vehicles rented or borrowed, may result in suspension or revocation of privileges to drive a University vehicle, as well as other disciplinary action, depending on the specifics of the case.

#### **C. Misuse of Vehicles**

1. Any misuse of a University vehicle, including vehicles rented or borrowed for University use, may result in suspension or revocation of privileges to drive a University vehicle, as well as other disciplinary action. Such misuse may also result in financial consequences to the individual and/or department. "Misuse" includes but is not limited to: violating University policy, damaging the vehicle through negligence, obtaining vehicle for use through misrepresentation.

2. The Vehicle Administrator is authorized and responsible to control and regulate misuse. When misuse is discovered, it must be reported to the Vehicle Administrator who will notify the department, appropriate campus administration, and the Risk Manager.

### **VII. VEHICLE SAFETY MAINTENANCE AND INSPECTION**

1. Each campus must have a safety maintenance and inspection program.

2. All University owned and leased vehicles should be routinely checked and carefully maintained to provide safe transportation.

3. A vehicle maintenance schedule should be established and adhered to, and all work to every vehicle, including inspections, should be clearly documented including the date and nature of the work. Records should be retained following University record retention policies.

4. All vehicles must meet all local, state, federal and manufacturer's requirements, and be able to pass State inspections. If the campus has knowledge of vehicles with safety problems or concerns, such as vehicles with a U.S. Department of Transportation Advisory or Warning, appropriate measures should be taken to address the problem.

5. Any vehicle deemed to be unsafe must be removed from use until the vehicle is made safe to operate.

## University of Maine System

### ADMINISTRATIVE PRACTICE LETTER

#### **SUBJECT: MOTOR VEHICLE ADMINISTRATION AND GUIDELINES**

6. University owned and leased vehicles should have safety reminder stickers or labels in appropriate locations for such purposes included but not limited to ensuring use of seat belts, safety suggestions on backing the vehicle, use of appropriate oil and gasoline, non-smoking.

#### **VIII. REGULATIONS FOR VEHICLES ON UNIVERSITY PROPERTY**

Section 8-A of the University Charter stipulates the following regarding vehicles on University property:

1. Trustees may make rules and regulations for the control, movement, and parking of vehicles within the limits of property owned by or under the control of the University. The rules and regulations shall have the same force and effect as municipal ordinances.
2. In establishing motor vehicle rules and regulations, the Trustees may adopt the provisions of the Maine Revised Statutes, Title 30-A, Section 3009, relating to prima-facie evidence, the establishment of waiver of court action by payment of specified fees and the establishment and policing of parking spaces for handicapped persons.
3. The Department of Transportation and the Maine State Police establish Speed Limits for property owned by or under the control of the University. The University in accordance with written directions or policies of the Department of Transportation must post the speed limits.
4. The violation of any rules or regulations relating to the movement of vehicles is deemed to be a traffic infraction unless defined as a felony or misdemeanor under Maine law and is also deemed to be a violation of the Student Conduct Code.
5. District Courts are authorized to impose fines not to exceed \$50 for each parking violation.
6. In general, with the exception of speed limits established by the State of Maine, each campus may establish parking fines and its own rules and regulations, in conformance with Maine Revised Statutes, Title 30-A, Section 3009, as mentioned above.

**University of Maine System**

Section II - B  
Page 16 of 16  
Effective 1/10/08

**ADMINISTRATIVE PRACTICE LETTER**

**SUBJECT: MOTOR VEHICLE ADMINISTRATION AND GUIDELINES**

**RELATED DOCUMENTS:**

APL Section IV-B      Travel and Expense Procedures  
APL Section VII-A    University of Maine System Purchasing Procedures  
APL Section II-C     Withholding and Reporting for Personal Use of Employer-Provided Vehicles  
APL Section VII-D    Cellular Telephone Acquisition, Use and Reimbursement  
APL Section II-E     Safety and Environmental Management System  
APL Section VII-C    Purchasing Cards

**APPROVED**

---

Vice Chancellor for Finance and Administration

**MOTOR VEHICLE RECORD CRITERIA****for Determination of Driver Approval**

Number of Minor Violations	Number of At-Fault Accidents				
	0	1	2	3	4 or more
0	CLEAR	Uncertain	Fair	Poor	Poor
1	Acceptable	Fair	Poor	Poor	Poor
2	Uncertain	Poor	Poor	Poor	Poor
3	Fair	Poor	Poor	Poor	Poor
4	Poor	Poor	Poor	Poor	Poor
Any Major Violation	Poor	Poor	Poor	Poor	Poor

Notes on Criteria for Determining Driver Qualification

- 1) The most recent three (3) full years should be taken into consideration in determining a driver's eligibility using the above chart.
- 2) **"Clear"** and **"Acceptable"** = the driver's record is good and they can be approved as a driver.  
**"Uncertain"** and **"Fair"** = the driver's record needs further analysis. See below for details.  
**"Poor"** = the driver's record is unacceptable and driving privileges should be denied.
- 3) Student and Volunteer Drivers that fall into the "Fair" or "Poor" category should NOT be allowed to drive a University vehicle. Student employees are "student drivers," unless there are special circumstances.
- 4) For employees whose record falls into the "Fair" area, the decision to allow them to operate should be carefully considered and should depend on the circumstances of the convictions/accidents.
- 5) Employees whose record falls into the "Poor" category should NOT be allowed to drive a University vehicle unless there are extenuating circumstances and the System Risk Manager has approved the exception.
- 6) Drivers who fall into the "Uncertain" category can be allowed to drive if the details of their violation or accident are acceptable. For instance, a driver with an at-fault accident that involved extensive property damage, a rollover, excessive speed, etc. may not be acceptable as a driver. Or a young driver with two recent moving violations may not be acceptable as a driver.
- 7) **Major Violations** include Operating Under the Influence (O.U.I.), speeding by 30 miles per hour or more over the limit, failure to stop for a police officer, leaving the scene of an accident, operating without a license, passing a stopped school bus, altering or loaning a license, giving false information, among others. Major Violations are defined and determined by the State.
- 8) The System Risk Manager should be consulted when needed to assist in the determination of a driver's eligibility.

## VEHICLE INSURANCE

- A. University Owned or Leased Vehicles**
- B. Personally Owned Vehicles**
- C. Rental Vehicles**
- D. Foreign Travel**

The University of Maine System (University) provides Liability and Physical Damage (collision and comprehensive) insurance coverages in many instances, but not all. Below is a summary of when the insurances are or are not provided. In all instances, however, the University does not insure personal property of drivers or passengers.

### **A. University Owned or Leased Vehicles**

The University provides Liability insurance coverage for University owned or leased vehicles if properly registered and while used for University business. Each vehicle should contain within it an Insurance Verification document that summarizes the University's liability insurance. The Insurance Verification document also verifies that liability insurance coverage extends to Canada; no separate verification is needed.

Physical Damage insurance coverage (collision or comprehensive) can be provided by the System office if the campus chooses to purchase coverage; however, if that option is not exercised, all Physical Damage losses are the financial responsibility of the campus or campus department. Coverage can be purchased through the University System Risk Manager.

### **B. Personally Owned Vehicles**

The University does **not** provide Liability insurance coverage or Physical Damage insurance coverage (collision and comprehensive) for non-University vehicles. If an employee or student uses a personal vehicle for University-related business, that person's own vehicle insurance will be responsible for any insurance claims. The University recommends that personally owned vehicles used for University business carry at least \$300,000 liability insurance coverage.

However, if an employee's vehicle liability insurance policy has been exhausted, the University's liability coverage will apply as excess coverage, if the driver is an authorized University employee and clearly on University business at the time of the loss.

The University will not reimburse an employee, student, other private owner, or an insurance company for any vehicle damage, including deductible, or for any liability claim.

### **C. Rental Vehicles**

In most instances, the University provides Liability and Physical Damage insurance coverage for vehicles rented for approved University business and driven by University-approved drivers (see below for details on each coverage type). If required by the rental company, verification of coverage can be provided through the University System Risk Manager. The University's coverage is excess of any other collectible insurances, such as coverage provided by the rental company or through a credit card, at the University's discretion. In most instances, coverage for rented vehicles does not extend to 15 passenger vans, nor to vehicles rented directly by students or for exclusive student use (contact the Risk Manager regarding any such rentals). When practical, rather than renting from an outside entity, employees should rent/use University-owned vehicles.

Liability coverage is provided by the University System on vehicles rented for approved University business and used within the continental United States or Canada (see below for foreign travel). Because liability coverage is provided by the System, the employee should decline the liability coverage offered by the rental car company.

Physical Damage insurance coverage (collision and comprehensive) is provided by the University System for vehicles with a value of \$40,000 or less, rented for approved University business, and used within the continental United States or Canada (see below for foreign travel). When coverage is provided by the System, the employee should decline the physical damage coverage offered by the rental car company. For rented vehicles with a value in excess of \$40,000, coverage should be purchased either through the rental company or through the University System Risk Manager.

Important Notes: If a rented vehicle will be used for personal use, such as side trips to visit family or friends, then the vehicle should be rented in the individual's name and the rental contract paid by the individual; in such instances both Liability and Physical Damage insurance should be obtained by the individual (APL IV-B *Travel and Expense Procedures* should be consulted regarding reimbursement for the business-use portion of the rental). The University's insurance is not intended to cover personal use of vehicles. If a driver has any questions regarding whether usage is personal or business, contact the System University Risk Manager.

#### **D. Foreign Travel**

Because the insurance information below is subject to change, travelers planning to rent a vehicle in a foreign country other than Canada should contact the Risk Manager in the System office.

Liability insurance coverage is provided by the University for Vehicles rented and driven by employees outside the United States and Canada. However, foreign vehicle liability coverage applies only to employees of the University (which includes student employees) who are University-approved drivers and driving the vehicle on University business. Coverage does not apply to University students or volunteers; University students and volunteers, or employees using the vehicle for personal use, should rent the vehicle in his or her name, and purchase appropriate vehicle liability insurance from the rental car company.

Physical Damage insurance coverage (collision and comprehensive) is provided for rented vehicles with a value of \$25,000 or less. If the rented vehicle has a value higher than \$25,000, then the coverage should be purchased from the rental company or, if available, through a credit card (the renter should verify coverage applies to the country of travel). However, foreign vehicle Physical Damage coverage applies only to employees of the University (which includes student employees) who are University-approved drivers and driving the vehicle on University business. Coverage does not apply to University students or volunteers; University students and volunteers, or employees using the vehicle for personal use, should rent the vehicle in his or her name, and purchase Physical Damage coverage on the rented vehicle.

**GUIDELINES FOR INCIDENT REPORTING: MOTOR VEHICLE ACCIDENTS**

**A. Overview**

To report a motor vehicle accident, complete and submit the following form to Risk Management in the System Office: *Incident Report: Motor Vehicle Accidents* (see Attachment IV).

**B. Instructions for a Driver Involved in a Motor Vehicle Accident**

1. Remain calm. Take immediate action to prevent further damage or injury. If anyone is injured, call 911 or signal for emergency assistance. Do not move the injured unless they are in immediate danger. Do not move vehicles unless necessary for safety reasons or damage is minimal.
2. Call police to the scene so they can investigate the accident and complete a report. If a phone is not available, write down information on the other driver and vehicle (on report form), and then walk or ride to the nearest phone. Return to the accident scene as soon as possible to wait for police. Do what is possible and seems most reasonable given the circumstances.
3. Complete the accident report form. Start by immediately completing the sections for the other vehicle, driver, injured persons, and witnesses. Other sections of the form, such as the information on you and your vehicle, can be completed afterwards. Do not leave the accident scene until you have obtained all the needed information. Write clearly. Take photographs if a camera is available.
4. Be courteous and factual. Do not argue or accept blame. Do not sign anything or discuss details of the accident with anyone other than your supervisor, police or the University's investigator. Share with the other party only necessary information, including your license, registration, and insurance information (provided on this form).
5. Turn in the completed accident report form immediately (within 48 hours) to the campus Vehicle Administrator, and to the System Risk Manager at the address shown on this form. Also provide a copy to your supervisor.

**C. Maine State Police Frequently Asked Questions on Crash Protocol**

***1. What should I do if I've been involved in a traffic crash?***

A person should first ensure that no one is injured. If anyone is injured as a result of the crash dial 911 immediately. You should also be aware of any potential dangers as a result of the crash, such as vehicles catching on fire, flying debris, hazardous materials, possibility of more crashes due to position of disabled vehicles, etc. If any of these or similar dangers are present, dial 911 immediately. If no one is injured, a person should make contact with the local, county, or state law enforcement agency using emergency or non-emergency telephone numbers. All parties (drivers) should exchange information: driver's license numbers, vehicle license numbers, names, addresses, and phone numbers of all persons involved, and the insurance company name and policy number of each driver. The involved persons should also write down the time and location where the traffic crash occurred.

***2. What are the reporting requirements if I've been involved in a traffic crash?***

A traffic crash report will be taken by law enforcement when the following reporting criteria are met:

- The collision is unintentional, and
- The collision occurs on a public way, and
- The collision is caused by a vehicle in motion, AND
- Any personal injury is involved OR
- Combined damage to all vehicles or property is in excess of \$1000.00

### **3. *When should I make a traffic crash report?***

A reportable traffic crash must be reported immediately by the quickest means of communication to a state police officer, or to the nearest state police field office, or to the sheriff's office, or to a deputy sheriff, within the county in which the crash occurred, or to the office of the police department, or to an officer, of the municipality in which the crash occurred. The crash must be reported by:

- The operator of an involved vehicle;
- A person acting for the operator; or
- If the operator is unknown, the owner of an involved vehicle having knowledge of the crash.

### **4. *What is the penalty for not making a traffic crash report?***

A person commits a Class E crime if that person:

- Is required to make an oral or written report and knowingly fails to do so within the time required.
- Is an operator involved in a reportable crash and knowingly fails to give a correct name and address when requested by an officer at the scene; or
- Is the operator involved in a reportable crash or the owner of a vehicle involved in a reportable crash and knowingly fails to produce the vehicle or, if the vehicle is operational, return it to the scene when requested by the investigating officer.

The Secretary of State may suspend or revoke the motor vehicle driver's license and certificate of registration of a person who is required to make a report and fails to do so.

### **5. *How can I make a traffic crash report?***

A report must be made to the police agency within the jurisdiction that the crash occurred. This may be a municipal police department, a county sheriffs department, or the state police. When making the report you must be able to produce your license information, registration information, insurance information, and the date, time, and location of the crash. You must also be able to produce the name and dates of birth of all passengers in your vehicle.



INCIDENT REPORT
Motor Vehicle Accident

Instructions: The University driver should complete this form to report an accident that involved a University owned, leased or rented vehicle. Complete all sections, send a copy to the campus Vehicle Administrator, and mail, email or fax to:

Edward Nobles, Risk Manager, University of Maine System, 16 Central Street, Bangor, ME 04401
Email: enobles@maine.edu Fax: 207-947-7556 Phone: 207-973-3331

Details of Accident

Date of Accident: Time: a.m. p.m. Campus Responsible for Vehicle:
Weather Conditions: Road Conditions:
Police investigate? Yes No Town: Officer Name: Local Sheriff State
Location of Accident: City: State: Zip:
Description of Accident (attach additional sheets if needed):

University Driver and Vehicle Information

Driver Name: Campus: Dept:
Employee Student Other(describe) Driver's License #: State:
Birth Date: Day Phone: Email:
Plate #: Vehicle Year: Make: Model:
Passengers? Yes No If yes, name: Phone: Email:
2nd Passenger? Yes No If yes, name: Phone: Email:
Describe Vehicle Damage:

Other Driver and Vehicle Information

Driver Name: Day Phone: Email:
Address: City: State: Zip:
Driver's License #: Birth Date: Plate #: Plate State:
Vehicle Year: Make: Model: Vehicle Color:
Passengers? Yes No If yes, name: Phone: Email:
2nd Passenger? Yes No If yes, name: Phone: Email:
Insurance Policy #: Ins. Agency: Ins. Company:
Owner (if not driver): Phone: Email:
Owner Address: City: State: Zip:
Describe Vehicle Damage:

Injuries (if more than one person injured, attach additional sheets)

Name: Phone: Email:
Address: City: State: Zip:
Visitor Student Other (describe) Age, if minor:
Describe Injury:
Medical Assistance Provided? Yes No If yes, by whom?

Witnesses (other than passengers. If more witnesses, attach additional sheets)

Name: Phone: Email:
Address: City: State: Zip:
Name: Phone: Email:
Address: City: State: Zip:

## MOTOR VEHICLE INFORMATION RESOURCES

- University System Risk Manager  
[www.maine.edu/riskmanagement](http://www.maine.edu/riskmanagement)
- Maine State Policy Crash Investigations and Reporting  
[http://www.maine.gov/dps/msp/vehicles\\_inspections/index.html](http://www.maine.gov/dps/msp/vehicles_inspections/index.html)
- Maine Bureau of Motor Vehicles  
<http://www.state.me.us/sos/bmv/>
- Maine Department of Transportation  
<http://www.maine.gov/mdot/index.php>
- US Department of Transportation safety ratings for vehicle purchasing and leasing  
<http://www.nhtsa.dot.gov/cars/testing/ncap/>  
<http://www.nhtsa.dot.gov/cars/testing/NCAP/BASC2002/>
- National Highway Traffic Safety Administration  
<http://www.nhtsa.dot.gov/portal/site/nhtsa/menuitem.9fa154a4d39f02e770f6df1020008a0c/;jsessionid=FkUHILUP9O2rtzUOw75jDcLRsdjoUDPtYK2MOHbNMYrVNyXTcnGc!167435505>
- Federal Highway Administration Safety  
<http://safety.fhwa.dot.gov/>
- Insurance Institute for Highway Safety  
<http://www.iihs.org/>
- Bureau of Transportation Statistics  
<http://www.bts.gov/>
- U.S. Environmental Protection Agency/Transportation and Air Quality  
<http://www.epa.gov/OMSWWW/>
- AAA Foundation for Traffic Safety  
<http://www.aaafoundation.org/home/>
- U.S. Travel Advisories  
<http://www.travel.state.gov/>
- Maine Weather  
<http://www.maine.gov/mema/weather/genweath.htm>