# College Vehicle Policies

1. **Policy Statement**

College vehicles are made available only for College business and only authorized drivers may operate College vehicles. Drivers who fail to adhere to this policy and its related procedures may be deemed not to qualify for indemnification from the College, and may be subject to disciplinary action as deemed appropriate. Motorcycles, scooters, mopeds, and similar vehicles may not be used to conduct College business or for any other College purposes.

The use of vehicles is necessary for operational activities at MassArt. Given the number of vehicles in use and the total miles driven, it is necessary to have policies in place to manage the risks associated with the use of vehicles. The College’s primary concern is to avoid injuries and property damage to MassArt faculty, staff and students and the general public by promoting the safe operation of vehicles used for College business or for any other College purposes. Accidents may cause injuries, fatalities, and property damage, and may also result in claims against the College arising from third party liability, property damage, worker’s compensation injuries, and business interruption.

This document establishes College policy for operating any vehicle while conducting College business or for any other College purposes. It defines the procedures that are in place to minimize the potential for accidents and losses, and serves as a guide to departments in managing those vehicles under their control.

1. **Definitions**

**Authorized Drivers** - Individuals approved to drive or assigned a College vehicle or authorized to travel on College business. Minimum Authorized Driver qualifications include: possession of a valid US driver’s license with classification appropriate to the type of vehicle, must be at least 18 years of age and have one year of licensed driving experience prior to driving on College business.

**Carts** - Any small, motorized utility vehicle (electric or gas powered).

**Employee** - Any person paid through the College’s payroll system in a position classified as regular or temporary, full-time or part-time.

**Personal Vehicle** - Any vehicle other than those owned or leased by MassArt, or rented from a commercial car rental agency by an employee, student, or volunteer while on official College business or for any other College purpose.

**MASSART Operations** - Any and all MassArt offices and locations that conduct programs or activities on behalf of or in the name of MassArt.

**Take-home Vehicle** - Any College Fleet Vehicle assigned to a specific employee for his or her exclusive use due to the requirements of his or her position.

**College Business** - Any and all authorized programs and activities, including travel, engaged in on behalf of MassArt.

**College Fleet Vehicle** - Any vehicle owned or leased by MassArt.

**College Vehicle** - Any College fleet vehicle and any vehicle rented from a commercial car rental agency by an employee, student, or volunteer while on official College business or for any other College purpose.

**Volunteer** - For purposes of this policy, any person not classified as an employee or student, who is acting on behalf of the College. This includes, but is not limited to, any individual in a position classified as non-pay.

**Vehicle** - Any motorized form of transportation that is licensed for use on public roadways. This includes personal vehicles, Take-home Vehicles, College Fleet vehicles, and College Vehicles.

1. **Requirements and Regulations**

**Driver Qualification and Authorization for Use of College Vehicle**

* Authorized Drivers must present a valid driver’s license at the time of Vehicle assignment. A copy of the license will be retained and new copies will be required to be produced periodically, at least annually. This will be performed and records retained within the Office of Public Safety.
* Employee drivers that require a Commercial Driver’s License (CDL), per Massachusetts statutes, to perform their job duties for MassArt must meet the Massachusetts requirements for the type of license needed and have a minimum of two years of general driving experience prior to driving in a CDL capacity for MassArt.
* Authorized Drivers must complete any required driver safety training as assigned by Environmental Health & Safety or College insurers. The College reserves the right to access and make periodic checks of drivers’ driving records and to determine eligibility for authorization based on review of driving record.

**Operating a Vehicle on College Business or for Any Other College Purpose**

* Consumption of alcohol by drivers and passengers is prohibited while operating a Vehicle on College Business or for any other College Purpose. Under no circumstances may an Authorized Driver operate a Vehicle while under the influence of intoxicating beverages, drugs or substances, or transport (except in performance of law enforcement duties) these items in a Vehicle while on College Business or for any other College Purpose.
* In accordance with Massachusetts law, smoking is prohibited in College Vehicles.
* Transportation of hazardous materials in any Vehicle operated on College business or for any other College purpose is prohibited except by employees who are specifically trained, certified, and authorized for this duty.
* Drivers may not use cell phones or other electronic communication devices while operating Vehicles on College business or for other College purposes in any jurisdiction where such usage is illegal. Even in jurisdictions where such usage is not illegal, the College strongly discourages the practice under all circumstances.
* Hitchhikers are not allowed to ride in any state-owned and leased Vehicle.
* Animals are not permitted in state-owned Vehicles, with the exception of service animals.

**All Authorized Drivers must:**

* Have a valid US driver’s license in their possession at all times while they are operating any Vehicle on College business or for any other College purpose.
* Not use a College Vehicle for personal business. Personal use is not permitted, and violation of this may result in disciplinary action, up to and including termination and adverse tax consequences for the individual.
* Operate Vehicles in a safe, controlled, and courteous manner, in compliance with applicable traffic laws, this policy, and any other applicable College policies.
* Turn off and lock College Vehicles when left unattended.
* Store valuable equipment/items in the trunk of the Vehicle.
* Be aware of weather and road conditions and make prudent decisions regarding travel based on those conditions.
* Not transport unauthorized passengers, cargo, or permit any unauthorized person to drive a College Vehicle.
* Inspect the Vehicle prior to use for obvious safety concerns, report defects to the appropriate authority, and not operate any Vehicle with deficiencies that make it unsafe to operate.
* Promptly report any damage to the Vehicle to his or her supervisor and return the Vehicle in a clean and properly functioning condition.
* Promptly report all collisions, thefts, or vandalism involving College Vehicles to the appropriate law enforcement agency. Upon return to campus, notify his or her supervisor, Motor Pool (for College fleet vehicles), and Campus Police.
* Promptly report to his or her supervisor any change in his or her driving record. Changes could include traffic citations, accidents, license suspension or revocation, or medical restrictions that may interfere with driving.
* Be personally responsible for any parking or traffic violations received while operating a Vehicle on College business or for any other College purpose.

**Passengers**

Only persons with an appropriate College purpose should be passengers in a Vehicle being operated on College business or for any other College purpose. Examples include employees in the course and scope of employment, students participating in an official activity, volunteers providing service to the College, and participants in an official College program or activity. It is understood that in extenuating situations it may be necessary for others to be passengers in the Vehicle. This should be on an exceptional basis and drivers are expected to use good judgment in these situations.

**Relatives**

Spouses and children are permitted to accompany state employees on trips in state-owned Vehicles when sufficient space is available and when all travel is strictly for official state business.

**Non-State Employed Persons**

Non-state employed persons may accompany state employees driving state-owned Vehicles when they have an interest in the purpose of the trip and their presence is related to state business. Students of universities and colleges may be passengers in state cars to attend athletic events and other activities officially sanctioned by the institution.  Non-state employed persons, however, are not allowed to drive a state-owned Vehicle, except for:

* Drivers of blind or permanently disabled state employees; or
* Graduate or professional students enrolled in a state-supported college or College whose educational training requires the use of a state-owned Vehicle and whose use of the state-owned Vehicle is supervised and permitted by an authorized college or College official.

**Safety Belts**

Use of safety belts (in Vehicles so equipped) is required for the driver and all Vehicle occupants anytime the vehicle is in motion. Drivers must enforce this requirement, and should not place a Vehicle in motion unless all passengers are appropriately wearing safety belts. The number of passengers in any Vehicle may not exceed the number of available safety belts. Proper restraints, car seats, or booster seats are required for any children that may be passengers in a Vehicle operated on College business or for any other College purpose. Passenger travel in pickup truck beds is prohibited.

**Accident Reporting**

All accidents involving a College vehicle or associated with a College activity (regardless of Vehicle ownership) must be reported immediately to Campus Police and if off-campus the local law enforcement agency, Facilities and to the driver’s supervisor or College management official.

**Unsafe Driving Reports**

Reports of unsafe driving are received from time to time by either Facilities or Campus Police. When received, such reports will be documented, investigated, and reported to the driver’s supervisor/department head. Reports of unsafe driving may result in disciplinary action, up to and including termination, or the suspension or revocation of driving privileges on behalf of the College.

**Take-Home Vehicles**

A College Fleet Vehicle may be assigned to a specific staff member as a Take-home Vehicle with the authorization of the President or his or her designee. Assignment of a Take-home Vehicle to an employee should be based on the requirements of the individual’s position with the College. The qualification, authorization, and other requirements of this policy apply to Take-home vehicles. Employees who are on call 24/7 will have de minimus use of the assigned Take-home vehicle. This will be reviewed on an annual basis.

**Personal Vehicles**

Personal vehicles should not be used to transport students on College business or transport students for any other College purpose.

When an Employee, student, or volunteer uses his/her Personal Vehicle for College Business the vehicle owner’s personal automobile liability insurance is primary, meaning that the vehicle owner’s personal automobile liability insurance policy covers bodily injury and property damage to third parties, as well as injuries to individuals in the vehicle. It is the vehicle owner’s and driver’s responsibility to ensure proper maintenance and safe operation of personal vehicles used for College business. The College will not cover or reimburse any expenses (including insurance deductible amounts) incurred to repair damages to a personal vehicle used for College business.

**Rental Vehicles**

Employees traveling on approved College business or for any other College purpose who need to rent a vehicle from a commercial car rental company should be aware that the College’s auto liability and physical damage coverage extends to the rental car for rentals within the United States and Canada.

**Carts**

Many departments use carts to move people and materials around campus or to other campus facilities. Refer to the policy on carts for the specific regulations governing their use as they differ from other Vehicles.

**College Fleet Vehicle Inspection and Maintenance**

Each College department/unit is responsible for ensuring that College Fleet Vehicles under its inventory control are properly inspected and maintained. Annual safety inspections are required. If maintenance or repair work is performed by an outside vendor, the department is responsible for maintaining those records.

College departments/units that own College Fleet Vehicles are responsible for all costs of operation, including inspections, maintenance and repairs.

**College Fleet Vehicle Registration**

All newly acquired College Fleet Vehicles (new, used, purchased, or donated) must be registered and inspected. The original title and copy of the registration must be delivered to Administrative Services.

1. **Roles and Responsibilities**

**Administrators, Managers, and Supervisors**

* Implement this policy and take appropriate steps to obtain compliance with this policy by those employees, students, and volunteers under their supervision and control.
* Ensure fleet safety and compliance with the provisions of this policy within their respective units.
* Allocate appropriate resources for maintenance of College fleet vehicles under their inventory control.

**Authorized Drivers**

* Operate any Vehicle used on College business or for any other College purpose in a safe and courteous manner in compliance with all applicable laws and MassArt policies.
1. **Applicability**

This policy applies to any Vehicle driven while conducting College Business or for any other College purposes.

**Responsible Person:** Vice President for Administration and Finance