

# UNIVERSITY OF TOLEDO

SUBJECT: DRIVER AND FLEET SAFETY PROGRAM

Procedure No: S-08-008

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## PROCEDURE STATEMENT

The procedure is intended to safeguard people, protect equipment and reduce operating costs and accidents involving University Vehicles.

## PURPOSE OF PROCEDURE

Most vehicle accidents can be prevented by safe, defensive driving. The following guidelines for the screening of Drivers and the operation and maintenance of University Vehicles reflect The University of Toledo's desire to provide a safe and healthy environment for students, employees, and visitors.

## PROCEDURE

Driving a University of Toledo Vehicle is a privilege. The University reserves the right to deny or revoke this driving privilege in the event it is determined that an individual's use of a University Vehicle may pose a risk to the University or the public.

### 1. SCOPE OF PROGRAM

- A. This Program applies to every University employee, student, or any person granted the privilege of operating a University Vehicle (hereafter "Driver(s)"). Any questions regarding the Program should be directed to the Environmental Health and Radiation Safety Department.

### 2. DEFINITIONS

- A. University Vehicle – any University owned, leased, rented or state controlled vehicle that has a license plate, including utility vehicles, pool cars, vans, buses or trucks.
- B. Frequent Drivers - Drivers who are either specifically assigned to or use University Vehicles on almost a daily basis.
- C. Suspension – temporary loss of qualification for an existing Driver to operate a University Vehicle subject to completion of specified corrective action.
- D. Revocation – permanent loss of qualification for an existing Driver to operate a University Vehicle.
- E. Ineligible – temporary or permanent inability to qualify to operate a University Vehicle. This covers new employees/students and/or existing employees/students applying for driving privileges.

### 3. DRIVER REQUIREMENTS

#### A. General Requirements

- 1. Drivers are responsible for compliance with the following:
  - a. Have a valid state issued driver's license, or if applicable, a valid Commercial Driver's License (See Section 3.B.1.a).
  - b. Complete the Driver Consent to Obtaining Reports and the Driver Application Form (Appendix A) (hereafter "MVR Authorization Forms") from Risk Management permitting the University to obtain the driving record information and to be reviewed for approval by Risk Management prior to driving. Refusal to consent to an MVR review makes an individual Ineligible to operate any University Vehicle.
    - i. The MVR Authorization Forms need to be submitted at least seven (7) working days in advance to the date of driving.
  - c. Complete driver safety training as described in Section 4. A driver candidate must score a minimum of 70% on each section of the defensive driver training exam and/or the van driver training exam to earn an overall passing grade.
  - d. Observe all applicable motor vehicle laws.
  - e. Operate the University Vehicle in a courteous manner.

- f. Be on official University business or Student Organization activity when operating the University Vehicle.
  - g. Report convictions or violations of motor vehicle traffic laws and ordinances (other than parking) to supervisor within seventy-two (72) hours.
  - h. Any Driver of a fifteen (15) passenger van must be at least twenty-one (21) years of age.
2. The University prohibits the following:
    - a. Knowingly operating an unsafe University Vehicle.
    - b. Unauthorized riders in University Vehicles (e.g. hitchhikers).
    - c. Unauthorized personal use of University Vehicles.
    - d. Unauthorized persons driving University Vehicles.
    - e. Smoking in University Vehicles.
    - f. Consumption of alcohol or illegal drug use in or prior to operating University Vehicles.
  3. All accidents involving University Vehicles are to be reported to the appropriate police authority and Risk Management as per Section 5.
  4. Drivers receiving traffic citations while operating a University Vehicle will be responsible for paying any fines.
- B. Specific Requirements
1. Commercial Drivers License (CDL)
    - a. All Drivers operating units with a gross vehicle weight of 26,001 pounds or more, Drivers of vehicles transporting sixteen (16) or more passengers, and Drivers of any vehicle used to transport hazardous material as referenced in the Hazardous Materials Transportation Act, must have a Commercial Drivers License (CDL). CDL holders are subject to University substance abuse testing policies.
    - b. University grounds department employees, garage maintenance employees, and bus drivers must possess a valid Class B CDL without an air brake restriction.
    - c. In addition to having a CDL, all bus drivers must pass a General Knowledge Test, Passenger Transport Test, and Air Brakes Test administered by the State Highway Patrol Examiner. Upon successful completion, bus drivers are required to pass a CDL Skills tests administered by a State Examiner to include:
      - i. Pre-trip inspection test
      - ii. Basic controls skill test
      - iii. Road test
  2. Physical Examination - If there is reasonable suspicion to believe a Driver is operating a University Vehicle in an erratic or impaired manner, a physical examination can be recommended to Human Resources. An appointment may be scheduled at a medical facility providing drug or alcohol testing services. Drivers refusing examination will not be permitted to drive a University Vehicle until evaluated to determine if they are physically fit to drive.
  3. An annual review of driving records, Motor Vehicle Report (MVR), for all Drivers of University Vehicles may be conducted through a contracted consumer reporting agency (which may be the Bureau of Motor Vehicles). The MVR Authorization Forms (Appendix A) from Risk Management used to authorize the initial MVR review also permits the University to obtain the annual driving record information.

#### 4. TRAINING

- A. All managers or faculty advisors must ensure the Drivers under their supervision are provided an initial driver safety training course as prescribed by the Environmental Health and Radiation Safety Department and refresher training every three (3) years thereafter unless earlier training is needed to correct a Driver's (in any category) individual performance or qualification problems.
- B. University of Toledo Police officers driving emergency vehicles must satisfy driver training requirements

mandated by the Ohio Peace Officer Training Academy.

## 5. ACCIDENT REPORTING AND ANALYSIS

The purpose of accident analysis is to identify factors, conditions, and/or practices contributing to the accident so that action can be taken to prevent recurrence. This process includes gathering pertinent data and making objective evaluations of facts which should lead to recommendations for preventive measures. An accident information kit, located in the glove compartment of all University owned vehicles, details procedures to follow after an accident.

### A. Reporting

1. On-campus **INJURY** accident:
  - a. Remain calm, Call 911.
  - b. Stay at the scene. Do not attempt to move vehicles.
  - c. Seek medical attention or render assistance to others until help arrives.
  - d. Fully cooperate with police.
  - e. Take photographs of all involved vehicle to help document damage.
  - f. Obtain the police officer's name and badge number and the report number.
  - g. Report the accident to your manager immediately.
  - h. Complete and submit the accident reporting form to Risk Management.
  
2. On-campus **NON-INJURY** accident:
  - a. Remain calm, Call UTPD at 419-530-2600.
  - b. Stay at the scene.
  - c. Safely move vehicles to location allowing normal traffic to resume.
  - d. Fully cooperate with police.  
Take photographs of all involved vehicle to help document damage.
  - e. Obtain the police officer's name and badge number and the report number.
  - f. Report the accident to your manager immediately.
  - g. Complete and submit the accident reporting form to Risk Management.
  
3. **OFF Campus** accident:
  - a. Remain calm, Call 911.
  - b. Stay at the scene. Move vehicle out of traffic only if no injuries occurred.
  - c. If injuries are present, seek medical attention and render assistance to others.
  - d. Fully cooperate with police.
  - e. Take photographs of all involved vehicles to help document damage.
  - f. Obtain the police officer's name and badge number and the report number.
  - g. Report the accident to your manager immediately.
  - h. Complete and submit the accident reporting form to Risk Management.
  
4. If the accident is investigated by University Police, the UT Police Officer will complete an accident report. In addition to the UTPD filed Accident Report, the Driver must record certain information using the accident reporting form (found in the glove box of all UT owned vehicles). Follow all instructions on the accident reporting form and submit it to Risk Management submitted within seventy-two (72) hours of the accident. Consult Risk Management if difficulty arises in securing the police report.
  
5. If the accident occurs in another municipality, the driver should obtain a copy of the police report within seventy-two (72) hours or as soon as possible and forward it to Risk Management. Consult Risk Management if unable to secure this information within the required time frame. The Driver also must complete the Accident Reporting form found in the University owned vehicle glove box or available from Risk Management at  
<http://www.utoledo.edu/depts/risk/pdfs/Vehicle%20Accident%20Report%202015.pdf>.

6. Departments must cooperate with Risk Management in processing any applicable insurance claims related to an accident involving a University Vehicle.

B. Departmental Investigation

1. The manager or faculty advisor of the Driver involved in the accident is responsible for reviewing all reports and conducting additional investigation, if necessary.

C. Accident Review Team

1. An Accident Review Team (ART) comprised of the Risk Manager, a representative from the Environmental Health and Radiation Safety Department, and a representative from UTPD will review all accidents, except those related to UT Police emergency response vehicles. A determination will be made if the accident was preventable or non-preventable per National Safety Council Guidelines (see Appendix B; Preventable Accident Guidelines). All UT Police emergency response vehicle accidents will be reviewed per the UTPD policy.
2. The ART will complete a report of findings after its investigation and if suggested by the findings, communicate to the Driver's supervisor the need for any remedial training.
3. In the event a Driver disputes the report findings of the ART, the accident report will be submitted to the Administrator for Risk Management for review and if still disputed, to the Ohio Inter University Council insurance broker for their finding.

6. INELIGIBILITY, SUSPENSION OR REVOCATION OF DRIVING PRIVILEGES

Risk Management will evaluate an individual's eligibility to drive University Vehicles according to the following point system. The earlier of the date of accident or date of offense will be used as the start date for all calendar references. If Risk Management determines that an employee's eligibility to drive University Vehicles should be suspended or revoked, Risk Management will provide recommendations to Human Resources who will make the final determination. If a student is involved, Risk Management will notify the student's supervisor, or faculty advisor if appropriate, directly of ineligibility. The revocation/suspension will apply to all any University owned, leased, rented or state-controlled vehicle whether motorized or self-propelled, regardless of a license plate. This would include cars, trucks vans, buses, Gators, Kubota's, golf carts, and lawn mowers.

A. Criteria for Ineligibility of a new applicant or Suspension of an existing Driver

1. Accumulation of three (3) or more preventable accidents within a rolling two-year period.
2. Accumulation of more than six (6) MVR points within a rolling two-year period.
3. Conviction on charges carrying a State of Ohio penalty of six (6) points (or the equivalent number of points in another state) such as DUI or equivalent, hit and run, vehicular homicide or failure to report an accident within a rolling two-year period.

B. Criteria for permanent Ineligibility of a new applicant or Revocation of an existing Driver

1. Accumulation of four (4) or more preventable accidents within a three-year period.
2. Second conviction on charges carrying a State of Ohio penalty of six (6) points (or the equivalent number of points in another state) within a rolling five-year period such as but not limited to those listed in 6A.

C. Assessed Points - Motor Vehicle Reports (MVR's)

1. Every University Driver's record must meet the acceptability standards set forth in this Driver and Fleet Safety Program. Criteria defining the record for purposes of Suspension or Revocation include state motor vehicle violations and University Vehicle accidents over defined time periods.
2. Refer to Motor Vehicle laws of the state issuing a citation, for a detailed listing of points assessed for specific violations.

3. If an individual's MVR does not indicate assessed points associated with a particular violation, the University will consider that a violation as non-preventable.
4. Any change in Driver's privileges must be reported to the Driver's manager.

## 7. VEHICLE INSPECTION

### A. Frequent Drivers

1. Frequent Drivers must complete a "walk-around" check of their vehicle at the beginning of their shift and report any signs of new body damage to their manager.
2. Frequent Drivers will also complete a minimum monthly safety check of their vehicles. This will include inspection of oil and fuel, lights, turn signals, windshield wipers, emergency flashers, horn, tires and mirrors. University Police Officers will perform these safety checks daily. Defects affecting safe operation should be immediately reported to the manager and Fleet Services Manager.

### B. All Drivers

1. It is the Driver's responsibility to ensure the safe working condition of the restraint systems and check that all persons are properly secured before the vehicle is put in motion.

### C. Managers

1. Service and delivery vehicles must be equipped with back up alarms that sound automatically whenever the vehicle is in reverse. Department managers will be responsible to assure a documented inspection of vehicles under their control is conducted annually. The Fleet Services Department will conduct these inspections in support of the manager's requirement. Documentation will also reflect correction of any deficiencies affecting safe operation.

## 8. MAINTENANCE

Managers will assure that each vehicle under their control receives appropriate scheduled preventive maintenance as determined by the Fleet Services Manager. Mileage stickers identifying routine service will be placed as determined by the Manager of Fleet Services on all vehicles.

## 9. STUDENT DRIVERS

### A. Student Employees

1. Student employees who drive a University Vehicle in connection with University sponsored programs or activities must abide by all provisions of this Driver and Fleet Safety Program.
2. Student employees operating University Vehicles may only drive for the specific program authorizing approval as a student employee Driver.
3. Eligibility as a student employee Driver will require the following in addition to the general requirements of Section 3:
  - a. Minimum of one (1) year driving experience.
  - b. No convictions for vehicular accidents.
  - c. Absence of University **conduct** sanctions, within a rolling two-year period, which might reflect negatively on a student's ability to drive safely, such as a sanction for intoxication.
4. Any student employee Driver subsequently not meeting the above requirements will be removed from eligibility. Student employees deemed Ineligible will not be permitted to drive a University Vehicle but may reapply when they have again met the above criteria.
5. Student employees are not approved for driving 15-passenger vans nor any University Vehicle that

requires a CDL.

B. Student Members of Student Organizations

1. Student members of a registered student organization, club or sports club (hereafter "Student Organization") may drive a University Vehicle for activities associated with the Student Organization and as approved by the Student Organization's faculty advisor.
2. Student members must abide by all provisions of this Driver and Fleet Safety Program.
3. Eligibility as a student Driver will require the following in addition to the general requirements of Section 3:
  - a. Minimum of one (1) year driving experience.
  - b. No convictions for vehicular accidents.
  - a. Absence of University **conduct** sanctions, within a rolling two-year period, which might reflect negatively on a student's ability to drive safely, such as a sanction for intoxication.
4. Any student Driver subsequently not meeting the above requirements will be removed from eligibility. Students deemed Ineligible will not be permitted to drive a University Vehicle but may reapply when they have again met the above criteria.
5. Student members are not approved for driving 15-passenger vans nor any University Vehicle that requires a CDL.

10. PERSONAL VEHICLE USE FOR UNIVERSITY OR STUDENT ORGANIZATION ACTIVITY

- A. A Driver using a personal vehicle for University business or for a Student Organization activity must comply with all motor vehicle laws, including the Ohio Financial Responsibility Law that requires drivers to maintain liability insurance. They should also maintain a physical damage policy on their vehicle.
- B. When personal vehicles used on University business or for a Student Organization activity are involved in an accident, the Driver's personal automobile insurance will be primary coverage for both liability and physical damage claims. The University's Auto Liability policy will provide umbrella coverage for liability (not physical damage) in accordance with the provisions of the policy in effect at the time.

11. RENTAL VEHICLES

The University holds an agreement with a vehicle rental company that includes liability and property damage insurance at no additional cost. It is mandated that all rental vehicles be obtained through the current vehicle rental company approved by the University. Necessary information about the agreement can be obtained from University Purchasing at 419-530-8715. If any other rental company is used due unavailability, the purchase of the liability and property damage insurance offered by the rental company is strongly advised by University policy ([Travel & Business Expense Reimbursement 3364-40-03](#)). If international travel is involved, the purchase of insurance from the rental company is required.

## PREVENTABLE ACCIDENT GUIDELINES

The University of Toledo will use the following guidelines (based on National Safety Council rulings) for determining accident preventability.

### A. GENERAL GUIDELINES:

1. Barring extenuating circumstances and maintaining reasonable action standards, accidents are generally preventable if:
  - a. Driver was inattentive or failed to accurately observe and assess existing conditions that contributed to an accident.
  - b. Driver's speed was not consistent with posted (prescribed) limits or existing road, weather, or traffic conditions.
  - c. Driver's speed precluded stopping within available clearances or assured clear distance.
  - d. Driver misjudged (or did not confirm) available clearances (above, below, or on the sides) resulting in the striking of a fixed object.
  - e. Driver failed to control the vehicle.
  - f. Driver failed to yield the right of way resulting in an accident (or to avoid an accident). Driver failed to communicate the vehicle's presence or intended actions through the use of directional lights (signal flashers), horn, or other means.
  - g. Driver was in violation of University operating rules or special instructions, the regulations of any federal or state regulatory agency, or any applicable traffic law or ordinance.

### B. SPECIFIC GUIDELINES FOR ACCIDENT TYPES

#### 1. Struck in rear by other vehicle

##### Not preventable if:

- a. Driver's vehicle was legally and properly parked: unless there were extenuating circumstances recognizable to the alert driver whose judgment should suggest "park elsewhere".
- b. Driver was proceeding in his or her own lane of traffic at a safe and lawful speed.
- c. Driver was stopped in traffic due to existing conditions or was stopped in compliance with traffic sign or signal, or the directions of a police officer or other person legitimately controlling traffic.
- d. Driver was in proper lane, waiting to make turn, and was flashing a signal indicating his or her intention to turn.
- e. Driver's vehicle was disabled and was protected by emergency warning devices as required by DOT and state regulations, or if driver was in the process of setting out or retrieving signals - except, (see Mechanical Defects Accidents) are preventable if the opportunity was available for driver to remove vehicle from road.

##### Preventable if:

- a. Driver was passing slower traffic near an intersection and had to make a sudden stop.
- b. Driver made a sudden stop to park, load or unload.
- c. Driver was improperly or illegally parked.
- d. Driver made any other type of unnecessary sudden stop.
- e. Driver's vehicle rolled back into vehicle immediately behind while starting on a grade.

#### 2. Struck while parked

##### Not preventable if:

- a. Driver was properly parked in an area where permitted. - Unless there were extenuating circumstances
- b. Recognizable to the alert driver, whose judgment should suggest "park elsewhere."
- c. There was no off-the-road parking available.

- d. Vehicle was protected by emergency warning devices as required by DOT and state regulations, or if driver was in the process of setting or retrieving signals. The use of 4-way flashers as emergency warning lights under DOT regulations meets this provision for only the first 10 minutes.

3. Mechanical defect or breakdown accidents

Preventable if:

- a. Defect was of a type which driver should have detected during a proper pre-trip inspection of vehicle.
- b. Defect was of a type that the driver should have detected during the normal operation of the vehicle.
- c. Defect was caused by the driver's abusive operation of the vehicle.
- d. Defect was known to the driver but was operated regardless of this knowledge.

4. Side-swiped or head-on collisions

Preventable if:

- a. Driver was not entirely in the proper lane of travel.
- b. Driver did not pull to the right or left, slow down and/or stop for the encroaching vehicle lane when such action could have been taken without additional danger and to prevent a collision.
- c. Driver changed lanes without ascertaining that sufficient space was available or failed to signal intent, or give sufficient warning of intent, to change lane.
- d. Driver was weaving to the right or left, thus crowding the passing vehicle.

5. Striking other vehicle in rear collisions

Not preventable if:

- a. Other vehicle rolled backward while starting on grade.
- b. Driver's vehicle was stopped but was hit from behind and pushed into other vehicle.

Preventable if:

- a. Driver failed to maintain safe following distance and have the vehicle under control.
- b. Driver failed to stay alert and ascertain that traffic was slowing down or that vehicle ahead was moving slowly, stopped, or slowing down.
- c. Driver misjudged rate of overtaking vehicle.
- d. Driver came too close before pulling out to pass.
- e. Driver started up too soon or too fast for vehicle ahead.
- f. Driver failed to leave sufficient room for passing vehicle to get safely back in line.
- g. Driver was passing and misjudged approaching traffic, and returned to right lane too fast.

6. Accidents at intersection

Not preventable if:

- a. Driver was stopped in compliance with traffic sign or signal or at the direction of a police officer or other person legitimately controlling traffic.

Preventable if:

- a. Driver failed to control speed so that the vehicle could stop within available sight distance.
- b. Driver failed to check cross traffic and wait for it to clear before entering intersection.
- c. Driver pulled out in the face of oncoming traffic.
- d. Driver collided with person, vehicle, or object while making a right or left turn.
- e. Driver collided with vehicle making turn in front of him. Driver had collision with vehicle coming from either side, regardless of location of traffic signs or signals or whether light was green.

7. Backing accidents

Preventable if:

- a. Driver backed up when backing could have been avoided by better route planning.



- b. Driver backed into traffic stream when such backing could have been avoided.
  - c. Driver failed to get out of vehicle and check the situation and proposed path of backward travel.
  - d. Driver depended solely on mirrors when it was practicable to look back.
  - e. Driver failed to get out of vehicle periodically and recheck conditions when backing a long distance.
  - f. Driver failed to sound horn while backing.
  - g. Driver failed to check behind vehicle parked at curb before attempting to leave parking space.
  - h. Driver backed from blind side when sight-side approach could have been made.
  - i. Driver failed to use a guide (spotter) to help back, or depended solely on a guide.
  - j. Driver relinquished all responsibility to guide.
8. Accidents while passing or being passed  
Preventable if:
- a. Driver passed where view of road ahead was obstructed by hill, curve, vegetation, traffic, adverse weather conditions, etc.
  - b. Driver attempted to pass in the face of closely approaching traffic.
  - c. Driver failed to warn driver of vehicle being passed.
  - d. Driver failed to signal change of lanes.
  - e. Driver pulled out in front of other traffic overtaking from rear.
  - f. Driver cut-in short returning to right lane.
  - g. Driver failed to stay in own lane of traffic.
  - h. Driver failed to hold speed or reduce speed to permit other vehicle to pass safely.
9. Accidents while entering traffic (merging)  
Preventable if:
- a. Driver failed to signal when pulling out from curb.
  - b. Driver failed to check traffic before pulling out from curb.
  - c. Driver failed to look back to check traffic if he was in position where mirrors did not show traffic conditions.
  - d. Driver attempted to pull out in a manner that forced other vehicle(s) to change speed or direction.
  - e. Driver failed to make full stop before entering from side street, alley, or driveway.
  - f. Driver failed to make full stop before crossing sidewalk.
  - g. Driver failed to yield right-of-way to approaching traffic.
10. Accidents involving pedestrians and bicycles  
Not preventable if:
- a. Pedestrian or bicycle driver collided with driver's vehicle while it was legally parked or stopped.
- Preventable if:
- a. Driver did not reduce speed in area of heavy pedestrian traffic.
  - b. Driver was not prepared to stop.
  - c. Driver failed to yield right of way to pedestrian.
  - d. Driver failed to stop when passing a streetcar or bus on the right.
11. Accidents involving rail operated vehicles (railroad crossings)  
Preventable if:
- a. Driver attempted to cross tracks directly ahead of train or rail vehicle.
  - b. Driver ran into side of train or streetcar.
  - c. Driver stopped or parked on or too close to tracks.
  - d. Driver failed to yield right-of-way to train or rail vehicle.
  - e. Driver failed to stop at the railroad crossing.

12. Miscellaneous accidents

Preventable if:

- a. Driver was making a "U" turn.
- b. Driver was pulling away from the curb or other parking space.
- c. Driver was entering traffic from a driveway, or private alley.
- d. Driver was giving a push or was being pushed.
- e. Vehicle moved due to faulty brakes.
- f. Driver left vehicle unattended (with or without motor running) and failed to brake and wheel chocks.
- g. Collision with fixed objects - poles gates, light stanchions, etc.
- h. Non-collision accidents, such as an overturn, or running off road.
- i. Skidding accidents in which the University vehicle is damaged because it jackknifes.
- j. Vehicle was moved while connected to stationary equipment

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