



# BFB-BUS-46: Use of Vehicles and Driver Selection

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| <b>Responsible Officer:</b> | Chief Risk Officer                                                                                                                     |
| <b>Responsible Office:</b>  | RK - Risk / EH&S                                                                                                                       |
| <b>Issuance Date:</b>       | 2/28/1978                                                                                                                              |
| <b>Effective Date:</b>      | TBD                                                                                                                                    |
| <b>Last Review Date:</b>    | 3/28/2017                                                                                                                              |
| <b>Scope:</b>               | [ All Campuses, Medical Centers, Division of Agriculture and Natural Resources (ANR), and the Lawrence Berkeley National Laboratory. ] |

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|-----------------|------------------------|
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## I. POLICY SUMMARY

This Use of Vehicles and Driver Selection Policy (Policy) governs the use of vehicles and driver selection for University business. Motor vehicle accidents are the most frequent and costly claims to the [University of California](#). They are also the leading cause of death in the workplace in the United States. The University of California, in its mission to operate its vehicles safely for the protection of all with whom it shares the road, has developed this Policy, which reflects currently accepted best practices for the selection and management of drivers operating any vehicle on behalf of the University of California. These best practices have proven effective in controlling misuse of vehicles and poor driving practices which lead to accidents. This Policy applies to all drivers who may operate any University of California vehicle, leased or rented vehicle, or privately owned vehicle while on University business. This Policy does not apply to vehicles supplied by Third Party Suppliers.

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## II. DEFINITIONS

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**Authorized Driver:** Any driver who is driving for University of California business, who has fulfilled all driver requirements and who has been approved to drive by the University Location Official.

**California Department of Motor Vehicles (DMV) Negligent Operator Treatment System (NOTS):** A program created by the California DMV to keep so-called “negligent motor vehicle operators” off the roads. NOTS is based on assigning “points” over time to every California license holder for traffic offense violations to identify careless or negligent drivers.

**Check Ride:** An in vehicle evaluation of a driver’s physical and defensive driving skills. The intent of the check ride is to evaluate the driver’s proficiency at operating the vehicle . A check ride shall be administered by a qualified person trained to conduct such check rides. An example may include a certified Smith System Instructor.

**Commercial Vehicle:** A commercial vehicle is a vehicle as defined by the California Vehicle Code 260:

[https://www.dmv.ca.gov/portal/wcm/connect/f93f514b-ffa6-46cd-9da7-939ef851e288/ch13\\_comml\\_vehs.pdf?MOD=AJPERES](https://www.dmv.ca.gov/portal/wcm/connect/f93f514b-ffa6-46cd-9da7-939ef851e288/ch13_comml_vehs.pdf?MOD=AJPERES)

Examples include: Bus; 3 axle Truck; Tractor Trailer

**Conviction:** A conviction includes 1) a finding of guilty by a court or other tribunal as to any charged vehicular offenses, 2) a plea of guilty or no contest (nolo contendere) to such an offense, or 3) a bail forfeiture without entry of a formal plea.

**DMV Employer Pull Notice Program (EPN):** A program that provides employers and regulatory agencies with a means of promoting driver safety through the

ongoing review of driver records. The EPN program allows your organization to monitor Driver License records of employees who drive on your organization's behalf.

**Executive Vehicles:** Any vehicle, owned by the University, and driven by a member of the Senior Management Group (SMG).

**Frequent Driver:** A type of driver who drives for University business from 10 to 25 hours or more per month and for whom driving is not an essential job function (see also Infrequent Driver and Occupational Driver).

**Infrequent Driver:** A type of driver who drives for University business for less than 10 hours per month and for whom driving is not an essential job function (see also Frequent Driver and Occupational Driver).

**1-Point Offenses:** Violations defined by the California DMV NOTS as 1-Point Offenses include (but are not limited to):

- Driving too fast or over the speed limit
- Running a stop sign or red light
- Improper/illegal or unsafe turn
- Passing across a double yellow line
- Failure to yield right-of-way
- Following too closely
- Illegal use of cell phone while driving

Note: if you are driving a commercial vehicle when you are cited, the points are worth 1 1/2 times the standard point amount.

**2-Point Offenses:** Violations defined by the California DMV NOTS as 2-Point Offenses include (but are not limited to):

- Driving under the influence (DUI) of alcohol or drugs
- Evading a peace officer/reckless driving
- Driving with a suspended or revoked license
- Hit and run with injury or property damage
- Speed over 100 MPH
- DUI/causing bodily injury or death
- Explosives transportation

Note: if you are driving a commercial vehicle when you are cited, the points are worth 1 1/2 times the standard point amount.

**Motor Vehicle Report (MVR):** A report by the Department of Motor Vehicles. It details the driving record, by individual names and driver license numbers, for each request submitted, and indicates the status of the applicable driver's licenses.

**Occupational Driver:** A type of driver for whom driving is designated as an “essential job function” regardless of how frequently driving occurs. Drivers of University-owned rideshare vehicles are also considered occupational drivers for the purpose of determining their Driving Requirements.(See also Frequent Driver and Infrequent Driver)

**Preventable Collision:** Any collision that occurs while driving a vehicle on University of California business which results in property damage and/or personal injury, regardless of who was injured, what property was damaged, to what extent, or where it occurred, in which the driver in question failed to exercise every reasonable precaution to prevent it. See Vehicle Collision Review Committee (VCRC).

**University Location:** Any property or building that is owned or leased by the University where University business or activities take place.

**University Location Official:** Chancellors, the Laboratory Director and the Vice President of Agriculture and Natural Resources or designee.

**Vehicle (as defined in the California Vehicle Code Section 670):** A device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.

**Vehicle Collision Review Committee:** A committee at each UC Location that reviews collisions based upon the preventability guidelines from the National Safety Council. The Committee reviews all collisions to determine preventability and to determine, in conjunction with UC Location HR and the employee’s department, the necessary course of action.

**Violation:** An act involving the unsafe operation of a motor vehicle. Types of violations include but are not limited to:

1. Civil: A written allegation by a law enforcement officer claiming a person violated a law (e.g., a traffic ticket).
2. Infraction: A violation punishable by a fine or other penalty, but not by incarceration.
3. Misdemeanor: A violation punishable by imprisonment in a County Jail, by fine, or by both.
4. Felony: A crime which is punishable by death or by imprisonment in the State Prison. Under certain conditions, a felony crime may be treated as a misdemeanor.

### **III. POLICY STATEMENT**

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#### **A. REGISTRATION AND IDENTIFICATION OF UNIVERSITY VEHICLES:**

1. University vehicles, including those operated by the Associated Students and other University-related organizations shall be registered in the name of the University of California and licensed in accordance with [Business and Finance Bulletin BUS-19/Registration and Licensing of University-Owned Vehicles](#).
2. University of California vehicles, except executive vehicles and vehicles used for special purposes (e.g., undercover police cars and authorized rideshare vehicles), shall be conspicuously identified as the property of the University of California and are to be operated for business or official use only.
3. Identification of these vehicles shall be achieved by use of a decal or other device attached to the front and/or rear of each vehicle. These decals or other devices shall be standardized on a University-wide basis.
4. No other decals, stickers, or other signs, including dealer-identified license plate holders, shall be placed on any University vehicle, except that a University Location Official may authorize exceptions on a case-by-case basis.

#### **B. VEHICLE USE:**

##### **1. University Vehicles:**

- a. Responsibility for determining, approving, and controlling official vehicle use is the responsibility of the University Location Official.
- b. No University of California vehicle will be released by Fleet Operations or any other unit or department unless the University Location Official has verified that the driver meets all requirements and has been informed of their responsibilities. Upon verification that the driver meets all requirements and has been informed of their responsibilities, then the University Location Official can approve the driver for driving University of California vehicles.
- c. University of California vehicles are provided to support official University of California business and are to be used only by Authorized Drivers. University of California vehicles will not be used by employees for personal reasons. Subject to individual UC Location local policies, employees who use assigned vehicles on a 24-hour basis or are on-call will drive such vehicles directly home after work and leave them parked until needed for “call-out.”

- d. University vehicles shall not be used regularly for transportation between personal residences and University campuses or other work locations, except those vehicles:
  - i. Assigned to senior University executives (See [Letter from President Dynes to Chancellors and Laboratory Directors, January 29, 2007, Revised University Policy Concerning Senior Management Automobiles](#)); or,
  - ii. Used in conjunction with authorized ridesharing programs, which include, but are not limited to, vanpools, carpools, bus-pools, and guaranteed ride home programs; or,
  - iii. Used occasionally for transportation to and from personal residences in connection with departure and return from official University business trips, when the appropriate department official has determined that such use is more efficient and economical than available alternatives.
- e. Any use of a vehicle for transportation between home and office, other than those stated above, must be specifically authorized in advance and in writing by the University Location Official, as an exception to this Policy and justified by a special and/or frequent work requirement of the University of California that cannot reasonably be met by other means of transportation. Drivers using vehicles under this section shall be subject to campus parking regulations.
- f. Vehicles are to be operated in strict compliance with the applicable state Vehicle Code and with the utmost regard for their care and cost-efficient and sustainable use.
- g. Authorized Drivers will not transport persons other than on-duty University of California employees in a University-owned vehicle, unless the persons are being transported in connection with official University of California business, are an approved participant of an authorized Rideshare Program, or as authorized by the University Location Official
- h. Except in the case of an emergency, a driver will not allow a vehicle to which he or she has been assigned to be driven by any person not authorized to drive the University of California-owned vehicle.
- i. In voluntary compliance with the State of California's Public Contract Code, Section 10326.1, the University of California will:
  - i. Suspend the purchase of additional 15-passenger vans;
  - ii. Initiate a plan to phase out existing fleets of 15-passenger vans;
  - iii. Require a Class B Driver's License for all persons operating 15-passenger vans; and,

- iv. Not transport preschool and K-12 aged children in 15-passenger vans.
2. **Privately owned Vehicles**: The use of privately owned vehicles for University business is allowed, and [Business and Finance Bulletin G-28/Policy and Regulations Governing Travel](#), and [Business and Finance Bulletin BUS-81/Insurance Programs](#) should be consulted regarding applicable travel and insurance regulations.
3. **Rented or Leased Vehicles**: Whenever possible travelers are expected to use rental agencies with which UC has [University of California's Connexus Travel Program Systemwide Agreements](#) that include insurance coverage in accordance with [Business and Finance Bulletin G-28/Travel Regulations](#).
4. **Rideshare Vehicles**: As provided by the delegated University Location Officialnon-University participants in University-sponsored ridesharing programs may be authorized to drive University-owned vehicles if they meet program criteria.

C. **DRIVERS**:

1. **Driver Eligibility**: Employees, students, volunteers and non-University of California persons, including consultants, are eligible to drive on University business subject to fulfilling all driver requirements and receiving approval by the University Location Official. Eligible drivers must be a minimum of 18 years of age.
2. **Driver Responsibilities**: When driving on University of California business, the driver assumes responsibility for operating the vehicle in a safe and responsible manner. Therefore, driver responsibilities include, but are not limited to, the following:
  1. Submit to and comply with all Driver Requirements.
  2. Observing all traffic rules and regulations, including the use of seat belts and the non-use of hand-held communication devices. The driver will be responsible for any fines or penalties incurred, including parking violations;
  3. Having the appropriate class of a valid driver's license in their possession at all times while operating the vehicle on University of California business;
  4. Operating the vehicle in a manner consistent with reasonable practices that avoid abuse, theft, or neglect of the equipment;
  5. Practicing safe driving techniques and adhering to current safety requirements, including the [University of California's Business and Finance](#)

[Bulletin G-46/Guidelines for the Purchase and Use of Cellular Phones and Other Portable Electronic Resources](#). (use of handheld wireless phones or cell phones is prohibited while driving unless the device is in a hands-free mode);

6. Restricting the operation of vehicles to authorized drivers only;
7. Reporting all moving violations or accidents, regardless of whether the violations or accidents occur while driving on university business, to the University Location Official within twenty-four (24) hours; in the case of University of California employees, accidents should be reported before the end of their shift; and,
8. Ensuring the cleanliness of university vehicles both inside and out.

Failure to comply with any of these responsibilities could result in disciplinary action, up to and including termination.

3. **Driver Requirements:** The following driver requirements will be enforced by the University Location Official. Driver requirements vary by type of driver.

#### **Infrequent Drivers**

1. Infrequent Drivers must have a valid United States license for the class of vehicle being operated and shall have successfully completed any driver training/safety course required by State/Federal law. Certain licenses or endorsements may be required for transporting minors. If the vehicle requires a Commercial Driver's License (CDL) then the driver must possess a valid CDL with the appropriate endorsements for the type of vehicle being operated. Please note that 15-passenger vans are not a University of California-authorized vehicle.
2. Infrequent Drivers of University owned vehicles must submit a Motor Vehicle Report (MVR) for evaluation by the University Location Official and receive approval prior to driving a University owned vehicle. This process must be repeated annually or the driver must be enrolled in the Department of Motor Vehicles (DMV)'s Employer's Pull Notice (EPN) System.
3. Check rides may be conducted based upon the type of vehicle driven and/or reported/observed unsafe driving behavior.

#### **Frequent Drivers**

1. Frequent Drivers must have a valid United States license for the class of vehicle being operated and shall have successfully completed any driver training/safety course required by the campus or State/Federal law. Certain

licenses or endorsements may be required for transporting minors. If the vehicle requires a Commercial Driver's License (CDL) then the driver must possess a valid CDL with the appropriate endorsements for the type of vehicle being operated. Please note that 15-passenger vans are not a University of California-authorized vehicle.

2. Each UC Location is required to enroll Frequent Drivers in the Department of Motor Vehicles (DMV)'s Employer's Pull Notice (EPN) System and evaluate the driving record in accordance with the Driving Standards.
3. Frequent Drivers shall be required to complete a University of California-approved Defensive Driving Course, in person or online, once every three years.
4. Check rides may be conducted based upon the type of vehicle driven, an employee's MVR, and/or reported/observed unsafe driving behavior, and California DMV NOTS.

### **Occupational Drivers**

1. Occupational Drivers must have a valid United States license for the class of vehicle being operated and shall have successfully completed any driver training/safety course required by the campus or State/Federal law. Certain licenses or endorsements may be required for transporting minors. If the vehicle requires a Commercial Driver's License (CDL) then the driver must possess a valid CDL with the appropriate endorsements for the type of vehicle being operated. Please note that 15-passenger vans are not a University of California-authorized vehicle.
2. Prior to driving on University business, Occupational Drivers must bring a copy of their Motor Vehicle Report (MVR) from the Department of Motor Vehicles (DMV) printed within the last 30 days. An acceptable current MVR is a condition of employment for Occupational Drivers and will remain a condition of continued employment as long as the employee's essential functions include driving. Employees are not allowed to begin working until the MVR is received, reviewed, and deemed acceptable per the Driving Standards.
3. Each UC Location is required to enroll Occupational drivers in the Department of Motor Vehicles (DMV)'s Employer's Pull Notice (EPN) System and evaluate the driving record in accordance with the Driving Standards.
4. It is the policy of the University that a driving record that meets the University's standard is a condition of employment for Occupational Drivers who may drive a vehicle (whether the University's or their own) on behalf of

the University. Maintenance of this acceptable driving record is a consideration for continued employment for those employees who are required to drive as part of their regularly assigned duties as University employees.

5. An Occupational Driver may have his or her employment terminated in accordance with University policy or collective bargaining agreement, if applicable, or be reassigned to a non-driving position at the discretion of the University of California in the event that his or her license is revoked or suspended by a court of law, or if it is determined that an employee does not meet the minimum Driving Standards.
6. A driver of a vanpool vehicle may operate with a class C license but shall possess evidence of a medical examination required for a class B license when operating vanpool vehicles. In order to be eligible to drive the vanpool vehicle, the driver shall keep in the vanpool vehicle a statement, signed under penalty of perjury, that he or she has not been convicted of reckless driving, drunk driving, or a hit-and-run offense in the last five years.. (California Vehicle Code 12804.9(J) ).  
[https://www.dmv.ca.gov/portal/dmv/detail/pubs/hdbk/lic\\_classes](https://www.dmv.ca.gov/portal/dmv/detail/pubs/hdbk/lic_classes)
7. Occupational Drivers must be capable of demonstrating familiarity with the type of vehicles assigned.
8. Occupational Drivers shall be required to complete a University of California-approved Defensive Driving Course, in person or online, once every three years.
9. Check rides may be conducted based upon the type of vehicle driven, an employee's MVR, and/or reported/observed unsafe driving behavior, and California DMV NOTS.

#### **D. DRIVING STANDARDS:**

The following driving standards will be enforced by the University Location Official.

1. The UC Location Vehicle Collision Review Committee (VCRC) has the authority to deem any employee in violation of University driving standards ineligible to drive. (see Section B. VCRC)
2. The Department of Motor Vehicles (DMV)'s Employer Pull Notice Program (EPN) is a critical component of this policy. A mechanism must be in place to review and address motor vehicle reports activity that are sent to the University. General information on enrollment and operation of the University of California's use of

the EPN Program are included in Appendix A of this policy, attached.

3. All traffic violations that occur regardless of whether the violations occur during personal time or when driving for business or during non-business hours may affect driving privileges and are subject to constant review.
4. Any or all of the following violations, as defined in Section II (“Definitions”) above, showing on the employee’s driving record shall be cause for revoking an employee’s authorization to drive on behalf of the University of California:
  - a. Three or more 1-Point Offenses as defined in this Policy within the past 36 months; or,
  - b. Three or more Preventable Collisions within the past 36 months; or,
  - c. One 2-Point Offense as defined in this Policy within the past 36 months.
5. Any Frequent Driver, Infrequent Driver or Occupational Driver will not be allowed to drive on University of California business if they do not fulfill all driving requirements and driving standards.
6. Departments that allow operation of vehicles on their behalf by drivers who do not meet the Driving Standards, as defined above, may be held financially accountable for personal injury and property damage arising from incidents involving that driver.

**E. FLEET OPERATIONS:**

1. Each University Location Official shall establish a Fleet Operations Unit to manage all University-owned and -operated vehicles at that UC Location.
2. Each Fleet Operations Unit shall establish equipment operating parameters, procedures and rules regarding specific maintenance and regulatory reporting responsibilities for each location. Operating parameters may include requirements to include car-sharing or telematics technology in University vehicles, as practicable.
3. The Fleet Operations Unit shall be responsible for establishing all vehicle rental rates. Such rates shall be established at levels sufficient to recover all allowable costs of operation and may be set at levels sufficient to establish a reserve for vehicle and other equipment acquisition and/or replacement, and facility renovation and/or construction. As appropriate, fees charged to Federal contract accounts must be in accordance with [Business and Finance Bulletin A-47/University Direct Costing Procedures](#).4. The Fleet Operations Unit shall be responsible for the legally mandated emissions testing of all University-owned vehicles, at that UC Location, including those rented/operated by other departments on a long-term basis.

**F. INSURANCE:** University of California insurance programs provide coverage for the following:

1. [Business and Finance Bulletin BUS-81/Insurance Programs](#) covers personal injury and property damage to others that is caused by University vehicles when they are operated in the course of official University business, including authorized ridesharing programs. This coverage is in effect whether or not the driver is a University employee and covers personal injuries to University employees resulting from vehicle accidents occurring during the course of authorized trips on official University business.
2. [Business and Finance Bulletin BUS-81/Insurance Programs](#) covers employees for injuries sustained during the direct round-trip commute between home and the authorized worksite for all University employees participating in vanpools, bus-pools, guaranteed ride home programs, and other ridesharing programs utilizing University of California vehicles.
3. [Business and Finance Bulletin BUS-81/Insurance Programs](#) covers general purpose, rideshare, and specialized vehicles administered by the Fleet Operations Units or by other University of California departments. Costs for damages due to the careless operation or intentional misuse of vehicles shall not be recovered through this Program.
4. University insurance programs do not provide coverage for the following:
  - a. Personal injuries sustained by non-University of California employees driving University of California vanpools.
  - b. Personal injuries sustained by students and non-University of California employees driving non-University vehicles.

When damage to a University of California vehicle is caused by a third-party, [the University of California](#) will attempt to recover full damage costs from the third party.

Payment/reimbursement of all costs associated with the damage to any University of California vehicle resulting from misuse or careless operation by an authorized driver shall be from the driver, or the departmental budget, contract, or grant of the authorizing official. Such costs shall not be covered by University of California Insurance Programs.

**G. TRAFFIC/PARKING CITATIONS:**

1. Traffic/parking citations shall not be paid from any source of University of California funds.

2. The driver of a University of California vehicle is responsible for the payment of any traffic/parking citations incurred on or off University property during the time that driver is responsible for the operation of the vehicle. University of California parking citations have the same legal authorization as those issued by municipal or [State](#) law enforcement authorities.
3. Guidelines on preparing reports of moving violations and on disciplining repeated violators can be found in [Letter from President Gardner to Vice Chancellors and Laboratory Directors, University of California Guidelines on Drivers and Drivers' Public Driving Records, July 27, 1989](#).

H. **ALTERNATIVE TRANSPORTATION PROGRAMS:** [The University of California](#) encourages all campuses to offer ridesharing programs (e.g., vanpools, carpools, bus-pools, guaranteed ride home programs) to encourage use of public transit, and to participate in transportation management organizations or other appropriate cooperative arrangements for the purposes of furthering such activities.

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#### IV. COMPLIANCE / RESPONSIBILITIES

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A. **UC LOCATION RESPONSIBILITY:** The University Location Official is responsible for:

1. The control and use of University of California vehicles under his or her custody;
2. Local procedures will be implemented to enforce Driver Requirements and Driver Standards.
3. Criminal penalties may be taken against the University if a person with a disqualifying action taken against his/her license or certificate is hired, allowed to continue employment, or permitted to continue operating as a driver.
4. Establishing and maintaining procedures for approving Authorized Drivers;
5. Appropriate campus delegations, directives, and procedures to implement University of California policy;
6. The provision of a supplemental campus policy; and,
7. Forwarding a copy of campus policies and procedures that are implemented as a result of this Bulletin, and any future modifications, to the [Office of the Chief Financial Officer – Capital Asset Strategies & Finance](#), attention Director of the Operating Budget.

**B. VEHICLE COLLISION REVIEW COMMITTEE (VCRC):**

1. **VCRC Mission:** The mission of the UC Location Vehicle Collision Review Committee (VCRC) is to review most collisions involving authorized drivers operating any vehicle on University business, thereby creating a means to monitor collision frequency and trends and to assist in the development of programs to promote safety, mitigate risk and reduce liability for the University of California.
2. **VCRC Overview:** Each UC Location shall implement and maintain its own Vehicle Collision Review Committee. The charge of the committee is to determine if a collision was a Preventable Collision that the UC driver could have prevented.

A key element of a Safe Driver Program involves establishing a mechanism for actively assessing the preventability of each vehicle collision. The collision review process is based on the premise that, after training in defensive driving, Authorized Drivers are expected to meet a higher standard of safety than the average motorist not so trained. Furthermore, to ensure that all vehicle collisions are reviewed fairly, the University has adopted review procedures established by the NSC, using the NSC reference [A Guide to Determine Motor Vehicle Accident Preventability](#).

Promoting safe driving practices and holding drivers accountable for their driving behavior will contribute to a successful driving and vehicle safety program and provide a method to measure the effectiveness of pre- and post-collision driver safety training programs as well as other safety-related outreach efforts.

3. **VCRC Goals:**
  - a. Promote driver safety awareness;
  - b. Reduce frequency and severity of vehicle collisions;
  - c. Maintain standardized procedures for determining preventability of collisions; and,
  - d. Reduce the financial impact of property and liability losses related to vehicle collisions.
4. **VCRC Membership:** The membership of each committee shall be determined by the UC Location and may include representatives from the following (and other) University departments/groups:
  - a. Risk Management;
  - b. Environmental, Health, and Safety;
  - c. Transportation/Fleet & Transit;
  - d. University Police;
  - e. Human Resources/Labor Relations;

- f. Employees; and,
- g. Students.

The chair shall be elected by majority vote of the VCRC Committee.

5. **VCRC Member Length of Service**: Appointment terms should be for a minimum of 12 months; re-appointments may be approved.
6. **VCRC Training Requirements**: Prior to serving, each committee member should be trained in the following:
  - a. Overview and goals of the collision review process and explanation of local committee procedures;
  - b. Introduction to defensive driving techniques and safe driving practices (including behind-the-wheel instruction and skill evaluation) utilizing a UC-approved driver training program; and,
  - c. Introduction to the preventability determination process as outlined in *A Guide to Determine Motor Vehicle Accident Preventability* by the [National Safety Council](#).
7. **VCRC Meeting Frequency**: The VCRC shall meet as frequently as necessary, and at least quarterly. Emergency meetings shall be convened as necessary. Minutes shall be kept of each meeting.
8. **VCRC Review Process**: All reports of accidents/collisions resulting in any property damage or personal injury will be pre-screened by a designated member of the Vehicle Collision Review Committee (VCRC), for “obvious” preventability prior to submission to the committee. The Committee shall see all such reports and has the option to independently review any pre-screening determination. A driver may request committee review of any collision determined by the pre-screening to be preventable. The VCRC will consider all information pertaining to each collision it reviews and make a determination as to its preventability.
  - a. Preparing the case:
    - i. The name of the driver involved in the case will not be revealed to the committee members. The committee will use a case number or collision number to identify the case.
    - ii. The driver involved should not be called before the committee to discuss the case. The driver’s collision report should represent the driver.

b. Presenting the case: The committee may consider the following sources of facts related to the case:

- i. Driver's collision report, which includes description of events, diagrams, etc.
- ii. Witness statements.
- iii. Photos of vehicle damage and/or property damage.
- iv. Known amount in dollars (\$'s) of liability/property loss incurred as a result of the collision.
- v. Police investigation reports.
- vi. Collision investigation reports and summaries.
- vii. Any supplemental reports pertaining to the collision.
- viii. Driving record summary.

c. Reaching a decision:

- i. The committee shall consider recognized safe driving practices, training the driver has received, and University and UC Location policies and procedures pertaining to vehicle operations when making its decision.
- ii. The committee shall vote by open ballot with the decision reached by a simple majority vote.
- iii. The decision shall be entered into the meeting minutes.

d. Department notification: The driver and the department manager shall be notified in writing as to whether the collision was determined to be non-preventable or preventable. If the collision was determined to have been preventable, the committee notification shall include the following:

- i. Reasons for classifying the case as preventable;
- ii. Amount of liability loss in dollars (\$'s) incurred as a result of the collision;
- iii. Determination for post-collision training; and,
- iv. Determination for suspension/revocation of driving privileges consistent with applicable University personnel policies and collective bargaining agreements.

9. **VCRC Periodic Reports**: Periodic summary reports may be completed by the committee to indicate findings such as:

- a. Collision trends;
- b. Collision frequency by department/driver/vehicle type;
- c. Outreach program opportunities; and
- d. Safe driving practices sources.

- 10. VCRC Guidelines for Authorized Drivers Involved in Preventable Collisions:** University of California actions may include but not be limited to the following, based on all the facts and circumstances. These recommended actions may be accompanied by appropriate performance management, consistent with University of California Personnel Policies and Collective Bargaining Agreements, up to and including disciplinary action.

Drivers wishing to appeal the determination that a collision was preventable may submit such appeal to the appropriate department such as UC Location Human Resources.

| # of Preventable Collisions Within 36 Months* | Recommended Requirement                                                                                                                                      | Completion Timeline                            |
|-----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| 1                                             | Classroom refresher training                                                                                                                                 | Within 90 days of VCRC Notice of Decision date |
| 2                                             | Refresher training & satisfactory completion of behind the wheel instruction                                                                                 | Within 90 days of VCRC Notice of Decision date |
| 3                                             | Suspend University driving privilege for minimum 30 days & attend refresher training; satisfactory completion of behind the wheel instruction and evaluation | Immediately upon VCRC Notice of Decision       |
| 4                                             | Revoke University driving privilege indefinitely                                                                                                             | Immediately upon VCRC Notice of Decision       |

\* [The Department Motor Vehicle's](#) criterion for the length of time an accident stays on the driving record is 36 months. The University follows the same criteria when considering the consequences for drivers involved in a preventable collision

- The VCRC may recommend immediate suspension of driving privileges following any collision based on the severity and preventability of the collision pending further administrative action.
- Drivers involved in another preventable collision, who have previously had their University driving privileges suspended or revoked, and then reinstated, may be subject to permanent revocation of driving privileges as well as disciplinary actions consistent with University personnel policies and collective bargaining agreements.

**Reinstatement:** A driver whose driving privilege has been revoked may apply to the Committee for reinstatement, one year from the date of revocation. The driver's overall driving record, the department manager's feedback, improvement efforts and any mitigating circumstances shall be taken into consideration. The request must be submitted in writing by the driver's department manager. Any such driver must complete approved refresher training that includes satisfactory completion of behind-the-wheel instruction and evaluation before his/her driving privilege may be reinstated. Additionally, the driver must successfully complete an approved online defensive driving

course and be enrolled in the university's DMV driving record monitoring Program. The cost of any driver training shall be recharged to the driver's department.

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## **V. REQUIRED PROCEDURES**

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### **A. FLEET OPERATIONS:**

1. The Fleet Operations Unit shall be responsible for the acquisition, inspection, and record keeping for all vehicles, equipment registered with the Department of Motor Vehicles, and specialized vehicles and equipment. The Fleet Operations may delegate these responsibilities concerning specialized equipment to the user department, as appropriate.
2. The Fleet Operations Unit shall assign general purpose vehicles to most users on a trip-by-trip basis. Departments may be assigned a vehicle on a long-term rental basis if such assignment serves the department needs more efficiently and economically than any alternative. Each exceptional assignment must be approved by the University Location Official and renewed on an annual basis. A copy of the department's request for assignment and the appropriate approval will be maintained by the Fleet Operation's Unit.
3. The Fleet Operations Unit shall be responsible for the maintenance and service of all vehicles and specialized equipment including those assigned to a department on a long-term basis. Long-term user departments shall be required to adhere to maintenance schedules established by the Fleet Operations Unit unless different arrangements are approved in writing by the University Location Official.  
Responsibility for the regular maintenance and servicing of specialized vehicles and equipment may be delegated to the user department by the University Location Official.
4. Specialized vehicles (e.g., mobile clinics, fire apparatus, waste collection vehicles, forklifts and farm tractors), that are used by a single department, may be designated by the University Location Official for permanent assignment to that department.

### **B. PROCEDURES FOR VEHICLE USE:**

1. Each UC Location shall establish procedures to enforce Driver Requirements, Driving Standards and to approve drivers. In developing campus policies and procedures, the following items should be considered:
  - a. Delegations of authority to appropriate department officials;
  - b. Procedures for authorizing and controlling vehicle use;

- c. Provisions regarding certain types of use (e.g., out-of-state, foreign travel, various rideshare programs) or certain types of users (e.g., students or non-University employees);
  - d. Requirements for reporting vehicle accidents and moving violations;
  - e. Requirements of the DMV's Employer's Pull Notice (EPN) System; and,
  - f. Programs to foster traffic safety consciousness.
2. Departments with assigned vehicles and departments responsible for rideshare vehicles shall maintain records that document vehicle users and uses and that demonstrate compliance with [State](#) and [Federal](#) laws and University policies and procedures. Usage reports shall be prepared periodically, and at least annually, and sent to the Fleet Operations Unit and to other appropriate campus administrative officials, and shall be reviewed to verify both the proper use and the continued need for the assignment of such vehicles.
3. Each UC Location shall establish methods to inform vehicle users of their responsibilities and of the limits of appropriate use.
4. Each UC Location shall establish procedures for reviewing instances of possible misuse of a vehicle by drivers and/or responsible authorizing officials, and shall take appropriate action up to and including termination of employment. Such action may include a requirement for reimbursement of costs incurred by the University of California through misuse; withdrawing or limiting permission to use a University fleet vehicle; and/or canceling authority to authorize use of vehicles. Reimbursement of any associated costs may be obtained from the driver, the authorizing official, and/or the budget of the using/responsible department.

**C. ALTERNATIVE TRANSPORTATION PROGRAMS:**

1. To ensure growth in ridesharing programs and use of public transit, specific incentives may be developed. Such incentives may include, but are not limited to, the following: discounted rates for riders, discounted rates for drivers, personal use mileage for drivers, guaranteed ride-home programs, transit pass subsidies, and use of University-owned vehicles (those assigned to a department on a long-term basis) as authorized carpool vehicles in conjunction with ridesharing programs.
2. Participation in University of California ridesharing programs by non-University employees is permitted provided the University Location maintains signed, annually updated participant and employer agreements outlining program elements, requirements, and responsibilities.

The University of California supports UC Locations' development of various guaranteed ride home programs. Such programs may include limited use of University-owned vehicles by public transit riders, or participants in authorized ridesharing programs (including non-University employees) who need to leave the workplace for emergency reasons in advance of normally scheduled departures, or who must work late.

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## **VI. RELATED INFORMATION**

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Policy on Use of University Vehicles, February 28, 1978.

University Policy Concerning Executive Automobiles, 1988.

[Business and Finance Bulletin A-47/University Direct Costing Procedures.](#)

[Business and Finance Bulletin BUS-8/Acquisition and Disposition of University Vehicles.](#)

[Business and Finance Bulletin BUS-19/Registration and Licensing of University-Owned Vehicles.](#)

Business and Finance Bulletin BUS-74/Business Travel Accident Insurance. (Rescinded 6/2013). Information incorporated into Business and Finance Bulletin BUS-81/Insurance Programs.

[Business and Finance Bulletin BUS-81/Insurance Programs.](#)

[Business and Finance Bulletin G-28/Travel Regulations.](#)

[Business and Finance Bulletin G-46: Guidelines for the Purchase and Use of Cellular Phones and Other Portable Electronic Resources.](#)

[Letter from President Dynes to Chancellors and Laboratory Directors, January 29, 2007, Revised University Policy Concerning Senior Management Automobiles.](#)

[Letter from President Gardner to Vice Chancellors and Laboratory Directors, University of California Guidelines on Drivers and Drivers' Public Driving Records, July 27, 1989.](#)

University Accounting Manual Policy, Chapter E-821/ Senior Management Automobile Policy and Procedures. (Rescinded 2013).

[Facilities Manual, Volume 6 - Energy and Water Conservation and Management.](#)

[University of California Sustainable Practices Policy.](#)

[Regents Policy 7709/Senior Management Group Automobile Allowance.](#)

[Letter from President Gardner to Vice Chancellors and Laboratory Directors, University of California Guidelines on Drivers and Drivers' Public Driving Records, July 27, 1989.](#)

[Delegation of Authority DA 1064--Third Party Agreements, University Vanpool Programs from the President to the Chancellors, Senior Vice President-Business and Finance, and Directors of Lawrence Livermore National Laboratory and Lawrence Berkeley Laboratory, March 31, 1992.](#)

Letter from President Gardner to Chancellors and Laboratory Directors, August 8, 1985.

Delegation of Authority DA 0878--Execution of Purchase Contracts, Subcontracts, and Standard Purchase Orders for Goods and Services to be Supplied to the University. (Rescinded June 19, 1995 and Replaced with [DA 2045 Delegation of Authority—Execution of Purchase Contracts, Subcontracts, and Standard Purchase Orders for Materials, Goods, and Services to be Supplied to the University.](#))

Letter from President Atkinson to Chancellors and Laboratory Directors, June 19, 1995, Delegation of Authority DA 2045--Execution of Purchase Contracts, Subcontracts, and Standard Purchase Orders for Goods and Services to be Supplied to the University. (Rescinded June 11, 1998 and replaced with [DA 2100—Execution of Purchase Contracts, Subcontracts, and Standard Purchase Orders for Goods and Services to be Supplied to the University.](#))

[Letter from President Atkinson to Chancellors and Laboratory Directors, June 11, 1998; Delegation of Authority DA 2100—Execution of Purchase Contracts, Subcontracts, and Standard Purchase Orders for Goods and Services to be Supplied to the University.](#)

[State of California Vehicle Code, Section 15200/California Commercial Motor Vehicles Safety Act of 1988.](#)

[Federal Motor Carrier Safety Administration, United States Department of Transportation, Federal Motor Vehicle Safety Improvement Act of 1999, Public Law 106-159, December 9, 1999.](#)

[Federal Commercial Motor Vehicle Safety Act of 1986.](#)

[Americans with Disabilities Act of 1990.](#)

[Americans with Disabilities Act of 1990 Amended, January 1, 2009.](#)

Appendix A: THE EMPLOYER PULLNOTICE (EPN) PROGRAM/California Vehicle Code Section 1808.1. (See attached).

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## **VII. FREQUENTLY ASKED QUESTIONS**

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Not Applicable

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## **VIII. REVISION HISTORY**

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This policy was revised to incorporate information on the Vehicle Collisions Review Committee (VCRC) process and add the elements of the Driver Selection and Vehicle Use Guidelines on October 1, 2015.

This policy was reformatted into the standard University of California policy template effective July 1, 2012.

Revision to BUS-46/Use of University Vehicles, August 1, 1994.

Issuance of BUS-46/ Use of University Vehicles, February 28, 1978.

**BUS-46/USE OF UNIVERSITY VEHICLES  
APPENDIX A  
THE EMPLOYER PULL NOTICE (EPN) PROGRAM  
California Vehicle Code Section 1808.1**

The Employer Pull Notice (EPN) Program was established to provide employers and regulatory agencies with a means of promoting driver safety through the ongoing review of driver records. The following is a brief history of the EPN program and when legislation was enacted:

1. 1982 – Law enforcement and government employers began to enroll their drivers into the program voluntarily.
2. 1989 – all Class A (formerly known as Class 1), Class B (formerly known as Class 2), transit authority, certified, and The Public Utilities Commission (PUC) regulated drivers (limousine drivers, charter party carriers, etc.) were enrolled pursuant to California Vehicle Code (CVC) Section 1808.1.
3. 1990 – The Public Utilities Commission (PUC) began enrolling owner operators.
4. 1998 – California DMV, Motor Carrier Branch, began enrolling owner operators who transport property. PUC continued to regulate owner operators who transport passengers and household goods.

The EPN program allows your organization to monitor DL records of employees who drive on your organization's behalf. This monitoring accomplishes the following:

1. Improves public safety.
2. Determines if each driver has a valid DL.
3. Reveals problem drivers or driving behavior.
4. Helps to minimize your liability.

When an employer enrolls in the EPN program, they are assigned a requester code. The requester code is added to an employee's driver license (DL) record. When an employee's DL is updated to record an action/activity, a check is made electronically to determine if a pull notice is on file. If the action/activity is one that is specified to be reported under the EPN program, a driver record is generated and mailed to that employer.

The EPN program automatically generates a driver record when any of the following actions/activities occurs:

1. Upon enrollment of driver in the EPN program.
2. Annually from the date of enrollment or 12 months from the last action/activity printout.
3. When a driver has any of the following actions/activities added to his/her driver record:
  - a. Convictions of a violation
  - b. Failures to Appear
  - c. Accidents
  - d. Driver License Suspensions or Revocations
  - e. Any other actions taken against the driving privilege

*For additional information refer to:*

[https://www.dmv.ca.gov/portal/dmv/?1dmy&urile=wcm:path/dmv\\_content\\_en/dmv/vehindustry/epn/epngeninfo](https://www.dmv.ca.gov/portal/dmv/?1dmy&urile=wcm:path/dmv_content_en/dmv/vehindustry/epn/epngeninfo)