



## **Training and Certification of University Vehicle Operators**

### **Purpose**

The purpose of this policy is to outline the responsibilities and procedures for the safe operation of motorized Vehicles while conducting Official University Business, meeting legal requirements for operating Vehicles, and to meet insurance and claims reporting requirements.

### **Persons Affected**

This policy applies to all Stephen F. Austin State University (SFASU or University) employees, faculty, students, visitors, volunteers, contractors, or vendors.

### **Definitions**

**Authorized Driver:** a person who is eligible to operate a University-Owned or rented Vehicle for Official University Business.

**Commercial Motor Vehicle (CMV):** the U.S. Department of Transportation -Federal Motor Carrier Safety Administration defines a CMV as any self-propelled or towed motor vehicle used on a highway in interstate commerce to transport passengers or property when the vehicle

- has a gross combination weight rating of 11,794 kilograms or more (26,001 pounds or more) inclusive of a towed unit(s) with a gross vehicle weight rating of more than 4,536 kilograms (10,000 pounds);
- has a gross vehicle weight rating of 11,794 or more kilograms (26,001 pounds or more);
- is designed to transport 16 or more passengers, including the driver; or
- is of any size and is used in the transportation of hazardous materials as defined in 49 U.S.C. 5103 and is required to be placarded under 49 CFR, Part 172, Subpart F.

**Employee:** a person employed in the service of the University under an appointment or oral or written express contract with SFASU.

**Official University Business (as it relates to operating a motor vehicle):** driving a Vehicle during the course and scope of employment or contract with the University regardless of the frequency of driving or operating duties.

**University-Owned Vehicle:** a Vehicle to which the University or system holds title, or a Vehicle leased by the University or system for more than six months. This includes golf carts, utility vehicles, tractors, and other equipment covered under the University's insurance program. All staff who drive on Official University Business must observe all applicable laws and have a valid driver's license issued in the state where they permanently reside that is not currently suspended or revoked.



Vehicle: equipment of a motorized, vehicular nature; this includes golf carts, utility vehicles, tractors, and other equipment.

### **Policy**

All Authorized Drivers who drive on Official University Business must observe all applicable laws and have a valid driver's license issued in the state where they permanently reside that is not currently suspended or revoked. Any driver who operates a Vehicle for Official University Business at a time when his or her license was suspended or revoked, shall be subject to disciplinary action up to and including dismissal.

To operate a university vehicle, an Authorized Driver must be designated by their employing department, college, or division as a driver and be certified as an approved driver by the SFA University Police Department (UPD).

Driver certification is required for all university employees who are required to drive a university vehicle within the scope of his/her employment.

### **Procedures**

In order to obtain certification, a driver must submit an application (application can be located at <http://www.sfasu.edu/upd/defensive-driving.asp>), and provide evidence of the following:

- Valid Texas driver's license, or a valid out of state license if the employee is an active-duty member of the military or reserves;
- Satisfactory completion of a course of defensive driving; and,
- Driver training is required for each Authorized Driver at least every thirty-six (36) months. Driver training may include defensive driving; one-day seminars on driving improvement; driver training videos on specific driving skills in which the driver may be deficient; or hands-on, behind-the-wheel training.

When determining an employee's eligibility for certification, the applicant's driving record will be obtained and reviewed by UPD.

UPD shall request a Motor Vehicle Report showing a history going back at least thirty-six (36) months that lists all convictions for traffic violations issued to the potential employee and a verification that the person has a valid driver's license issued by the state in which the person permanently resides.

Incumbent Authorized Drivers will have their MVR checked by the University:

- at least every twelve (12) months after initially authorized; or
- promptly after the employee has been involved in an automobile accident while driving on Official University Business; and
- promptly after the employee receives a moving traffic citation while on Official University



## Business.

If an employee currently lives or previously lived outside the state of Texas or recently moved to Texas, the University will obtain the Motor Vehicle Record check from the appropriate state or states as required. The total number of months included in the review history should total at least thirty-six (36).

Authorized Drivers and persons seeking a position that requires authorization to operate a University-Owned Vehicle for Official University Business will be evaluated on the most recent thirty-six (36) month history reflected on their MVR and points will be assigned by the University according to Appendix A. If the total points equal four (4) or more for the immediately preceding thirty-six (36) months, the person shall not be authorized to operate a University-Owned Vehicle for Official University Business. As noted above, if SFASU is unable to obtain a driving record for the preceding thirty-six (36) months, the Executive Director/Chief of University Police may use his/her discretion to authorize the employee to operate a University-Owned Vehicle for Official University Business.

*If an applicant has been convicted of a DWI or DUI in the past seven years, the applicant will not be allowed to operate a university vehicle.*

When evaluating an applicant's record, the Executive Director/Chief of University Police, or designee, may regard a probated sentence, deferred adjudication, enhancement, or reduction for a traffic related violation the same as a conviction.

Upon approval of the certification application the Executive Director/Chief of University Police, or designee, will issue an approved driver certificate to the employee. This certificate will authorize the employee to operate any university vehicle of one-ton carrying capacity or less.

An approved driver certificate will be valid for three years from the date of issuance and can be renewed upon receiving a satisfactory driving record from the Texas Department of Public Safety records division. This document will be obtained by UPD during the month the renewal is requested.

Van certification requires the below listed steps: To be certified to operate a passenger van the employee must receive additional training specific to driving vans.

1. Employees must demonstrate proficiency in the operation of the type of vehicle in question and hold a Texas driver's license with the appropriate endorsement. Approval of this level of certification will be indicated by an endorsement to an approved driver certificate.

An employee holding an approved driver certificate who is involved in a hazardous traffic violation, as defined by the SFA UPD, may be required to repeat any phase of the certification process. Habitual or repeated violation of university policy or the Texas Motor Vehicle Law may result in the suspension or cancellation of an approved driver certificate. The Executive Director/Chief of University Police, or designee, may refuse to issue or renew an approved driver certificate based on driving record of an employee without notice or hearing.



The manager of transportation shall not permit an employee who does not hold an approved driver certificate to operate any university vehicle under the department's control. The chief administrator of a department, college, or division of the university shall not permit an employee who does not hold an approved driver certificate to operate a university motor vehicle under his control.

### **Temporary Certifications**

The Executive Director/Chief of University Police, or designee, may issue a temporary approved driver certificate for a period of 180 days for faculty, staff, and students upon receiving a satisfactory driving record and proficiency. Temporary certifications may not be renewed. The temporary condition of the certificate may be removed by the Executive Director/Chief of University Police, or designee, upon the employee's successful completion of the steps necessary for regular certification.

Any new employee of the University that holds a valid out-of-state driver's license may be issued a temporary approved driver certificate for a period of no longer than 30 days.

### **Post-Accident Claims Procedures**

The Office of Environmental Health, Safety and Risk Management will assist with processing claims.

#### **Driver Responsibilities.**

- While at the scene of the accident, University drivers shall attempt to obtain as much information as possible, including the license plate number of any vehicles at the scene, and insurance information from the other parties involved in the accident. As soon as possible, the University driver shall provide this information to the Office of Environmental Health, Safety and Risk Management.
- University drivers should advise other parties involved in the accident that the accident will be reported to the University's insurance company who will be in contact with the claimant. University drivers should not make any representations regarding insurance coverage or admit fault to other parties involved in the accident, because the insurance adjuster will make the determination of coverage available under the insurance policy and assess liability.

It is important for the insurance company to know clearly and as soon as possible, all factual information about the accident. If the facts lead the driver or the fleet contact to the opinion that the University is not at fault, clearly state that information when submitting the claim. If fault is questionable, the driver or fleet contact should provide supporting information to assist the insurance company with its investigation.

The Office of Environmental Health, Safety and Risk Management or the insurance company may request additional information needed for their files or for further processing.

Authorization for repairs will not be given until the claim is reviewed by the insurance company.



**Related Statutes or Regulations, Rules, Policies, or Standards**

UTS 157 Automobile Insurance Coverage for Officers and Employees and General Requirements for the Use of Vehicles

SFA HOP 05-412 Transportation Services

Texas Motor Vehicle Classification Schedule

**Responsible Executive**

President, Executive Director/Chief of University Police, and Director of Environmental Health, Safety, and Risk Management

**Forms**

Approved Driver Certificate Form (UPD)

**Appendixes**

Appendix A: MVR Points Schedule

**Revision History**

September 1, 2023 (original)



## Appendix A: MVR Points Schedule

Type A Violations - Convictions for Type A violations count as four (4) points against an authorized driver's or applicant's record. Type A violations include:

- Criminal negligent homicide - 1st or 2nd degree
- Murder - with motor vehicle
- Driving while intoxicated
- Reckless driving
- Driving while under the influence of drugs
- Fleeing from police officer
- Drag Racing / Speeding Contest
- Felony use of CMV - controlled substance
- Aggravated Assault with motor vehicle
- Felony use of Commercial Motor Vehicle (CMV)
- Driving while license suspended
- Driving while license disqualified - CMV

For the purposes of this policy, the definition of a DUI/DWI conviction means being convicted, receiving a probated sentence, or pleading no contest for driving a commercial or non-commercial vehicle under the influence of alcohol or drugs, or while intoxicated.

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

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