

Executive Board

(Systemwide Senate Review) Proposed Revisions to Presidential 1 Policy BFB-BUS-46

Table of Contents

Exec Divisional Response - EB re UCOP BFB-BUS-46 Policy_2024-02-16	1
Exec Presidential_Policy_Systemwide-Review_Cover_Letter_BUS.46_Final	2
Exec BUS-46 Use of Vehicles and Driver Authorization (10 17 2023) Track Changes DRAFT	5
Exec BUS-46 Use of University Vehicles (10 17 2023) Clean DRAFT	28
Exec Final-VP Carlson to AS Chair May_BFB-BUS-46-Vehicles-and-Driver-Selection	48
---RM-SC-BFB-BUS-46-Vehicles-and-Driver-Selection	48
---All-comments-use-of-vehicles-and-driver-selection	50
COR Final Response	69
FWC Final Response	70
Exec BFB-BUS-46_Systemwide_CoverLetter_CAL_2018.09.07	71
---BUS-46_CoverLetter_2018.09.07	71
Exec BUS-46 Vehicle Use Policy_Final Draft_Revised 03-28-2017	73
---I. POLICY SUMMARY	73
---Table of Contents	74
---II. DEFINITIONS	74
---III. POLICY STATEMENT	77
---IV. COMPLIANCE / RESPONSIBILITIES	85
---V. REQUIRED PROCEDURES	90
---VI. RELATED INFORMATION	92
---VII. FREQUENTLY ASKED QUESTIONS	94
---VIII. REVISION HISTORY	94
Exec BUS-46 Vehicle Use Policy redlined 110116	96
---I. POLICY SUMMARY	96
---II. DEFINITIONS	97
---III. POLICY Statement	99
---IV. COMPLIANCE / RESPONSIBILITIES	108
---V. PROCEDURES	113
---VI. Related information	115
---VII. REVISION HISTORY	117

February 21, 2024

James Steintrager
Chair, UC Academic Senate

Re: (Systemwide Senate Review) Presidential Policy BFB-BUS-46 Use of University Vehicles

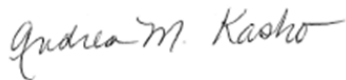
Dear Chair Steintrager,

The divisional Executive Board (EB) appreciated the opportunity to review the proposed changes to Presidential Policy BFB-BUS-46 on the use of university vehicles. EB reviewed the proposal and divisional committee and council responses at its meeting on February 15, 2024.

Members voted unanimously in favor of a motion to endorse conditionally the proposed changes, contingent upon addressing concerns from the previous review about the lack of clarity in the definitions of university business and potential overreach regarding the use of personal vehicles.

Members observed that the terms used for university business are not well defined, and urged Administration to address the comments from the Merced division of the Academic Senate from 2019. For example, the definition of "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" may lead to an unintended interpretation where commuting in a personal car to the airport to attend a conference, to another university to give a seminar, taking a job candidate to a lunch, driving to a field research site, or visiting a community-engaged research location would, by default, makes someone an infrequent driver. The result would capture any employee who uses a personal car under the policy, which members presumed would be an unintended outcome. Members indicated that the policy revision needs to adequately address the research mission of the university and its faculty.

Sincerely,



Andrea Kasko
Chair
UCLA Academic Senate

Encl.

Cc: Kathleen Bawn, Vice Chair/Chair Elect, UCLA Academic Senate
Jessica Cattelino, Immediate Past Chair, UCLA Academic Senate
April de Stefano, Executive Director, UCLA Academic Senate

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OFFICE OF RISK SERVICES

OFFICE OF THE PRESIDENT
1111 Franklin Avenue, 6th Floor
Oakland, California 94607-5200

November 14, 2023

CHANCELLORS
ACADEMIC COUNCIL CHAIR STEINTRAGER
LABORATORY DIRECTOR WITHERELL
ANR VICE PRESIDENT HUMISTON

Re: Systemwide Review of Proposed Presidential Policy BFB-BUS-46 Use of University Vehicles

Dear Colleagues:

Enclosed for systemwide review are proposed revisions to Presidential Policy BFB-BUS-46 Use of University Vehicles.

The Office of Risk Services (OPRS) partnered with the systemwide UC Driver Vehicle Safety Workgroup (comprised of Risk Management, Environment Health and Safety and Fleet Management staff) to complete a comprehensive review of UC Business and Finance Bulletin 46 (BUS 46). The BUS 46 Policy applies to the use of any UC vehicle (owned or leased) and any personal vehicles used in the course of University business. The following proposed changes to the Policy aim to increase accountability for vehicular usage throughout the UC system to improve safety and reduce vehicular accidents and claims.

- Changed title from Use of University Vehicles to Use of Vehicles and Driver Authorization
- Expanded Policy Summary and Definitions
- The inclusion of the California Department of Motor Vehicles (DMV) Negligent Operator Treatment System (NOTS) as a standard for eligibility to drive on behalf of the University.
- Implementation will apply to all drivers on University business – not solely employees.
- Establishment of Vehicle Collision Review Committees to review collisions, determine preventability, and promote driver safety awareness.
- Establishment of guidelines for drivers involved in preventable collisions including training, suspension, and potential revocation of driving privileges.

This policy was distributed for systemwide review in November 2018, but ultimately did not get finalized. Prior comments from this review have been incorporated into this revision. The proposed revisions were presented to the Policy Advisory Committee (PAC) on October 26, 2023, after going through a Consultation Review process with stakeholders from Risk Management, Environment Health and Safety and Fleet Management and the Required Reviewer process, which includes contacts from Systemwide HR, Labor Relations, Academic Personnel and Programs, Academic Senate, and Graduate, Undergraduate and Equity Affairs. The PAC recommended the policy proceed to systemwide comment.

Systemwide Review

Systemwide review is a public review distributed to the Chancellors, the Chair of the Academic Council, the Director of the Lawrence Berkeley National Laboratory, and the Vice President of Agriculture and Natural Resources requesting that they inform the general University community, especially affected employees, about policy proposals. Systemwide review also includes a mandatory, 90-day full Senate review.

Employees should be afforded the opportunity to review and comment on the draft policy. Attached is a Model Communication which may be used to inform non-exclusively represented employees about these proposals. The Labor Relations Office at the Office of the President is responsible for informing the bargaining units representing union membership about policy proposals.

We would appreciate receiving your comments no later than March 1, 2024. Please submit your comments to riskservices@ucop.edu. If you have any questions, please contact Gary Leonard at gary.leonard@ucop.edu.

Sincerely,

DocuSigned by:

Kevin Confetti

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Kevin Confetti, Risk Services

Associate Vice President & Chief Risk Officer

Enclosures:

- 1) Draft Presidential Policy BFB-BUS-46 Use of University Vehicles (clean copy)
- 2) Draft Presidential Policy BFB-BUS-46 Use of University Vehicles (tracked-changes copy)
- 3) Model Communication

cc: President Drake

Provost and Executive Vice President Newman

Executive Vice Chancellors/Provosts

Executive Vice President and Chief Operating Officer Nava

Executive Vice President Rubin

Senior Vice President Bustamante

Vice President and Vice Provost Gullatt

Vice Provost Haynes

Vice President Lloyd

Vice President Maldonado

Vice Provosts/Vice Chancellors of Academic Affairs/Personnel

Associate Vice Provost Lee

Associate Vice President Matella

Deputy General Counsel Woodall

Assistant Vice Provosts/Vice Chancellors for Academic Personnel

Deputy Chief HR Officer and Chief of Staff Henderson

Executive Director Leonard

Executive Director Lin

Chief of Staff Beechem

Chief of Staff Kao

Chief of Staff Levintov

Chief Policy Advisor McAuliffe

Director Anders

Director Chin

Director Weston-Dawkes
Associate Director Dicaprio
Associate Director Garcia
Associate Director Teaford
Associate Director Woolston
Assistant Director LaBriola
Manager Crosson
Analyst Durrin
Administrative Officer Babbitt
Policy Advisory Committee



BFB-BUS-46: Use of ~~University~~ Vehicles and Driver Authorization

Responsible Officer:	AVP —Chief Procurement Risk Officer
Responsible Office:	PSRK – Risk / EH&S Procurement Services
Issuance Date:	7/31/1994 <u>2/28/1978</u>
Effective Date:	7/31/1994 <u>TBD</u>
Last Review Date:	5/23/2019 —fixed broken links
Scope:	All Capuses, Medical Centers, <u>Division of Agriculture and Natural Resources (ANR)</u> , and the Lawrence Berkeley National Laboratory.

Contact:	Office of the Chief Procurement Officer <u>Gary Leonard</u>
<u>Title:</u>	<u>Executive Director, Liability and Property</u>
Email:	<u>ProcurementAdmin</u> <u>Gary.Leonard</u> @ucop.edu
Phone:	(510) 987- 0474 <u>9824</u>

TABLE OF CONTENTS

I. POLICY SUMMARY	1
II. DEFINITIONS	2
III. POLICY TEXT.....	4
IV. COMPLIANCE / RESPONSIBILITIES	13
V. PROCEDURES.....	17
VI. RELATED INFORMATION	19
VII. FREQUENTLY ASKED QUESTIONS	21
VIII. REVISION HISTORY	21

I. POLICY SUMMARY

This ~~bulletin establishes the basic guidelines governing the Use of University v~~ehicles and Driver Authorization Policy (Policy) governs the use of vehicles and driver

authorization for University business. The University of California (University) strives to operate its vehicles safely for the protection of all with whom it shares the road. This Policy reflects currently accepted best practices for the authorization and management of drivers operating any vehicle on behalf of the University. 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 vehicle, leased or rented vehicle, or privately owned vehicle while on University business.

II. DEFINITIONS

Alternative/Clean Fuel Vehicles: Vehicles which operate on alternative/clean fuels other than gasoline or diesel fuel. Clean fuel is defined by the State of California pursuant to the fuel as including, but not limited to, methanol, compressed natural gas, electric power, and liquefied petroleum gas (California Health and Safety Code Section 40603).
Authorized Driver: Any driver who is driving for University business, who has fulfilled all driver requirements and who has been approved to drive by the Executive Officer.

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 such as a certified Smith System Instructor.

Commercial Vehicle: A commercial vehicle is a vehicle as defined by the California Vehicle Code 260. 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’s license records of employees who drive on an organization’s behalf.

Executive Officer: Chancellors, the Laboratory Director and the Vice President of Agriculture and Natural Resources or designee.

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 more than 10 hours 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.

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

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

Vehicle¹: 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 University Location that reviews collisions based upon the preventability guidelines from the National Safety Council. The Committee reviews most collisions to determine preventability and to determine, in conjunction with 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.
- 4.4. 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 TEXTSTATEMENT

A. Registration and Identification of University VehiclesEGISTRATION AND IDENTIFICATION:

1. University ~~V~~ehicles, including those operated by the Associated Students and other University-related organizations shall be registered in the name of the

^{1 1} As defined in California Vehicle Code Section 670

University of California and licensed in accordance with Registration and Licensing of University-Owned Vehicles (BFB-BUS-19).

2. University ~~V~~vehicles, except ~~E~~executive ~~V~~vehicles and ~~V~~vehicles used for special purposes (e.g., undercover police cars and authorized rideshare vehicles), ~~shall~~ must be conspicuously identified as the property of the University of California and are to be operated for business or official use only.

- 2.3. 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. The ~~se~~ se decals or other devices shall be standardized on a University-wide basis.

- 3.4. No other decals, stickers, or other signs, including dealer-identified license plate holders, shall be placed on any University ~~V~~vehicle, except that an ~~Chancellor~~Executive Officer, may authorize exceptions on a case-by-case basis.

B. ~~OFFICIAL Vehicle Use~~SE:

1. University ~~of of California ~~v~~vehicles~~; ~~shall be used only for official University of California business (BFB BUS-81)~~.

- a. Responsibility for determining, ~~authorizing~~approving, and controlling official university vehicle use is the responsibility of the ~~Chancellors and~~ designee(s)Executive Officer.

- a-b. No University Vehicle will be released by Fleet Operations or any other unit or department unless the Executive Officer 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 Executive Officer can approve the driver for driving University vehicles.

- ~~2.1. The use of privately owned vehicles for University business is generally encouraged, and Business and Finance Bulletin G-28/Policy and Regulations Governing Travel, Business and Finance Bulletin BUS-74/Business Travel Accident Insurance, and Business and Finance Bulletin BUS-81/Insurance Programs should be consulted regarding applicable travel and insurance regulations.~~

- c. University Vehicles are provided to support official University business and are to be used only by Authorized Drivers. University Vehicles will not be used by employees for personal reasons. Subject to individual Location 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."

- a-d. University ~~V~~vehicles ~~must~~shall not be used regularly for transportation between personal residences and ~~University campuses~~Locations or other work locations, except those ~~V~~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](#));
 - 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.
- ~~b.~~ Any use of a ~~V~~vehicle for transportation between home and office, other than those stated above, must be specifically authorized in advance and in writing by the ~~Chancellor~~ ~~Executive Officer~~, as an exception to this ~~P~~policy and justified by a special and/or frequent work requirement of the University ~~that~~ ~~which~~ cannot reasonably be met by other means of transportation ~~(BFB-BUS-81)~~.
- ~~e.~~ Drivers using ~~V~~vehicles under this section ~~wi~~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 employees in a University-owned Vehicle, unless the persons are being transported in connection with official University business, are an approved participant of an authorized Rideshare Program, or as authorized by the Executive Officer.
- ~~h.~~ Except in the case of an emergency, a driver will not allow a Vehicle to which they have been assigned to be driven by any person not authorized to drive the University-owned Vehicle.
- ~~i.~~ In voluntary compliance with the State of California's Public Contract Code, Section 10326.1, the University 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 License for all persons operating 15-passenger vans; and,
 - ~~iv.~~ Not transport preschool and K-12 aged children in 15-passenger vans.
- ~~2.~~ 2. Privately Owned Vehicles: The use of privately owned ~~V~~vehicles for University business is generally encouraged~~allowed~~, and ~~Travel Regulations (BFB-G-28)~~, ~~Business and Finance Bulletin BUS-74/Business Travel Accident Insurance~~, and ~~Insurance Programs (BFB-BUS-81)~~ 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 the University has University of California's Connexus Travel Program Systemwide Agreements that include insurance coverage in accordance with BFB-G-28.
4. **Rideshare Vehicles:** As provided by the delegated Executive Officer non-University participants in University-sponsored ridesharing programs may be authorized to drive University-owned vehicles if they meet program criteria.

C. DriversRIVERS:

1. Driver Eligibility: Employees, students, volunteers and non-University persons, including consultants, are eligible to drive on University business subject to fulfilling all driver requirements and receiving approval by the Executive Officer. Eligible drivers must be a minimum of 18 years of age. ~~Authorized drivers shall include faculty, staff, students, and non-University persons, including consultants, provided they have been approved by the appropriate campus official, and the vehicle use is for official University business. As provided by the **Delegation of Authority (DA1064)–Third Party Agreements, University Vanpool Programs, March 31, 1992,** on-University participants in University-sponsored ridesharing programs may be authorized to drive University-owned vehicles if they meet program criteria.~~
2. Driver Responsibilities: When driving on University business, the authorized driver acknowledges that they understand their duties and obligations and assumes responsibility for operating the Vehicle in a safe and responsible manner. Therefore, driver responsibilities include, but are not limited to, the following:
 - a. Submit to and comply with all Driver Requirements (See Section III.C.3. below).
 - b. 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, and/or towing and impound fees levied upon the Vehicle;
 - c. Having the appropriate class of a valid driver license in their possession at all times while operating the vehicle on University business;
 - d. Operating the Vehicle in a manner consistent with reasonable practices that avoid abuse, theft, or neglect of the equipment;
 - e. Practicing safe driving techniques pursuant to the UC Code Plus Driver Safety Training Program (available through specific location Risk Management) and adhering to current safety requirements, including the Guidelines for the Purchase and Use of Cellular Phones and Other Portable Electronic Resources (BFB-G-46) (use of handheld wireless phones or cell phones is prohibited while driving unless the device is in a hands-free mode);

- f. Restricting the operation of Vehicles to Authorized Drivers only;
- g. Reporting all moving violations or accidents, regardless of whether the violations or accidents occur while driving on University business, to the Executive Officer within twenty-four (24) hours; in the case of University employees, accidents should be reported before the end of their shift; and,
- h. Ensuring the cleanliness of University Vehicles both inside and out.
- i. Successfully complete any Location required driver safety training such as the UC Core Plus Driver Safety Training Program prior to Vehicle use.

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 Executive Officer. Driver requirements vary by type of driver.

a. Infrequent Drivers

- i. Infrequent Drivers must have a valid United States driver license for the class of Vehicle being operated and must have successfully completed any driver training/safety course required by Location or State/Federal law. Certain licenses or endorsements may be required for transporting minors. If the vehicle requires a Commercial Driver License (CDL) then the driver must possess a valid CDL with the appropriate endorsements for the type of Vehicle being operated.
- ii. Infrequent Drivers of University-owned Vehicles must submit a Motor Vehicle Record (MVR) for evaluation by the Executive Officer 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.
- iii. Check Rides may be conducted based upon the type of Vehicle driven and/or reported/observed unsafe driving behavior.

b. Frequent Drivers

- i. 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 Location or State/Federal law. Certain licenses or endorsements may be required for transporting minors. If the Vehicle requires a Commercial Driver License (CDL) then the driver must possess a valid CDL with the appropriate endorsements for the type of Vehicle being operated
- ii. Each University 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 (See Section III.D. below).
- iii. Frequent Drivers shall be required to complete a University-approved Defensive Driving Course, in person or online, once every three years.

- iv. 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.

c. Occupational Drivers

- i. 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 Location or State/Federal law. Certain licenses or endorsements may be required for transporting minors. If the Vehicle requires a Commercial Driver 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-authorized Vehicle.
- ii. 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. Employees are not allowed to begin working until the MVR is received, reviewed, and deemed acceptable per the Driving Standards.
- iii. Each University 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.
- iv. 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.
- v. An Occupational Driver may have their 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 in the event that their 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.
- vi. 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 they have 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)).

- vii. Occupational Drivers must be capable of demonstrating experience with the type of Vehicles assigned.
 - viii. Occupational Drivers shall be required to complete a University-approved Defensive Driving Course, in person or online, once every three years.
 - ix. 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.
- ~~2. Drivers shall hold the valid license/endorsements for the type of vehicle to be used and shall have successfully completed any driver training/safety course required by the campus or State/Federal law, except that short-term (less than 2 weeks) visitors/guests who use a vehicle only for the duration of their stay. University employees who use a vehicle infrequently (e.g., for occasional travel, emergency departmental needs, etc.) are exempt from the training/safety course requirement.~~
 - ~~3. No vehicle will be released by Fleet Operations unless it has been verified that the proposed driver has been authorized, holds the valid license/endorsement for the type of vehicle to be used, and meets all other requirements.~~
 - ~~4. No vehicle assigned to a department on a periodic basis will be driven unless it has been verified by the appropriate department official that the proposed driver holds a valid license for the vehicle to be used, and meets all other requirements.~~
 - ~~5. Each campus shall obtain, from the Department of Motor Vehicles (DMV)'s Employer's Pull Notice (EPN) System, a periodic report of each drivers' public driving record for all University employees who are hired specifically as drivers, for any other University employees who routinely drive a University vehicle in the course of their regular employment and for all drivers of University-owned rideshare vehicles. Criminal penalties may be assigned against the University for hiring, continuing to employ, or permitting to continue to operate as a driver, any person who has had a disqualifying action taken against his/her license or certificate (e.g., DMV suspension or revocation).~~
 - ~~6. All drivers of University-owned rideshare vehicles, which require a Class B or a Class C License and other specialized vehicles shall be required to pass a physical examination every two years.~~
 - ~~7. All drivers of University-owned rideshare vehicles shall authorize the University to review their driving records by means of the DMV's Employer's Pull Notice (EPN) System.~~

D. Driving Standards:

The following driving standards will be enforced by the Executive Officer.

- 1. The 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's use of the EPN Program are included in Appendix A of this Policy.
3. All traffic violations that occur regardless of whether the Violations occur during personal time or when driving for University business or during non-business hours may affect driving privileges and are subject to review.
4. Any or all of the following Violations showing on the driver's MVR shall be cause for suspending authorization to drive on behalf of the University:
 - a. Three or more 1-Point Offenses as defined in this Policy within the past 36 months; or,
 - b. One 2-Point Offense as defined in this Policy within the past 36 months
Three or more preventable collisions within the past 36 months shall be cause of recommending suspension of authorization to drive on behalf of the University of California as described in the VCRC Guidelines of Authorized Drivers involved in Preventable Collisions under IV. B. 10.
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.

D.E. Fleet Operations~~LEET OPERATIONS~~:

1. Each ~~Chancellor~~Executive Officer shall establish a Fleet Operations Unit to manage all University-owned and ~~o~~-operated vehicles at that ~~campus~~Location.
- 4.2. 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.
- 2.3. The ~~F~~leet ~~O~~perations ~~U~~nit shall be responsible for establishing all ~~V~~ehicle 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 ~~V~~ehicle 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 University Direct Costing Procedures (BFB-A-47).

- 3.4. _____ The Fleet Operations Unit shall be responsible for the legally mandated emissions testing of all University-owned Vehicles, at that ~~campus~~Location, including those rented/operated by other departments on a long-term basis.

E.F. Insurance: University insurance programs provide coverage for the following:

1. ~~Business and Finance Bulletin BUS-81/Insurance Programs BFB-BUS-81~~ covers personal injury and property damage to others ~~which~~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. Additionally, this

- 2.1. ~~Business and Finance Bulletin BUS-74/Business Travel Accident Insurance~~ coverages is in effect for personal injuries to University employees resulting from Vehicle accidents occurring during the course of authorized trips on official University business.

- 3.2. ~~Business and Finance Bulletin BUS-81/Insurance Programs BFB-BUS-81~~ 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 program utilizing University vehicles.

3. ~~Business and Finance Bulletin BUS-81/Insurance Programs BFB-BUS-81~~ covers general purpose, rideshare, and specialized vehicles administered by the Fleet Operations Units or by other University departments. Costs for damages due to the careless operation or intentional misuse of vehicles shall not be recovered through this Program.

4. BFB-G-28 provides details on insurance coverage for personal Vehicles used for University business.

5. University insurance programs do not provide coverage for the following:
- Personal injuries sustained by non-University employees driving University vanpools.
 - Personal injuries sustained by students and non-~~University~~ employees~~individuals~~ driving general purpose non-University Vehicles.

~~When damage to a University vehicle is caused by a third party, the University will attempt to recover full damage costs from the third party.~~

Payment/ reimbursement of all costs associated with the damage to any University Vehicle resulting from misuse or careless operation by an Authorized ~~d~~Driver wishall be from the driver, or the departmental budget, contract, or grant of the authorizing official. Such costs ~~sh~~will not be covered by University Insurance Programs.

F.G. Traffic/Parking Citations~~RAFFIC/PARKING CITATIONS:~~

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

2. The driver of a University ~~V~~vehicle is responsible for the payment of any traffic/parking citations incurred on or off University property during the time that ~~said~~ driver is responsible for the operations of the vehicle. University parking citations have the same legal authorization as those issued by municipal or ~~State~~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.](#)

~~G.H. ALTERNATIVE Sustainable Transportation Programs~~TRANSPORTATION PROGRAMS: ~~The University of~~The University -California encourages all campuses to offer ridesharing programs (e.g., vanpools, carpools, bus-pools, guaranteed ride home programs, ~~etc...~~); 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.

IV. COMPLIANCE / RESPONSIBILITIES

A. ~~UC Location~~LOCATION Responsibility~~ESPONSIBILITY~~: ~~Chancellors~~The Executive Officer ~~is~~are responsible for:

1. The control and use of University ~~V~~vehicle under his ~~or her~~ their custody;
2. Developing and maintaining local procedures that approve Authorized Drivers and enforce Driver Requirements and Driver Standards.
- 1.—
2. ~~Establishing and maintaining procedures for approving authorized drivers;~~
3. Appropriate campus delegations, directives, and procedures to implement University policy; and
4. ~~The provision of supplemental campus policy as needed; and~~
4. Forwarding a copy of campus policies and procedures ~~which that are~~ implemented as a result of this Bulletin Policy, and any future modifications, to the ~~Office of the Assistant Vice President—Facilities Administration~~ Office of the Chief Office of the Chief Financial Officer – Capital Asset Strategies & Finance, attention Director ~~Business Analysis~~of the Operating Budget.

B. Vehicle Collision Review Committee (VCRC):

1. VCRC Mission: The mission of the 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.

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.

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 National Safety Council (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 Location and may include representatives from the following (and other) University departments/groups:

- a. Risk Management;
- b. Environmental Health & Safety;
- c. Transportation/Fleet & Transit;
- d. University Police;
- e. Human Resources/Labor Relations;
- f. Employees; and
- g. Students.

The chair must 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 University-approved driver training program; and,
 - c. Introduction to the preventability determination process as outlined in the NSC resource *A Guide to Determine Motor Vehicle Accident Preventability*.
- 7. VCRC Meeting Frequency: The VCRC must meet as frequently as necessary, and at least quarterly. Emergency meetings shall be convened as necessary. Minutes will 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 will consider recognized safe driving practices, training the driver has received, and University and Location policies and procedures pertaining to Vehicle operations when making its decision.
 - ii. The committee will vote by open ballot with the decision reached by a simple majority vote.
 - iii. The decision will be entered into the meeting minutes.
 - d. Department notification: The driver and the department manager will 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 will 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 of driving privileges as outlined in Section IV.B.10. below and 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:**
VCRC recommendations 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. VCRC recommendations are referred to the appropriate personnel office for review and implementation, consistent with University 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 University Location Human Resources.

<u># of Preventable Collisions Within 36 months*</u>	<u>Recommendation</u>	<u>Completion Timeline</u>
<u>1</u>	<u>Classroom refresher training</u>	<u>Within 90 days of VCRC Notice of Decision date</u>
<u>2</u>	<u>Refresher training & satisfactory completion of behind the wheel instruction</u>	<u>Within 90 days of VCRC Notice of Decision date</u>

University of California – Policy BFB-BUS-46
Use of University Vehicles

<u>3</u>	<u>Suspend University driving privilege for minimum 30 days & attend refresher training; satisfactory completion of behind the wheel instruction and evaluation</u>	<u>Immediately upon VCRC Notice of Decision</u>
<u>4</u>	<u>Suspend University driving privilege for a minimum of 1 year</u>	<u>Immediately upon VCRC Notice of Decision</u>

* The Department 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

- a. 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.
- b. Drivers involved in another preventable collision, who have previously had their University driving privileges suspended, and then reinstated, may be subject to permanent revocation of driving privileges.

Reinstatement: A driver whose driving privilege has been suspended may apply to the VCRC for reinstatement. The request must be submitted in writing by the driver's department manager. All drivers applying for reinstatement must have attended refresher training and satisfactorily completed behind the wheel instruction and evaluation. Any reinstatement would be effective no sooner than after the minimum period of suspension.

If the driving privileges have been suspended for 1 year or more, then the driver's overall driving record, the department manager's feedback, improvement efforts and any mitigating circumstances shall be taken into consideration. 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 will be recharged to the driver's department.

V. REQUIRED PROCEDURES

A. Fleet Operations~~LEET OPERATIONS:~~

1. The Fleet Operations Unit ~~sh~~awill be responsible for the acquisition, inspection, and record keeping for all ~~general purpose V~~ehicles, ~~including those assigned for long-term use to other departments, 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 ~~sh~~awill assign general purpose ~~V~~ehicles to most users on a trip-by-trip basis. ~~However, d~~epartments may be assigned a ~~V~~ehicle on a long-term rental basis if such assignment serves the department needs more efficiently and economically than any alternative. ~~Such Each~~ exceptional assignments ~~s~~ must be approved by the ~~Chancellor or~~

~~designee~~Executive Officer and renewed on an annual basis. A copy of the department's request for assignment and the appropriate approval will be maintained by the ~~F~~leet ~~O~~peration's Unit.

3. The Fleet Operations Unit ~~sh~~will be responsible for the maintenance and service of all ~~general purpose~~Vehicles and specialized equipment including those assigned to a department on a long-term basis. Long-term user departments ~~sh~~will be required to adhere to maintenance schedules established by the ~~F~~leet ~~facility~~Operations Unit unless different arrangements are approved in writing by the ~~Chancellor or designee~~Executive Officer. ~~Vehicles at field offices or remote locations may be excluded from this requirement by special approval of the Chancellor or designee.~~

Responsibility for the regular ~~M~~maintenance and servicing of specialized vehicles and equipment shall may be the responsibility of ~~delegated to~~ the user department ~~unless such responsibility is specifically transferred by the user department to the Fleet Operations Unit by the Executive Officer.~~

4. Specialized vehicles (e.g., mobile clinics, fire apparatus, waste collection vehicles, forklifts, and farm tractors, ~~and motor scooters~~), if that are used by a single department, may be designated by the ~~Executive Officer~~Chancellor or designee for permanent assignment to that department.

B. Procedures for Vehicle Use ~~PROCEDURES FOR VEHICLE USE~~:

1. Each ~~campus~~Location ~~sh~~will establish procedures to ~~identify properly authorized, trained, and licensed~~ enforce Driver Requirements and Driving Standards and to approve drivers, and to provide a record of each trip. In developing ~~campus~~Location policies and procedures, the following items should be considered:
 - a. Delegations of ~~A~~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~~DMV's Employer's Pull Notice (EPN) System; and
 - f. Programs to foster traffic safety consciousness.
2. Departments with assigned ~~V~~ehicles and departments responsible for rideshare ~~V~~ehicles ~~must~~shall maintain records ~~which that~~ document vehicle users and uses and ~~which that~~ demonstrate compliance with ~~State~~State and ~~Federal~~Federal laws and University policies and procedures. Usage reports ~~shall~~must be prepared periodically, ~~but and~~ at least annually, and sent to the ~~F~~leet ~~O~~perations Unit and to other appropriate campus administrative officials, and

~~shall~~must be reviewed to verify both the proper use and the continued need for the assignment of such ~~V~~vehicles.

3. Each ~~campus-Location~~ ~~shall~~must establish methods to inform ~~V~~vehicle users of their responsibilities and of the limits of appropriate use.
4. Each ~~campus-Location~~ ~~shall~~must establish procedures for reviewing instances of possible misuse of a ~~V~~vehicle by drivers and/or responsible authorizing officials, and ~~shall~~must take appropriate action up to and including termination of employment. Such action may include a requirement for reimbursement of costs incurred by the University 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 Sustainable Transportation Programs~~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, ~~cash compensation~~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 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.
3. ~~The University~~The University 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 work-place for emergency reasons in advance of normally scheduled departures, or who must work late.

VI. RELATED INFORMATION

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~~
~~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/Policy and Regulations Regarding Travel~~
~~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.](#)

~~University Accounting Manual Policy, Chapter E-821/ Senior Management Automobile Policy and Procedures~~
~~University Accounting Manual Policy, Chapter E-821/ Senior Management Automobile Policy and Procedures~~

~~Facilities Manual, Volume 6 - Energy Conservation~~
~~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 DA1064 --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 ~~DA0878~~--Execution of Purchase Contracts, Subcontracts, and Standard Purchase Orders for Goods and Services to be Supplied to the University (~~Rescinded DA0878, June 19, 1995 and Replaced with superseded by DA2045~~
~~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 (~~DA2045, Rescinded June 11 1998 and replaced with superseded by DA2100~~
~~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—Execution of Purchase Contracts, Subcontracts, and Standard Purchase Orders for Goods and Services to be Supplied to the University (DA2100) Letter from President Atkinson to Chancellors and Laboratory Directors, June 11, 1998; Delegation of Authority DA2100—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).

VII. FREQUENTLY ASKED QUESTIONS

Not applicable.

VIII. REVISION HISTORY

TBD: Major revisions include:

- Changed title from Use of University Vehicles to Use of Vehicles and Driver Authorization
- Expanded Policy Summary and Definitions
- Reorganized order and expanded sections related to Vehicle Use and Drivers
- Added a Drivers Standards Section
- The inclusion of the California Department of Motor Vehicles (DMV) Negligent Operator Treatment System (NOTS) as a standard for eligibility to drive on behalf of the University.
- Establishment of Vehicle Collision Review Committees to review collisions, determine preventability, and promote driver safety awareness.

University of California – Policy BFB-BUS-46
Use of University Vehicles

- Establishment of guidelines for drivers involved in preventable collisions including training, suspension, and potential revocation of driving privileges.

May 23, 2019: technical edits--fixed the broken links.

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.

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 an organization to monitor DL records of employees who drive on the 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 an employer's 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's 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



BFB-BUS-46: Use of Vehicles and Driver Authorization

Responsible Officer:	Chief Risk Officer
Responsible Office:	RK – Risk / EH&S
Issuance Date:	2/28/1978
Effective Date:	TBD
Scope:	All Campuses, Medical Centers, Division of Agriculture and Natural Resources (ANR), and the Lawrence Berkeley National Laboratory.

Contact:	Gary Leonard
Title:	Executive Director, Liability and Property
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TABLE OF CONTENTS

I. POLICY SUMMARY	1
II. DEFINITIONS	2
III. POLICY TEXT.....	4
IV. COMPLIANCE / RESPONSIBILITIES	11
V. PROCEDURES.....	15
VI. RELATED INFORMATION	17
VII. FREQUENTLY ASKED QUESTIONS	19
VIII. REVISION HISTORY	19

I. POLICY SUMMARY

This Use of Vehicles and Driver Authorization Policy (Policy) governs the use of vehicles and driver authorization for University business. The University of California (University) strives to operate its vehicles safely for the protection of all with whom it shares the road. This Policy reflects currently accepted best practices for the authorization and management of drivers operating any vehicle on behalf of the University. 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 vehicle, leased or rented vehicle, or privately owned vehicle while on University business.

II. DEFINITIONS

Authorized Driver: Any driver who is driving for University business, who has fulfilled all driver requirements and who has been approved to drive by the Executive Officer.

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 such as a certified Smith System Instructor.

Commercial Vehicle: A [commercial vehicle](#) is a vehicle as defined by the California Vehicle Code 260. 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 an organization to monitor driver’s license records of employees who drive on an organization's behalf.

Executive Officers: Chancellors, the Laboratory Director and the Vice President of Agriculture and Natural Resources or designee.

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 more than 10 hours 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.

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

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

Vehicle¹: 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 University Location that reviews collisions based upon the preventability guidelines from the National Safety Council. The Committee reviews most collisions to determine preventability and to determine, in conjunction with 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

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 [Registration and Licensing of University-Owned Vehicles \(BFB-BUS-19\)](#).
2. University Vehicles, except Executive Vehicles and Vehicles used for special purposes (e.g., undercover police cars and authorized rideshare vehicles), must 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.

¹ As defined in [California Vehicle Code Section 670](#)

4. No other decals, stickers, or other signs, including dealer-identified license plate holders, shall be placed on any University Vehicle, except that an Executive Officer may authorize exceptions on a case-by-case basis.

B. Vehicle Use:

1. University Vehicles:
 - a. Responsibility for determining, approving, and controlling official university vehicle use is the responsibility of the Executive Officer.
 - b. No University Vehicle will be released by Fleet Operations or any other unit or department unless the Executive Officer 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 Executive Officer can approve the driver for driving University vehicles.
 - c. University Vehicles are provided to support official University business and are to be used only by Authorized Drivers. University Vehicles will not be used by employees for personal reasons. Subject to individual Location 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 must not be used regularly for transportation between personal residences and Locations 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](#));
 - 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 Executive Officer, as an exception to this Policy and justified by a special and/or frequent work requirement of the University that cannot reasonably be met by other means of transportation. Drivers using Vehicles under this section will 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 employees in a University-owned Vehicle, unless the persons are being transported in connection with official University business, are an approved participant of an authorized Rideshare Program, or as authorized by the Executive Officer.
- h. Except in the case of an emergency, a driver will not allow a Vehicle to which they have been assigned to be driven by any person not authorized to drive the University-owned Vehicle.
- i. In voluntary compliance with the State of California's Public Contract Code, Section 10326.1, the University 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 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. [Travel Regulations \(BFB-G-28\)](#) and [Insurance Programs \(BFB-BUS-81\)](#) 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 the University has [University of California's Connexus Travel Program Systemwide Agreements](#) that include insurance coverage in accordance with [BFB-G-28](#).
- 4. Rideshare Vehicles: As provided by the delegated Executive Officer non-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 persons, including consultants, are eligible to drive on University business subject to fulfilling all driver requirements and receiving approval by the Executive Officer. Eligible drivers must be a minimum of 18 years of age.
- 2. Driver Responsibilities: When driving on University business, the authorized driver acknowledges that they understand their duties and obligations and assumes responsibility for operating the Vehicle in a safe and responsible manner. Therefore, driver responsibilities include, but are not limited to, the following:
 - a. Submit to and comply with all Driver Requirements (See Section III.C.3. below).
 - b. 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, and/or towing and impound fees levied upon the Vehicle;
- c. Having the appropriate class of a valid driver license in their possession at all times while operating the vehicle on University business;
- d. Operating the Vehicle in a manner consistent with reasonable practices that avoid abuse, theft, or neglect of the equipment;
- e. Practicing safe driving techniques pursuant to the UC Core Plus Driver Safety Training Program (available through specific location Risk Management) and adhering to current safety requirements, including the [Guidelines for the Purchase and Use of Cellular Phones and Other Portable Electronic Resources \(BFB-G-46\)](#) (use of handheld wireless phones or cell phones is prohibited while driving unless the device is in a hands-free mode);
- f. Restricting the operation of Vehicles to Authorized Drivers only;
- g. Reporting all moving violations or accidents, regardless of whether the violations or accidents occur while driving on University business, to the Executive Officer within twenty-four (24) hours; in the case of University employees, accidents should be reported before the end of their shift; and,
- h. Ensuring the cleanliness of University Vehicles both inside and out.
- i. Successfully complete any Location required driver safety training such as the UC Core Plus Driver Safety Training Program prior to Vehicle use.

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 Executive Official. Driver requirements vary by type of driver.

a. Infrequent Drivers

- i. Infrequent Drivers must have a valid United States driver license for the class of Vehicle being operated and must have successfully completed any driver training/safety course required by Location or State/Federal law. Certain licenses or endorsements may be required for transporting minors. If the vehicle requires a Commercial Driver License (CDL) then the driver must possess a valid CDL with the appropriate endorsements for the type of Vehicle being operated.
- ii. Infrequent Drivers of University-owned Vehicles must submit a Motor Vehicle Record (MVR) for evaluation by the Executive Officer 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.
- iii. Check Rides may be conducted based upon the type of Vehicle driven and/or reported/observed unsafe driving behavior.

b. Frequent Drivers

University of California – Policy BFB-BUS-46
Use of University Vehicles

- i. 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 Location or State/Federal law. Certain licenses or endorsements may be required for transporting minors. If the Vehicle requires a Commercial Driver License (CDL) then the driver must possess a valid CDL with the appropriate endorsements for the type of Vehicle being operated.
 - ii. Each University 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 (See Section III.D. below).
 - iii. Frequent Drivers shall be required to complete a University-approved Defensive Driving Course, in person or online, once every three years.
 - iv. 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.
- c. Occupational Drivers
- i. 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 Location or State/Federal law. Certain licenses or endorsements may be required for transporting minors. If the Vehicle requires a Commercial Driver 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-authorized Vehicle.
 - ii. 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. Employees are not allowed to begin working until the MVR is received, reviewed, and deemed acceptable per the Driving Standards.
 - iii. Each University 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.
 - iv. 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.

- v. An Occupational Driver may have their 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 in the event that their 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.
- vi. 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 they have not been convicted of reckless driving, drunk driving, or a hit-and-run offense in the last five years ([California Vehicle Code 12804.9\(J\)](#)).
- vii. Occupational Drivers must be capable of demonstrating experience with the type of Vehicles assigned.
- viii. Occupational Drivers shall be required to complete a University-approved Defensive Driving Course, in person or online, once every three years.
- ix. 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 Executive Officer.

1. The 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's use of the EPN Program are included in Appendix A of this Policy.
3. All traffic violations that occur regardless of whether the Violations occur during personal time or when driving for University business or during non-business hours may affect driving privileges and are subject to review.
4. Any or all of the following Violations showing on the driver's MVR shall be cause for suspending authorization to drive on behalf of the University:
 - a. Three or more 1-Point Offenses as defined in this Policy within the past 36 months; or,
 - b. One 2-Point Offense as defined in this Policy within the past 36 months

Three or more preventable collisions within the past 36 months will be cause of recommending suspension of authorization to drive on behalf of the University as

described in the VCRC Guidelines of Authorized Drivers involved in Preventable Collisions under Section IV.B.10.

5. Any Frequent Driver, Infrequent Driver, or Occupational Driver will not be allowed to drive on University 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 Executive Officer shall establish a Fleet Operations Unit to manage all University-owned and -operated vehicles at that 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 [University Direct Costing Procedures \(BFB-A-47\)](#).
4. The Fleet Operations Unit shall be responsible for the legally mandated emissions testing of all University-owned Vehicles, at that Location, including those rented/operated by other departments on a long-term basis.

F. Insurance: University insurance programs provide coverage for the following:

1. [BFB-BUS-81](#) 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. Additionally, this coverage is in effect for personal injuries to University employees resulting from Vehicle accidents occurring during the course of authorized trips on official University business.
2. [BFB-BUS-81](#) 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 program utilizing University vehicles.
3. [BFB-BUS-81](#) covers general purpose, rideshare, and specialized vehicles administered by the Fleet Operations Units or by other University departments.

Costs for damages due to the careless operation or intentional misuse of vehicles shall not be recovered through this Program.

4. BFB-G-28 provides details on insurance coverage for personal Vehicles used for University business.
5. University insurance programs do not provide coverage for the following:
 - a. Personal injuries sustained by non-University employees driving University vanpools.
 - b. Personal injuries sustained by students and non-University employees driving non-University Vehicles.

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

G. Traffic/Parking Citations:

1. Traffic/parking citations shall not be paid from any source of University funds.
2. The driver of a University 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 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. Sustainable Transportation Programs: The University 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.

IV. COMPLIANCE / RESPONSIBILITIES

A. Location Responsibility: The Executive Officer is responsible for:

1. The control and use of University Vehicles under their custody;
2. Developing and maintaining local procedures that approve Authorized Drivers and enforce Driver Requirements and Driver Standards.
3. Appropriate campus delegations, directives, and procedures to implement University policy; and

4. Forwarding a copy of campus policies and procedures that are implemented as a result of this Policy, 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 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.
2. VCRC Overview: Each 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.

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 National Safety Council (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 Location and may include representatives from the following (and other) University departments/groups:
 - a. Risk Management;
 - b. Environmental Health & Safety;
 - c. Transportation/Fleet & Transit;
 - d. University Police;

- e. Human Resources/Labor Relations;
- f. Employees; and
- g. Students.

The chair must 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 University-approved driver training program; and,
 - c. Introduction to the preventability determination process as outlined in the NSC resource *A Guide to Determine Motor Vehicle Accident Preventability*.
7. VCRC Meeting Frequency: The VCRC must meet as frequently as necessary, and at least quarterly. Emergency meetings shall be convened as necessary. Minutes will 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 will consider recognized safe driving practices, training the driver has received, and University and Location policies and procedures pertaining to Vehicle operations when making its decision.
 - ii. The committee will vote by open ballot with the decision reached by a simple majority vote.
 - iii. The decision will be entered into the meeting minutes.
 - d. Department notification: The driver and the department manager will 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 will 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 of driving privileges as outlined in Section IV.B.10. below and 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: VCRC recommendations 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. VCRC recommendations are referred to the appropriate personnel office for review and implementation, consistent with University 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 University Location Human Resources.

# of Preventable Collisions Within 36 months*	Recommendation	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	Suspend University driving privilege for a minimum of 1 year	Immediately upon VCRC Notice of Decision

* The Department 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*

- a. 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.
- b. Drivers involved in another preventable collision, who have previously had their University driving privileges suspended, and then reinstated, may be subject to permanent revocation of driving privileges.

Reinstatement: A driver whose driving privilege has been suspended may apply to the VCRC for reinstatement. The request must be submitted in writing by the driver's department manager. All drivers applying for reinstatement must have attended refresher training and satisfactorily completed behind the wheel instruction and evaluation. Any reinstatement would be effective no sooner than after the minimum period of suspension.

If the driving privileges have been suspended for 1 year or more, then the driver's overall driving record, the department manager's feedback, improvement efforts and any mitigating circumstances shall be taken into consideration. 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 will be recharged to the driver's department.

V. REQUIRED PROCEDURES

A. Fleet Operations:

1. The Fleet Operations Unit will 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 will 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 Executive Officer 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 Operations Unit.
3. The Fleet Operations Unit will 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 will be required to adhere to maintenance schedules established by the Fleet Operations Unit unless different arrangements are approved in writing by the Executive Officer.

Responsibility for the regular maintenance and servicing of specialized vehicles and equipment may be delegated to the user department by the Executive Officer.

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 Executive Officer for permanent assignment to that department.

B. Procedures for Vehicle Use:

1. Each Location will establish procedures to enforce Driver Requirements and Driving Standards and to approve drivers. In developing Location 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 must maintain records that document vehicle users and uses and that demonstrate compliance with State and Federal laws and University policies and procedures. Usage reports must be prepared periodically, and at least annually, and sent to the Fleet Operations Unit and to other appropriate campus

administrative officials, and must be reviewed to verify both the proper use and the continued need for the assignment of such Vehicles.

3. Each Location must establish methods to inform Vehicle users of their responsibilities and of the limits of appropriate use.
4. Each Location must establish procedures for reviewing instances of possible misuse of a Vehicle by drivers and/or responsible authorizing officials, and must take appropriate action up to and including termination of employment. Such action may include a requirement for reimbursement of costs incurred by the University 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. Sustainable 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 ridesharing programs by non-University employees is permitted provided the Location maintains signed, annually updated participant and employer agreements outlining program elements, requirements, and responsibilities.
3. The University supports 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.

VI. RELATED INFORMATION

- 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.

University of California – Policy BFB-BUS-46
Use of University Vehicles

- [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.](#)
- University Accounting Manual Policy, Chapter E-821/ Senior Management Automobile Policy and Procedures
- [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 DA1064 --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 DA0878--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 DA2100—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).

VII. FREQUENTLY ASKED QUESTIONS

Not applicable.

VIII. REVISION HISTORY

TBD: Major revisions include:

- Changed title from Use of University Vehicles to Use of Vehicles and Driver Authorization
- Expanded Policy Summary and Definitions
- Reorganized order and expanded sections related to Vehicle Use and Drivers
- Added a Drivers Standards Section
- The inclusion of the California Department of Motor Vehicles (DMV) Negligent Operator Treatment System (NOTS) as a standard for eligibility to drive on behalf of the University.
- Establishment of Vehicle Collision Review Committees to review collisions, determine preventability, and promote driver safety awareness.
- Establishment of guidelines for drivers involved in preventable collisions including training, suspension, and potential revocation of driving privileges.

May 23, 2019: technical edits--fixed the broken links.

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.

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 an organization to monitor DL records of employees who drive on the 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 an employer's 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's 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



Robert C. May
Telephone: (510) 987-0711
Email: robert.may@ucop.edu

*Chair of the Assembly of the Academic Senate
Faculty Representative to the Regents
University of California
1111 Franklin Street, 12th Floor
Oakland, California 94607-5200*

January 28, 2019

**SUSAN CARLSON, VICE PROVOST
ACADEMIC PERSONNEL**

Re: Proposed Revisions to Presidential Policy BFB-BUS-46 (Use of Vehicles and Driver Selection)

Dear Susan,

As you requested, the proposed revisions to Presidential Policy BFB-BUS-46 (Use of Vehicles and Driver Selection) were distributed for systemwide review. Six Academic Senate divisions (UCD, UCI, UCLA, UCM, UCR, and UCSD) and one systemwide committee (UCORP) submitted comments, which are attached to this letter. These comments were discussed at Academic Council's January 23, 2019 meeting. Council passed a motion to endorse the policy with the concerns and suggestions summarized below and detailed more fully in the attached.

We understand that the policy has been revised to clarify existing definitions and provisions and to incorporate new requirements, responsibilities, and standards for the use of UC-owned or leased vehicles and drivers on University business. The policy also designates the position of "University Location Official" as the responsible officer for enforcing driver requirements and standards, and clarifies the role of the campus Vehicle Collision Review Committee.

Reviewers expressed some confusion about whether and to what extent the policy applies to privately-owned vehicles. On one hand, the Policy summary states that "this Policy applies to all employee drivers who may operate any University of California vehicle or their own personal vehicle on behalf of the University and while on University business, including leased or rented vehicles, leased or rented vehicle, or privately owned vehicle while on University business." On the other hand, Section B.2 states that, "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." We recommend additional clarifications be made to the policy to resolve this confusion.

Several reviewers expressed concerns about the policy's potential effect on autonomous vehicle research specifically, and the University research mission more generally, to the extent that it diverts funds to support implementation of the policy or introduces onerous new requirements for UC faculty and graduate student researchers operating either UC owned or private vehicles.

UCSD and UCORP suggest that the policy authors consult the UC Institute of Transportation Studies and the UCSD Center for Human Urban Mobility concerning the implications of the proposed policy for research.

Reviewers also recommend additional clarifications to terms and definitions in the policy, including “University business,” “occupational driver,” and “preventable collisions.” UCM notes that the policy incorporates the California Negligent Operator Treatment System (NOTS) “points” system into decisions about UC driver qualifications and eligibility; however, the NOTS system addresses California driving histories only, while the UC policy is ambiguous about its treatment of UC drivers with out-of-state and international driving histories. UCM describes other problems with NOTS that call into question its fairness and effectiveness.

Please do not hesitate to contact me if you have additional questions.

Sincerely,

A handwritten signature in brown ink, appearing to read "R. C. May".

Robert C. May, Chair
Academic Council

Encl.

Cc: Chief Risk Officer Cheryl Lloyd
Executive Director, Environment, Health & Safety, Risk Services Ken Smith
Academic Council
Senate Directors



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January 14, 2019

Robert May
Chair, Academic Council

RE: Review of Proposed Revisions to Presidential Policy BFB-BUS-46, Use of Vehicles and Driver Selection

Dear Robert:

The proposed revisions to Presidential Policy BFB-BUS-46, Use of Vehicles and Driver Selection, were forwarded to all standing committees of the Davis Division of the Academic Senate. Two committees responded: Faculty Welfare and the Faculty Executive Committee (FEC) of the College of Agricultural and Environmental Sciences (CAES).

The FEC of CAES recommends that the Vehicle Collision Review Committees contain faculty representation, which is not currently mandated in the policy.

The Davis Division appreciates the opportunity to comment.

Sincerely,

A handwritten signature in black ink, reading "Kristin H. Lagattuta".

Kristin H. Lagattuta, Ph.D.
Chair, Davis Division of the Academic Senate
Professor, Department of Psychology and Center for Mind and Brain

Enclosed: Davis Division Committee Responses

c: Edwin M. Arevalo, Executive Director, Davis Division of the Academic Senate
Hilary Baxter, Executive Director, Systemwide Academic Senate
Michael LaBriola, Principal Policy Analyst, Systemwide Academic Senate

November 8, 2018

Robert May, Academic Council
1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200

RE: Systemwide Senate Review of Proposed Presidential Policy BFB-BUS-46, UC Vehicle Use


Dear Chair May,

On our campus, the Council on Planning and Budget (CPB) reviewed the proposed Presidential Policy on the use of UC and personal vehicles in the course of University business. The Council on Educational Policy (CEP), Council on Faculty Welfare, Diversity, and Academic Freedom (CFW), Graduate Council (GC), and Council on Teaching, Learning, and Student Experience (CTLSE) declined to opine on this proposed Presidential policy. The Cabinet discussed the CPB's comments on the proposed policy at our November 6, 2018 meeting and unanimously endorsed forwarding the Council's comments to Academic Council.

Attached please find CPB's individual response. CPB found the revisions to be appropriate and reasonable, and there were no further comments shared at Cabinet.

The Irvine Division appreciates the opportunity to comment.

Sincerely,



Linda Cohen, Chair
Academic Senate, Irvine Division

Enclosures: CPB response dated 10/26/18

C: James Steintrager, Chair Elect, Academic Senate, Irvine Division
Hilary Baxter, Executive Director, Academic Senate
Kate Brigman, Executive Director, Academic Senate, Irvine Division
Laura Gnesda, Analyst, Academic Senate, Irvine Division



October 26, 2018

LINDA COHEN, CHAIR
ACADEMIC SENATE, IRVINE DIVISION

RE: Systemwide Senate Review of Presidential Policy BFB-BUS-46

At its October 24, 2018 meeting, the Council on Planning and Budget (CPB) reviewed the proposed Presidential policy BFB-BUS-46: Use of Vehicles and Driver Selection. The policy applies to the use of UC and personal vehicles in the course of University business.

From a planning and budget perspective, the Council found the revisions to be appropriate and reasonable.

CPB appreciates the opportunity to comment.

On behalf of the Council,



Steven Gross, Chair

CC: Kate Brigman, Executive Director
Michelle Chen, CPB Analyst



December 17, 2018

Robert May
Chair, Academic Council

RE: Systemwide Senate Review: Proposed Revisions to Presidential Policy BFB-BUS-46: Use of Vehicles and Driver Selection

Dear Robert,

The Executive Board of the UCLA Academic Senate discussed the proposed revisions to Presidential Policy BFB-BUS-46: Use of Vehicles and Driver Selection, at its meeting on December 6, 2018. The Executive Board solicited comments from standing committees of the Senate, as well as the Faculty Executive Committees.

The faculty raised no concerns with the proposed revisions. However, a member of the board expressed that it is unclear what is considered to be “university business.”

The Executive Board appreciates the opportunity to opine. Please feel free to contact me should have any questions.

Sincerely,



Joseph Bristow
Chair, UCLA Academic Senate

cc: Hilary Baxter, Executive Director, Systemwide Academic Senate
Sandra Graham, Immediate Past Chair, UCLA Academic Senate
Michael Meranze, Vice Chair/Chair-Elect, UCLA Academic Senate
Michael LaBriola, Principal Policy Analyst, Systemwide Academic Senate
Linda Mohr, Chief Administrative Officer, UCLA Academic Senate



OFFICE OF THE ACADEMIC SENATE
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DECEMBER 5, 2018

ROBERT MAY, CHAIR, ACADEMIC COUNCIL

RE: PROPOSED REVISED PRESIDENTIAL POLICY BFB-BUS-46

Dear Robert:

The proposed revised *Presidential Policy BFB-BUS-46* (Use of Vehicles and Driver Selection policy) was distributed for comment to standing committees and school executive committees of the Merced Division of the Academic Senate. The Committee on Research, Graduate Council, Undergraduate Council, and the School of Natural Sciences and Engineering Executive Committees provided comments. These are enclosed. All other committees appreciated the opportunity to opine but declined to comment.

In discussing committee comments on the policy, Divisional Council identified the following three issues as shared concerns:

1. Definitions. Committees variously identified the need to clarify the definitions of “university business”, “occupational driver”, and “preventable collisions”. Regarding the former, questions were raised about the scope of university business addressed by the policy. For example, is driving a personal vehicle to the airport to catch a flight to a conference, or to pick up a visiting student, considered university business and thus subject to systemwide policy? Regarding the latter, there is concern that the lack of a clear definition for “preventable collisions”, coupled with the related concern that the Vehicle Collision Review Committees (VCRC) may not have sufficient knowledge to accurately classify accidents (particularly given there are professionals who do this for a living), could lead to inconsistent or unfair decisions. The School of Engineering Executive Committee also raised questions about the evidence and risk-based source of the definitions of Frequent and Infrequent drivers, noting that these definitions seem arbitrary.
2. The adoption of the DMV NOTS program (Negligent Operator Treatment System). As Graduate Council notes NOTS will only apply to UC drivers with California driving histories, excluding for example, out-of-state or international students. This generates an inequity which calls into question the effectiveness of this approach. It could also potentially lead to disproportionate restrictions on long-term California residents. The School of Engineering notes that ambiguity exists with respect to the interpretation and application of the point system with implications for the determination of infractions. For example, is a 60 MPH in a 55 MPH zone the same as a 20 MPH in a 15 MPH zone? Is a rolling stop at a right turn on a red light the same as running a red light? In the NOTS point system as presented, these are all equivalent. Finally, concerns were also raised about the potential for discriminatory traffic stop practices to impact the accumulation of NOTS points and in turn eligibility for driving University vehicles.

3. The perception that the policy seems designed to reduce liability, rather than protect people operating in and around motor vehicles, and, as a result, to be written so as to second guess the state's licensing laws. There is a sentiment that if you are legally licensed to drive in California, then the UC should allow you to drive on university business.

Other issues raised in the enclosed memos include whether there is a chance that the findings of VCRC's could be used by the university to transfer liability to drivers, and whether the policy, which seems to seek to encourage use of University vehicles for university business (see section B.2), actually establishes conditions which restrict their use.

Finally, DivCo more generally notes that it is not clear if this policy had been evaluated with due consideration of the research mission of the University of California, which by necessity involves graduate students and faculty in the operation of motor vehicles. Research is supported by extramural funds and many of the provisions of the revised policy will require additional effort and resources to enact. This will place additional hardship on UC researchers who must use vehicles to conduct their research.

Divisional Council hopes these comments are helpful, and thanks you for the opportunity to opine.

Sincerely,



Kurt Schnier, Chair
Divisional Council

CC: Divisional Council
Hilary Baxter, Executive Director, Systemwide Academic Senate
Laura Martin, Executive Director, Merced Senate Office

Encl (9)

UNIVERSITY OF CALIFORNIA, MERCED

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SANTA BARBARA • SANTA CRUZ

OFFICE OF THE ACADEMIC SENATE
LEROY WESTERLING, CHAIR, GRADUATE COUNCIL
lwesterling@ucmerced.edu

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MERCED, CA 95343
(209) 228-6312

NOVEMBER 19, 2018

TO: KURT SCHNIER, CHAIR, ACADEMIC SENATE

FROM: LEROY WESTERLING, CHAIR, GRADUATE COUNCIL

A handwritten signature in black ink, appearing to read 'Leroy Westerling'.

RE: SYSTEMWIDE REVIEW ITEM (POLICY BFB-BUS-46: USE OF VEHICLES)

At its November 8, 2018 meeting, Graduate Council discussed the proposed changes to UC Presidential Policy BFB-BUS-46 (Use of Vehicles and Driver Selection Policy). While the committee agreed that such a policy is good in principle, members identified two parts of the new policy that were not clear and which, depending on how they are implemented, could have undesirable consequences.

First, the new policy will require use of DMV NOTS (or the CA Department of Motor Vehicles' "Negligent Operator Treatment System"), a program created to keep so-called "negligent motor vehicle operators" off the roads based on assigning "points" to California license holders over time for traffic violations. While this may give supervisors some peace of mind when sending graduate students to do field work alone, it addresses only California driving histories, not those of out-of-state or international students, an inequity which calls the effectiveness of this approach into question. It may also lead to disproportionate restrictions to long-term California residents.

Second, the definition of "preventable" collision, used to classify accidents by the proposed Vehicle Collision Review Committee (VCRC), is not clear. A concern was also raised that the VCRC may not have sufficient knowledge to accurately classify accidents, particularly in light of the fact that there are professionals who do this for a living. Both the lack of a clear definition and relevant experience could lead to inconsistent or unfair decisions. Should this model move forward, it would, however, be important to have faculty and student representatives on these committees to ensure cases are informed by people who understand the nature of research-related travel.

In sum, GC recommends these concerns, as well as the following questions, be addressed before adopting any such policy.

1. Can out of state records be retrieved to make this fair to everyone involved?
2. How far back does the NOTS record go? Will a 30 year-old grad student or 60 year-old professor be punished for a decades old record?
3. Why does the university need its own review committee? Can this information be obtained from insurance or police?
4. Is there a chance that the findings of the review committee could be used by the university to transfer liability to drivers?

Importantly, answers to these questions may impact willingness of students to drive, which in turn would impact graduate education and research productivity, more generally.

Graduate Council appreciates the effort that went into this drafting policy and thanks you for the opportunity to opine.



SCHOOL OF ENGINEERING

University of California, Merced
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PHONE: 209-228-4411
FAX: 209-228-4047

To: Kurt Schnier, Chair, UC-Merced Academic Senate
From: Catherine Keske, Chair, School of Engineering (SOE) Executive Committee
Re: System-wide Review: Proposed Revisions to Presidential Policy BFB-BUS-46

The School of Engineering appreciates the opportunity to opine on the Proposed Revisions to Presidential Policy BFB-BUS-46.

We have numerous concerns about arbitrary practices that are presented in the proposed policy, and we note several impacts that involve serious equity issues. We outline our concerns in detail, below.

In general, the memo from Cheryl Lloyd (AVP CRO, Sep 7, 2018), makes mention of many stakeholders being affected by this policy, but the memo specifically excludes the research mission of the University of California. It is unclear why this is the case, but research is supported by extramural funds and many of the provisions of the revised policy will require additional effort and resources to enact. This will place additional hardship on UC researchers who must use vehicles to conduct their research.

There are at least ten inherent problems with the intent and manner in which UCOP handles driving while conducting University business, and specific to this policy:

- 1) **Definitions:** the definitions provided in the draft memo are inconsistent and arbitrary. The definition for Frequent Driver is presented as 10-25 hours per month, and Infrequent Driver is less than 10 hours per month. These definitions are completely arbitrary with no evidence to suggest that 26 hours per month is inherently a greater risk than 25 hours per month or even 10 hours per month. Where did these numerical limits come from? Furthermore, and more importantly, there is nothing to indicate how such limits would or should be determined. Are these calculated on average over a year, or is someone supposed to pull off to the side of the road 10 hours into the month?
- 2) **Ambiguity in NOTS point system:** While it is clear that many offenses in a moving vehicle are highly dangerous – and obviously against the law – there remains ambiguity with respect to the interpretation and application of the point system as it relates to infractions that might be unevenly applied. For example, is a 60 MPH in a 55 MPH zone the same as a 20 MPH in a 15 MPH zone? Is a rolling stop at a right turn on red light the same as running a red light? In the NOTS point system as presented, these are all equivalent.
- 3) **Occupational Driver:** the definition of occupational drivers remains ambiguous. Every job title that UCOP deems as having motor vehicle operation as an “essential job junction” should be provided. Perhaps this should include all administrators, given the amount of travel conducted on behalf of the University.
- 4) **Sec. B 1 b:** It currently states, “If the driver meets all of the qualifications, the University Location Official *can* approve” the driver. Why does this not state, the official *will* approve? What is the point of

going through the process if it remains at the discretion of the official? In other words, the driver – a University of California employee, with a valid driver’s license and a mandate to conduct business on behalf of the University, without any delinquency can be denied use of a University vehicle because they can do whatever they feel like doing; is that really what was intended by this provision?

5) **Sec. B 2:** The policy suggests University vehicle use is preferred, but goes out of its way to restrict use. It is obvious that the University of California must use motor vehicles in nearly facet of its business, and therefore creates an unmet demand for such vehicles, leading many employees (faculty, staff, students) to use personal vehicles for University business. In the process, it is unclear if the insurance requirements – as stipulated by a different policy BUS-81 – are fundamentally different (i.e., more stringent) than those of the state. If so, how are those insurance requirements to be policed?

6) **Sec. C 1:** If eligible drivers are aged 18 and older, as defined here, are prevented from using a University vehicle and have no personal vehicle, how will they be treated by third-party vendors (rental car agencies), when the minimum age is often higher (e.g., at Enterprise, a preferred vendor to the UC, the minimum age of 21)?

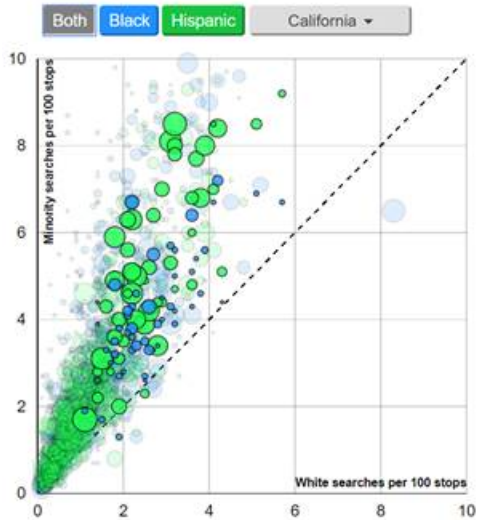
7) **Sec. C 2 7:** this clause is contradictory. The section deals explicitly with driver’s responsibilities “*when driving on University of California business*” (C 2), yet the subsection (7) states “Reporting all moving violations or accidents, *regardless of whether the violations or accidents occur while driving on university business*, to the University Location Official within twenty-four (24) hours.” Where is it in the provision of the UC to mandate that all fender benders to private vehicles on personal time of its employees should be reported? In other provisions in this policy, it is clearly indicated that occupational drivers must report all such infractions, so it is unclear why these contradictory statements are included here. What is the point of having the NOTS system and the DMV EPN if it is up to the employees and the local official to report and track all such infractions in real time?

8) **Sec. C 3 a 3:** it is unclear how “reported/observed unsafe driving behavior” is determined. Are there objective or subjective tests being applied?

9) **Numbering system:** the current revision of the policy is inconsistent in its numbering system and prevents ease of communication with respect to clauses and sub clauses. For example, in Section C (Drivers) 3 (Driver Requirements) there are no numbers designating Infrequent Drivers and Frequent Drivers, despite having sub-clauses.

10) **Sec. D 4 a:** There is a very real concern that *this clause is both arbitrary and discriminatory*. Namely, 1-point offenses reflect a mélange of serious, semi-serious, and perhaps not so serious moving violations. And while one infraction per year for three years, on average, may seem sufficient to preclude University employees from driving on University business, there is reason to believe that it could unfairly target students and people of color. In particular, for Infrequent Drivers and perhaps Frequent Drivers given the arbitrary nature in which these classes of drivers are defined, this provision could unfairly prevent certain categories of University affiliates from doing their job. According to the Stanford Open Policing Project, stop rates are often higher for both black and Hispanic drivers in California. More alarming is the fact that after traffic stops, arrests are far more likely to happen to people of color (Figure 1). Given the diverse student and staff at UC, we should strive to identify potential discrimination. There is no clearer evidence that this happens very regularly in the application of policing to motor vehicle operation. If the frequency

of stops is higher, and the infraction rate (either tickets or arrests) is disproportionately higher, it stands to reason that people of color are more likely to (unfairly) fail the definitions laid out in this policy. The point system is arbitrary, and poised for discrimination.





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Voice: (209) 228-4309

November 17, 2018

To: Kurt Schnier, Chair, Divisional Council

From: Erik Menke, Chair, SNS Executive Committee

Re: SNS comments on proposed charge for Academic Planning Working Group

The SNS Executive Committee received the following comments on the Proposed Revisions to Presidential Policy BFB-BUS-46 (Use of Vehicles and Driver Selection policy):

- 1) I'm reading through it and trying to figure out how inclusive it aims to be. Is everyone that drives their personal vehicle EVER on university business included in this policy? Because if so, policy strikes me as very "big brother". I already feel as if the state of California is very far-reaching in the extent to which they monitor your driving status. To have the UC do the same, particularly under the circumstances in which you drive your personal vehicle on occasion for university business (like driving yourself to the airport for travel), seems excessive, and an invasion of privacy.
- 2) I'm not sure how "University business" is defined. For example, if I drive my car to Fresno airport to fly to a conference, is that "University business"? It really seems like this needs to be added to the definitions section.



CHAIR, ACADEMIC SENATE
RIVERSIDE DIVISION
UNIVERSITY OFFICE BUILDING, RM 225

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January 15, 2019

Robert May, Chair, Academic Council
1111 Franklin Street, 12th Floor
Oakland, CA 94607-5200

RE: [Systemwide Review] CORRECTION: Proposed Revisions to Presidential Policy BFB-BUS-46 (Use of Vehicles and Driver Selection policy)

Dear Robert,

The Executive Council of the Riverside Division discussed the corrected version of the Proposed Revisions to Presidential Policy BFB-BUS-46 (Use of Vehicles and Driver Selection policy) during our January 14, 2019 meeting. Council had no additional comments.

I have included memos from the consulted committees.

peace

A handwritten signature in dark ink, appearing to read "Dylan Rodríguez", is written over the word "peace".


Dylan Rodríguez
Professor of Media & Cultural Studies and Chair of the Riverside Division

CC: Hilary Baxter, Executive Director of the Academic Senate
Cherysa Cortez, Executive Director of UCR Academic Senate Office

UC RIVERSIDE UNIVERSITY OF CALIFORNIA **Academic Senate**
COMMITTEE ON FACULTY WELFARE

January 4, 2019

To: Dylan Rodriguez
Riverside Division Academic Senate

From: Daniel Jeske, Chair 
Committee on Faculty Welfare


Re: Review of Updated Revision of Policy on Vehicles and Driver Selection

The Committee on Faculty Welfare considered the updated revisions to Presidential Policy BFB-BUS-46 (Use of Vehicles and Driver Selection Policy) and does not have any further comments to provide beyond those expressed in its original response dated October 22, 2018.

UC RIVERSIDE UNIVERSITY OF CALIFORNIA **Academic Senate**
COMMITTEE ON FACULTY WELFARE

October 22, 2018

To: Dylan Rodriguez
Riverside Division Academic Senate

From: Daniel Jeske, Chair 
Committee on Faculty Welfare

Re: FWC review of Proposed Revision of Policy on Vehicles and Driver Selection

FWC met on 10/16/2018 to review the "Proposed Revisions to the Policy on Vehicle Use and Driver Selection." FWC is confused by much of this document, and we have a sense it is too broadly written. Consequently, we were unable to vote on its adoption.


Particular questions about the document that we have are: 1) What is the motivation for this policy?, 2) Are there any circumstances where van pools are covered by this policy?, 3) Does the policy apply to a faculty driving their own car to the airport on University business? If so, why? and 4) How are the points accrued by the NOTS system used to mete out punishment? If the policy applies to the situation we hypothesize in (3), then it would seem statement #1 on p.11 of the policy would allow the University to suspend the faculty from driving their own car to the airport when trying to get to an academic meeting? Is this really the intent of the policy? Shouldn't this type of punishment be left up to the police and the DMV?



PLANNING & BUDGET

December 11, 2018

To: Dylan Rodriguez, Chair
Riverside Division

From: Katherine Kinney, Chair 
Committee on Planning and Budget

RE: [Systemwide Review] Proposed Revisions to Policy: Proposed Revisions to
Presidential Policy BFB-BUS-46 (Use of Vehicles and Driver Selection policy)

Planning & Budget discussed the proposed revisions to Presidential policy BFB-BUS-46 regarding the use of vehicles and driver selection policy at their December 11, 2018 meeting. The new policy mandates various forms of the training. There is no discussion of who would be responsible for developing such training programs and the associated costs. This should be clarified.



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January 10, 2019

CHERYL LLOYD

Associate Vice President and Chief Risk Officer

SUBJECT: Proposed Revisions to UC Presidential Policy BFB-BUS-46, Use of Vehicles and Driver Selection Policy

Dear Associate Vice President and Chief Risk Officer Lloyd:

The proposed UC Presidential Policy – BFB-BUS-46, Use of Vehicles and Driver Selection Policy was circulated to standing Senate committees for review, and was discussed at the San Diego Divisional Senate Council's meeting on January 7, 2019. Members noted that research on autonomous vehicles and distracted driving was being conducted at UC San Diego and so further consultation with UC transportation researchers is warranted. The San Diego Divisional Senate Council has no objections to the proposed policy, but voted with the proviso that the UC Institute of Transportation Studies and the UC San Diego Center for Human Urban Mobility be consulted on the proposed policy.

Sincerely,

A handwritten signature in cursive script, reading "Robert Horwitz".

Robert Horwitz, Chair
Academic Senate, San Diego Division

Enclosure

cc: H. Baxter M. Corr R. Rodriguez

UC San Diego's Center for Human Urban Mobility (CHUM) Directors:

Linda Hill, MD
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Director, Training, Research and Education for Driving Safety (TREDS)
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UNIVERSITY COMMITTEE ON RESEARCH POLICY (UCORP)
Andrew Baird, Chair
Email: anbaird@ucsd.edu

University of California
Academic Senate
1111 Franklin Street, 12th Fl.
Oakland, California 94607

January 14, 2019

ROBERT MAY
CHAIR, ACADEMIC COUNCIL

**RE: Proposed Revisions to Presidential Policy on Use of Vehicles and Driver Selection
(BFB-BUS-46)**

Dear Robert,

UCORP discussed the Proposed Revisions to “Presidential Policy on Use of Vehicles and Driver Selection (BFB-BUS-46)” at its autumn meetings. There were no major concerns regarding the specific proposed changes in policy but we thought it would be worth making a few points in regards to its potential impact on vehicular research in the UC system. Namely,

- (1) We noted that the new policy does not consider its potential impact on vehicular “research” in the UC system and that there is no research exclusion.
- (2) The revision involves an “implementation (*that*) will apply to all drivers on University business – not solely employees”. This will be interpreted as applying to students on research projects for example who strictly speaking are not employees.
- (3) The emergent fields of autonomous and semi-autonomous vehicles are not mentioned, yet are exemplary research technologies that are being studied on several campuses and indeed, some are on the verge of deployment on certain campuses. These activities might be significantly impacted by the proposed policy changes in ways that we do not appreciate because these vehicles, now be defined as “UC Vehicles”, may have active or passive operators and affected by criteria set forth in the policy.

For these three reasons, UCORP sought consultation with UCOP’s Multi-campus Research Unit called the Institutes for Transportation Studies (ITS), as well as CHUM, the Center for Human Urban Mobility (CHUM) at UC San Diego, a transport-related group that was brought to our attention. The response from the ITS directors through their Executive Director, Laura Podolsky and by Linda Hill, the director of CHUM are noted below. They felt that:

- (1) The policy is a broad update to the vehicle use policy that is too imprecise in many areas (from ownership to conflict resolution). It will be empowering to some department (or committees) to have broad powers that can impact individuals (including dismissal) and impact departments with financial liabilities for employee/student misuse of vehicles.

- (2) The update requires the collection of substantial amounts of information and there is no information regarding how this personal information will be handled (e.g. confidentially).
- (3) The policy identifies a "University Location Officer" which is tentatively identified as the Chancellor but there is no information as to who fulfills the role, what obligation do they have to work in a timely, responsive manner to approve drivers and how disputes will be resolved. Personal information will be provided to this entity but no mechanisms of confidentiality are assured.
- (4) Some of the policy text needs to be clarified to match the definitions. For example, in Section 3.C. Drivers, it is not clear whether "vehicle" refers only to University owned vehicles or also to privately owned vehicles.
- (5) The policy does not specifically recognize that research and assessments are sometimes performed by faculty, students and UC employees on vehicles are owned by third parties (e.g. manufacturers).
- (6) Text describing the use of privately-owned vehicles seems to have been eliminated which could be a problem when researchers use their own vehicles for testing devices in vehicles.
- (7) The policy does not specifically include a position statement regarding distracted driving (including use of Bluetooth devices). CHUM feels that UC should be proactive and go beyond state-mandates particularly since UC research in this area is showing distracted driving dangers extend beyond hand-held to bluetooth devices
- (8) There was mixed concern regarding the policy having unintended consequences on research plans to deploy autonomous vehicles on and off campus that needs to be monitored.

Consultation with transportation experts within the UC system enabled UCORP to assess potential unintended consequences to important, ongoing and planned research activities which we want to promote on UC campuses, not discourage.

Sincerely,



Andrew Baird
Chair, University Committee on Research Policy

cc: Kum-Kum Bhavnani, Academic Council Vice Chair
Hilary Baxter, Academic Senate Director
UCORP members

November 13, 2018

Joseph Bristow
Chair, UCLA Academic Senate

Re: Systemwide Senate Review: Proposed Revised Policy BFB-BUS-46 Use of Vehicles and Driver Selection

Dear Professor Bristow,

At its November 7, 2018 meeting, the Council on Research (COR) reviewed the proposed revised 'BFB-BUS-46 Use of Vehicles and Driver Selection' policy. Members had no comments on the revised policy.

If you have any questions for us, please do not hesitate to contact me at desjardins@ucla.edu or via the Council's analyst, Elizabeth Feller, at efeller@senate.ucla.edu or x62470.

Sincerely,



Richard Desjardins, Chair
Council on Research

cc: Joseph Bristow, Chair, Academic Senate
Elizabeth Feller, Principal Analyst, Council on Research
Sandra Graham, Immediate Past Chair, Academic Senate
Michael Meranze, Vice Chair/Chair-Elect, Academic Senate
Linda Mohr, Chief Administrative Officer, Academic Senate
Members of the Council on Research

November 8, 2018

Professor Joseph Bristow
Chair, UCLA Academic Senate

Re: *Proposed Revisions to Policy BFB-BUS-46*

Dear Chair Bristow,

The committee reviewed and discussed *Proposed Revisions to Policy BFB-BUS-46* at its November 8th meeting. Members found the proposed revisions to be straightforward and had no additional comments. Thank you for the opportunity to review and comment.

Sincerely,



Julie Bower
Chair, Committee on Faculty Welfare

cc: Members of the Committee on Faculty Welfare
Linda Mohr, CAO, Academic Senate
Valeria Dimas, Executive Assistant
Annie Speights, Committee Analyst, Committee on Faculty Welfare



OFFICE OF RISK SERVICES—
ASSOCIATE VICE PRESIDENT & CHIEF RISK OFFICER

OFFICE OF THE PRESIDENT
1111 Franklin Avenue, 10th Floor
Oakland, California 94607-5200

September 7, 2018

CHANCELLORS
ACADEMIC COUNCIL CHAIR MAY
LABORATORY DIRECTOR WITHERELL
ANR VICE PRESIDENT HUMISTON

Re: Systemwide Review of Proposed Revisions to Presidential Policy BFB-BUS-46

Attached for Systemwide Review are proposed revisions to Presidential Policy BFB-BUS-46.

The Office of Risk Services (OPRS) partnered with the systemwide UC Driver Vehicle Safety Workgroup and the UC Fleet Managers Workgroup to complete a comprehensive review of UC Business and Finance Bulletin 46 (BUS 46), which was last revised in July 1994. The BUS 46 Policy applies to the use of any UC vehicle (owned or leased) and any personal vehicles used in the course of University business. The following proposed changes to the Policy aim to increase accountability for vehicular usage throughout the UC system to improve safety, reduce vehicular accidents, and create cost savings to the University.

- The inclusion of the California Department of Motor Vehicles (DMV) Negligent Operator Treatment System (NOTS) as a standard for eligibility to drive on behalf of the University.
- Implementation will apply to all drivers on University business – not solely employees.
- Establishment of Vehicle Collision Review Committees to review collisions, determine preventability, and promote driver safety awareness.
- Establishment of guidelines for drivers involved in preventable collisions including training, suspension, and potential revocation of driving privileges.

The proposed revisions were presented to the Policy Advisory Committee (PAC) on September 21, 2017. During that meeting, the PAC recommended additional UC stakeholders to review the revisions of BUS 46 and provide feedback since the Policy affects major units, including Human Resources, Labor Relations, Research Policy Analysis and Coordination, Academic Policy and Compensation, and Student Affairs.

Systemwide Review is a public review distributed to the Chancellors, the Director of Lawrence Berkeley National Laboratory, the Chair of the Academic Council, and the Vice President of Agriculture and Natural Resources requesting that they inform the general University community, affected employees, and union membership about policy proposals. Systemwide Review also includes a mandatory, three-month full Senate review. Employees should be afforded the opportunity to review and comment on the draft policy. Attached is a Model Communication which may be used to inform non-exclusively represented employees about these proposals. The Labor Relations Office at the Office of the President is responsible for informing the bargaining units representing union membership about policy proposals.

We would appreciate receiving your comments no later than December 17, 2018. Please submit your comments to ehs@ucop.edu. If you have any questions, please contact Ken Smith at 510-882-3499.

Sincerely,



Cheryl Lloyd

Associate Vice President & Chief Risk Officer

Attachments: Presidential Policy BFB-BUS-46 (redline and clean copy)
Model communication

cc: President Napolitano
Provost and Executive Vice President Brown
Executive Vice Chancellors/Provosts
President's Advisory Group
Vice President Duckett
Vice President Ellis
Vice President Holmes-Sullivan
Vice Provost Carlson
Vice Provost Gullatt
Deputy General Counsel Woodall
Vice Chancellors/Vice Provosts of Academic Personnel/Academic Affairs
Academic Personnel Directors
Chief of Staff Rachel Nava
Executive Director Baxter
Executive Director Chester
Executive Director Peterson
Director Grant
Director Hairston
Director Henderson
Director Lee
Manager Smith
Manager Steinhoff
Manager Jordan
Manager Crosson



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

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

Contact:	Ken Smith
Title	EHS Executive Director
Email:	Ken.Smith@ucop.edu
Phone #:	(510) 987-0170

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.

TABLE OF CONTENTS

I. POLICY SUMMARY	1
II. DEFINITIONS	2
III. POLICY STATEMENT	5
IV. COMPLIANCE / RESPONSIBILITIES	13
V. REQUIRED PROCEDURES	18
VI. RELATED INFORMATION	20
VII. FREQUENTLY ASKED QUESTIONS	22
VIII. REVISION HISTORY	22

II. DEFINITIONS

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

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

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
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.

IV. COMPLIANCE / RESPONSIBILITIES

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.

V. REQUIRED PROCEDURES

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.

VI. RELATED INFORMATION

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).

VII. FREQUENTLY ASKED QUESTIONS

Not Applicable

VIII. REVISION HISTORY

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



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

Responsible Officer:	ED – Procurement Services Chief Risk Officer
Responsible Office:	PS – Procurement Services RK – Risk / EH&S
Issuance Date:	2/28/1978
Effective Date:	TBD
Scope:	All Campuses, Medical Centers, Division of Agriculture and Natural Resources (ANR), and the Lawrence Berkeley National Laboratory.

Contact:	Ken Smith
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I. POLICY SUMMARY

This ~~bulletin establishes the basic policy~~Use of University Vehicles and Driver Selection Policy governing (Policy) governs the use of vehicles and driver selection while on 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 ~~"Driver Selection and Vehicle Use Guidelines"~~this Policy which reflect correctly 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 ~~employees~~drivers who may operate any University of California vehicle, leased or rented vehicle, or their own personal vehicle ~~on behalf of the University and~~ while on University business, ~~including leased or rented vehicles~~. This policy does not apply to vehicles supplied by Third Party Suppliers.

II. DEFINITIONS

~~**Alternative/Clean Fuel Vehicles:** Vehicles that operate on alternative/clean fuels other than gasoline or diesel fuel. Clean fuel is defined by the State of California as including, but not limited to, methanol, compressed natural gas, electric power, and liquefied petroleum gas (California Health and Safety Code Section 40603).~~

At-Fault Collision: A collision arising out of the use of a motor vehicle due to the negligence or willful misconduct of the operator, or any other preventable collision where reasonable assurance of non-fault cannot be furnished. See Vehicle Collision Review Committee (VCRC).

Authorized Driver: Employees, students, or volunteers who have been identified, by verification of their driving record through the Department of Motor Vehicles, as 1) having an acceptable driving record in accordance with those set forth in this policy, 2) received approval from the driver's manager or supervisor to drive on University of California business, a University of California-owned, leased, rented or otherwise controlled vehicle or personal vehicle, and 3) have met any other requirements as set forth by the University. Authorized drivers may also include non-University of California persons, including consultants, provided they have been approved by the appropriate UC Location Official, and the vehicle use is for official University of California business.

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.

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 non-contest (nolo contendere) to such and offense, or 3) a bail forfeiture without entry of a formal plea.

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

Frequent Driver: An employee who uses a University of California or private vehicle for University business on more than four trips per calendar month totaling at least 300 miles as defined in [Core Plus Program](#).

~~**Major Violations**~~**2-Point Offenses:** ~~Major violations shall include~~Violations defined by the California DMV NOTS as 2-Point Offenses include (but are not limited to), ~~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.

~~**Minor Violations**~~**1-Point Offenses:** Examples of violations which are defined by the California DMV NOTS as 1-Point Offenses include (but are not limited to):~~Minor violations shall include any moving traffic violation other than a major violation. Examples 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.

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: An employee for which driving is designated as an "essential job function".

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).

Vehicle: 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 conjunctions 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

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 Chancellor, Laboratory Director, or Vice President, Agriculture and Natural Resources may authorize exceptions on a case-by-case basis.

B. VEHICLE USE:

1. University Vehicles:

- a. Responsibility for determining, authorizing, and controlling official vehicle use is the responsibility of the Chancellors, the Laboratory Director, and the Vice President of Agriculture and Natural Resources and their designee(s).
- b. 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."
- c. 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.
- d. 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 Chancellor, the Laboratory Director, or the Vice President of Agriculture and Natural Resources or designee, as an exception to this policy and justified by a special and/or frequent work requirement of the University of California which cannot reasonably be met by other means of transportation. Drivers using vehicles under this section shall be subject to campus parking regulations.
- e. ~~Vehicles are not to be considered part of an employee's compensation~~

~~and must not be used as an inducement for employment. In all cases, the~~
~~✓~~Vehicles are to be operated in strict compliance with ~~the Vehicle Code~~
applicable [state Vehicle Code](#) and with the utmost regard for their care
and cost-efficient and sustainable use.

- f. 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 a supervisor.
 - g. 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.
 - h. 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. **Personal Vehicles:** Authorized Drivers who use their personal vehicles for University of California business must:
- a. Provide upon request, a Certificate of Insurance to the University of California with minimum limits of \$50,000/\$100,000/\$50,000 for bodily injury per person, bodily injury per accident, and property damage respectively. (See [University of California Business and Finance Bulletin G-28/Travel Regulations](#) for additional details);
 - b. Ensure their vehicle is currently registered with the Department of Motor Vehicles; and,
 - c. Operate the vehicle in accordance with traffic safety laws, including the use of seatbelts at all time the vehicle is in operation.
3. Motorcycles are not authorized for use on Official University of California business in accordance with [University of California Business and Finance Bulletin, G-28/Travel Regulations](#).
4. **Rented or Leased Vehicles:** The University of California must ensure that

employees operating rental vehicles on University of California business have adequate coverage for collision and liability or require employees to purchase the rental company's Loss/Damage/Waiver coverage. 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](#).

C. DRIVERS:

1. ~~Authorized drivers shall include faculty, staff, students (18 and older), and non-University persons, including consultants, provided they have been approved by the appropriate UC Location official, and the vehicle use is for official University of California business.~~ As provided by [Delegation of Authority \(DA 1064\) -Third Party Agreements, University Vanpool Programs, March 31, 1992](#), non-University participants in University-sponsored ridesharing programs may be authorized to drive University-owned vehicles if they meet program criteria.
2. Drivers shall hold the valid license/endorsements for the type of vehicle to be used and shall have successfully completed any driver training/safety course required by the campus or [State/Federal](#) law. University employees who use a vehicle infrequently (e.g., for occasional travel, emergency departmental needs, etc.) or short-term (less than 2 weeks) visitors/guests who use a vehicle only for the duration of their stay are exempt from the training/safety course requirement.
3. The use of privately owned vehicles for University business is generally encouraged, 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.
4. No vehicle will be released by Fleet Operations unless it has been verified that the proposed driver has been authorized, holds the valid license/endorsement for the type of vehicle to be used, and meets all other requirements.
5. No vehicle assigned to a department on a periodic basis will be driven unless the appropriate department official verifies that the proposed driver holds a valid license for the vehicle to be used and meets all other requirements.
6. Each UC Location is required to enroll the following authorized drivers in the [Department of Motor Vehicles \(DMV\)'s Employer's Pull Notice \(EPN\)](#)

System:

- a. All University employees who are defined as Occupational Drivers;
 - b. University employees who are defined as Frequent drivers and routinely drive a University vehicle or privately owned vehicle in the course of their regular employment; and,
 - c. All drivers of University-owned rideshare vehicles.
7. Local procedures will be implemented to monitor each authorized driver's driving records to ensure compliance with this policy.
8. 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 is permitted to continue operating as a driver.

Commented [MD1]: Review email from Sonya. and review with PAC when presenting.

~~8.9.~~ All drivers of University-owned rideshare vehicles, which require a [Class C](#) License and other specialized vehicles shall be required to ~~pass-a~~[submit to a](#) physical examination every two years.

~~9.10.~~ All drivers of University-owned rideshare vehicles shall authorize the University to review their driving records by means of the [DMV's Employer's Pull Notice \(EPN\) System](#).

D. DRIVER RESPONSIBILITIES: If assigned a University of California vehicle, the employee assumes responsibility for operating the vehicle in a safe and responsible manner. Therefore, driver responsibilities include, but are not limited to, the following:

1. 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;
2. Having the appropriate class of a valid Driver's Licenses in their possession at all times while operating the vehicle on University of California business;
3. Operating the vehicle in a manner consistent with reasonable practices that avoid abuse, theft, or neglect of the equipment;
4. 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](#). (~~e.g., use of handheld~~

~~wireless phones or cell phones is prohibited while driving unless the device is in a hands-free mode~~[cell phones should be used only when the vehicle is parked](#));

5. Restricting the ~~use~~[operation](#) of vehicles to authorized drivers only; and,
6. Reporting all moving violations or accidents to a supervisor or manager before the end of the employee's shift, but in no case, longer than twenty-four (24) hours. Drivers are responsible for the cleanliness of vehicles both inside and out.

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

E. DRIVING AS A CONDITION OF UNIVERSITY EMPLOYMENT: 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, 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. All ~~(?)~~[Drivers](#) of vehicles on University of California business shall be required to meet the following criteria:

1. **Driver's License Requirements:** Drivers must have a valid license for the class of vehicle being operated. 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 the use of 15-passenger vans is not a University of California authorized vehicle.
2. **Motor Vehicle Reports (MVR):** The Department of Motor Vehicles (DMV)'s Employer Pull Notice Program (EPN) is a critical component of this policy. Every authorized driver must be registered in the EPN, and a mechanism in place to review and address reports of MVR 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.
 - a. All University of California new hires who must drive as a condition of their employment with the University must bring a copy of their Motor Vehicle Report (MVR) from the Department of Motor Vehicles (DMV) printed within the last 30 days.
 - b. An acceptable current MVR is a condition of employment for all who must drive as a condition of their employment with the University and will

remain a condition of continued employment so 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 standards of this policy.

- c. 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.

- 3. **Other Requirements:** Occupational Drivers must be capable of demonstrating familiarity with the type of vehicles assigned. Those employees for which driving is designated as an "essential job function" or who frequently drive on University of California business, shall be required to completed a University of California-approved Defensive Driving Course, in-person or online, once every three years.

~~1. **Employee Pull Notice (EPN):** The Department of Motor Vehicles (CDMV) Employer Pull Notice Program (EPN) is a critical component of this policy. Every authorized driver must be registered in the EPN, and a mechanism in place to review and address reports of MVR activity that are sent to the University.~~

~~b.a.~~ 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](#).

~~e.b.~~ Occupational Drivers must pass physical examinations administered by a licensed physician or if the examination is required by regulation, if there is a question about an authorized driver's fitness for driving duty, a fitness for duty examination may be required following consultation with the location's Disability Manager. Any such examination will be conducted in accordance with Disability Law Requirements.

~~d.c.~~ An Occupational Driver, if driving is an "essential job function" 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 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 of the University of California [as set forth in Section F1 of this policy](#).

- F. **EXCLUDED EMPLOYEES:** Any employee who is deemed ineligible to drive by the UC Location Vehicle Collision Review Committee (VCRC).

1. Any or all of the following violations, as defined in Section II Definitions above, showing on the employee's driving record may be cause for revoking an employee's authorization to drive on behalf of the University of California and cause the employee to be considered an excluded employee if:
 - a. Three or more ~~minor violations~~[1-Point Offenses as defined in this Policy](#) within the past three years; or,
 - b. Two or more ~~"at fault" collisions~~[At-Fault Collisions](#) within the past three years; or,
 - c. One ~~major violation~~[2-Point Offenses as defined in this Policy](#) within the past three years.
2. Any Authorized Driver who is required to drive as part of their regularly assigned duties will not be allowed to drive on University of California business if they have an unacceptable [Motor Vehicle Report \(MVR\)](#) as defined in Section E. above.

Departments that allow operation of vehicles on their behalf by drivers who meet the criteria for an excluded employee, as defined in Section ~~DE~~[DE](#) above, will be held financially accountable for personal injury and property damage arising from incidents involving that driver.

G. FLEET OPERATIONS:

1. Each Chancellor, Laboratory Director, and the Vice President of Agriculture and Natural Resources shall establish a Fleet Operations Unit to manage all University-owned and operated vehicles at that UC Location.
2. 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](#).
3. 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.

- H. 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 ~~individuals~~[employees](#) driving general purpose 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.

I. 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](#).

J. 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.

IV. COMPLIANCE / RESPONSIBILITIES

A. UC LOCATION RESPONSIBILITY: Chancellors, the Laboratory Director and the Vice President of Agriculture and Natural Resources are responsible for:

1. The control and use of University of California vehicles under his or her custody;
2. Establishing and maintaining procedures for approving authorized drivers;
3. Appropriate campus delegations, directives, and procedures to implement University of California policy;
4. The provision of supplemental campus policy as needed; and,
5. 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 could have been prevented. Based on the language provided by the [National Safety Council \(NSC\)](#), a preventable collision is defined as “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.”

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 University 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. ~~Establish location-specific~~[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 meeting 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 ~~the a designated local designated collision investigator, who is a rotating~~ 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-screen 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:

1. Reasons for classifying the case as preventable;
2. Amount of liability loss in dollars (\$'s) incurred as a result of the collision;
3. Determination for post-collision training; and,
4. Determination for suspension/revocation of driving privileges [consistent with applicable university personnel policies and collective bargaining agreements.](#) ~~in consultation with UC Location Human Resource~~

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 involved in preventable collisions may also be subject to disciplinary actions consistent with applicable university personnel policies and collective bargaining agreements.~~

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

- a. 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.
- b. 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.

- c. 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.

V. PROCEDURES

A. FLEET OPERATIONS:

1. The Fleet Operations Unit shall be responsible for the acquisition, inspection, and record keeping for all general purpose vehicles, including those assigned for long-term use to other departments, and specialized vehicles, 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 Chancellor or designee 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 general purpose vehicles 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 Facility unless different arrangements are approved in writing by the Chancellor or designee.
Regular maintenance and servicing of specialized vehicles shall be the responsibility of the user department.
4. Specialized vehicles (e.g., mobile clinics, fire apparatus, waste collection vehicles, forklifts, farm tractors, and motor scooters), that are used by a single department, may be designated by the Chancellor or designee for permanent assignment to that department.

B. PROCEDURES FOR VEHICLE USE:

1. Each UC Location shall establish procedures to identify properly authorized, trained, and licensed drivers, and to provide a record of each trip. 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, but at least annually, and sent to the Fleet Operation's 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.
3. 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 work place for emergency reasons in advance of normally scheduled departures, or who must work late.

VI. RELATED INFORMATION

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.](#)

~~BFB-BUS-46: Use of University Vehicles~~[BFB-BUS-46: Use of University Vehicles and Driver Selection](#)

Page 20 of 23

University of California Policy BFB-BUS-46

[~~BFB-BUS-46: Use of University Vehicles~~](#)[BFB-BUS-46: Use of University Vehicles and Driver Selection](#)

[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.](#)

[~~BFB-BUS-46: Use of University Vehicles~~](#)[BFB-BUS-46: Use of University Vehicles and Driver Selection](#)

Page 21 of 23

University of California Policy BFB-BUS-46

~~BFB-BUS-46: Use of University Vehicles~~[BFB-BUS-46: Use of University Vehicles and Driver Selection](#)

[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).

VII. REVISION HISTORY

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.

~~BFB-BUS-46: Use of University Vehicles~~[BFB-BUS-46: Use of University Vehicles and Driver Selection](#)

Page 22 of 23

**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/?1dmv&urile=wcm:path:/dmv_content_en/dmv/vehindustry/epn/epngeninfo