



# **Driver Authorization Policy**

**January 10, 2024**

## **Introductory Statement**

*The following Driver Authorization Policy includes the minimum requirements for authorizing drivers to operate vehicles on University business. A Component may impose modified requirements; however, any changes to these requirements shall provide the same or greater level of risk control.*

# Contents

Driver Eligibility .....	4
Driver Qualifications: .....	4
M.V.R. Review Schedule .....	4
M.V.R. Administrative Responsibility.....	5
Driver Obligations/Responsibilities.....	5
Operating Standards.....	5
Handheld Wireless Device Use .....	6
Vehicle Load (Cargo/Passengers) .....	6
Pickup (Passengers) .....	6
Special Requirements for Student Operators.....	6
15 Passenger Van Operations.....	6
Cutaway Van Operations .....	7
Other .....	7
Reporting of Accidents or Damage .....	7
Travel Using Personal Vehicles .....	8
Travel Using Rental Vehicles.....	8

## Driver Eligibility

All TSUS Component employees who may be called upon to drive a TSUS Component Institution vehicle shall have a Motor Vehicle Record (MVR) as required by law (Article 6687b, Section 37, V.A.C.S.) and shall be assigned a driver rating as indicated below. The records will be obtained and maintained by the designated responsible individual. Establishment and maintenance of driver ratings will be the responsibility of the designated responsible individual. The term Institutional vehicle as used herein shall refer to either an Institution-owned vehicle or an Institution-leased vehicle unless otherwise indicated. The driver of the vehicle has ultimate responsibility for seeking and possessing information about driving safety and applicable laws. No institution or System will not be responsible for any traffic citations resulting from the actions of the driver.

## Driver Qualifications:

Only Qualified Drivers may drive an Institutional Vehicle while on institutional business. A Driver is considered qualified by meeting the following requirements:

- Is at least 18 years old.
- Has a current and unexpired valid driver's license issued by the appropriate state authority or appropriate foreign authority and has held such valid driver's license for at least one (1) year prior to the request to be a Qualified Driver.
- Has a current and unexpired valid driver's license issued by the state or foreign authority for the vehicle type to be driven by the driver, including any required endorsements.
- Has received written authorization from the appropriate Component administrator to operate an Institutional vehicle while conducting institutional business. Such written authorization shall be valid for one year unless withdrawn sooner by Component Administrator. Drivers must submit a new written request for authorization annually to the appropriate Component Administrator.
- Has a satisfactory driving history record (MVR). A driving history record is considered satisfactory when it meets the following requirements established by the institution:
  - Must not have exceeded two moving violations within a last 12 months. (Type B violations)
  - Must not have had any "major convictions" (Type A violations) in the past 36 months.
- The driver must immediately notify their supervisor when there is a change in his/her license status.
- The driver must comply with any other requirements outlined by the institution.
- The institution reserves the right to deny driving authority if it determines that it is in the best interest of the institution to do so.

## M.V.R. Review Schedule

A motor vehicle record (M.V.R.) shall be obtained on all employees whose job duties would include driving an Institutional vehicle while on Component business. The M.V.R. shall be reviewed and updated regularly based on the following schedule:

**A. Prior to employment:** The designated responsible individual/department will ensure that prospective employees for positions requiring the driving of a vehicle while conducting Institutional business, submit driving records before a job offer is extended. The Institution will designate a department to review those records to ensure acceptability.

**B. Annually:** The driving records of employees who are required to drive will be reviewed annually by designated department. The employee's Department Director and the Component's Fleet Manager, or comparable officer for the Component, will be notified of any change in the driver's status. The Director of that Office will distribute the Department of Public Safety's *Application for Copy of Driver Record (DR-1)* on or about August 1 of each year. Employees will be given a thirty-day window to complete and return the form to the Office. Failure to do this will result in a temporary suspension from driving any Institutional vehicle. The Director will submit a DR-1 form for each driver to the local D.P.S. office to acquire driving records. All information from these records will be kept confidential to the extent permitted by law.

**C. Upon notification of an accident or citation:** If an employee has been involved in a motor vehicle accident or receives a traffic citation the employee shall immediately notify the Office of the motor vehicle accident, the citation and change in their driver status. Employee shall notify the Office immediately but no later than 24 hours from the accident, citation or change in driver status. *Failure to make such notification in a timely manner may result in revocation of driving privileges, and/or disciplinary action upto and including termination.*

**D. Upon notification of suspension, revocation, Type “A’ Violation or expiration of the driver’s license:** Driving privileges are automatically suspended when the employee’s valid Driver’s License has been suspended, revoked, expired or the Type “A’ violation is adjudicated. An Employee shall inform the Human Resources Department when such a suspension, revocation, expiration or citation occurs. ***Individuals who do not have a valid driver’s license shall not operate any Institutional vehicle. Unlicensed employees are prohibited from driving personal vehicles while conducting business for the Institution or System.***

**E. Adverse action based on the MVR:**

If the Institution denies employment or takes other adverse action against an employee because of information contained in the motor vehicle report, the applicant/employee may request:

- A copy of the motor vehicle report.
- The address and telephone number of the Department of Public Safety (DPS).
- A statement that the applicant/employee is entitled to dispute the accuracy of the report with the DPS.

An applicant or employee has one week from the day he/she is notified of the adverse employment action or the denial of employment to submit written notification to the Human Resources Director that he/she is disputing the DPS report.

After one (1) week, if the employee does not dispute the report, the direct supervisor will notify the employee they are not approved to drive. If there is a dispute of the report, the employee will remain in a pending status (not approved to operate a TSUS Component vehicle) until such time as a satisfactory report is received. In the case of an applicant, the applicant is responsible for resolving any outstanding issues. The institution shall establish a deadline for resolution of not less than one (1) week.

## **M.V.R. Administrative Responsibility**

The designated responsible department shall maintain a list of all regular Institution Fleet Policy and Procedures. Training will be made available for employees in addition to counseling/training for any driver involved in a motor vehicle accident or who has received a traffic citation. Information gathered as part of this program shall be confidential to the extent permitted by law. Assignment of additional driver training will be the responsibility of the position or department designated by the Institution to oversee fleet-related driver selection activities. An employee may be required to bear the expense and time of any remedial training assigned due to a poor rating on the MVR. Driver training may include, but is not limited, to

- Defensive Driving Classes
- One-day seminars on driving improvement
- Driver training videos on needed specific driving skills.

The designated responsible individual shall notify the /department regarding approval status for each employee that is eligible to drive an Institutional vehicle. The designated responsible individual shall also notify the Fleet Manager, or appropriate Institutional administrator, immediately upon revocation of an employee’s driving privileges.

## **Driver Obligations/Responsibilities**

The following conditions apply to all drivers who use Institutional vehicles. Drivers should read these obligations carefully before operating a Component vehicle.

### **Operating Standards**

The driver must:

- Have a valid driver’s license, appropriate for the weight and class vehicle that they are operating.
- Have a current Motor Vehicle Record Form on file with the designated responsible department.
- Timely (targeted at 24 hours) notify the designated responsible department of any change in license status. This includes notification of moving violations and/or traffic accidents.
- Complete a Vehicle Use Report by recording information such as the beginning and ending odometer readings, how many passengers including the driver, name of the driver(s), license plate of vehicle, purpose of the trip and fill-ups or emergency mechanical work
- Submit fuel tickets from trip with mileage and license plate number recorded on the fuel ticket.
- Wear seat belts when driving or occupying Institutional vehicle.

- Observe State and municipal traffic laws at all times.
- Assume responsibility for any and all fines or traffic violations associated with use of an institutional vehicle.
- Never drive while under the influence of drugs or alcohol. This includes over the counter or prescription medication that may affect the driver's ability. Refer to TSUS Component's Drug and Alcohol Abuse Policy.
- Report all accidents in a timely manner, but no less than 12 hours from the time of the accident to the designated responsible department and to the Police Department in the jurisdiction where the accident occurred. In the case of an accident, complete the Vehicle Accident/ Incident Report located in the trip packet.
- Not transport pets or any other animals except Service Animals.
- Not transport hazardous or dangerous material.
- Not transport any weapons unless adherent to the Concealed Carry Campus Policy.

## Handheld Wireless Device Use

As a general rule, the use of cellular phones and other handheld wireless devices while operating a moving vehicle has restrictions/guidelines for use due to the distraction and lack of concentration presented to safe driving performance.

The driver's first responsibility is to pay attention to the road. Conversations should be kept to an absolute minimum and in compliance with state law, including "hands-free".

## Vehicle Load (Cargo/Passengers)

- The combined weight of all occupants and any cargo being transported is not to exceed the Gross Vehicle Weight Rating (GVWR) for the vehicle.
- The GVWR for a vehicle is usually located on the driver's doorframe or on the glove box door.
- Any load that will or may exceed a vehicle's posted load rating is to be redistributed to fall within that load rating or be transported by an alternative means.
- All loads are to be positioned as low and evenly as reasonably possible across the load carrying surface and secured to prevent the load from shifting while in transit.

## Pickup (Passengers)

- Passengers riding in pickup trucks should ride in the cab of the truck unless it would seriously jeopardize the safe operation of the vehicle.
- Riding in the bed is allowed within the boundary of a TSUS Component campus.
- Maximum speed for carrying passengers in bed is the maximum speed on campus.
- Passengers riding in the bed are to be seated on the floor, not on the wheel wells or the edge of the bed.
- Under no circumstances are passengers to ride in the back of a pickup truck standing up.  
The operator must ensure that passengers are properly seated and remain so through the duration of the trip.

## Special Requirements for Student Operators

In support of The Texas State University System Rules and Regulations, Chapter VII, Section 2, Subsection 2.3, the following are special requirements for student operation of Institutional vehicles or equipment:

- Students operating institutional vehicles must have permission from the designated responsible individual.
- Student operating institutional vehicles must be 18 years of age.
- Students must comply with Driver Authorization policy (MVR - Any student employee operating an institutional vehicles should have an MVR run)
- Students must obey all Driver Obligations/Responsibilities.
- Student employees will not operate an institutional vehicle between the hours of 12:00 midnight and 5:00 a.m.; unless authorized by a specific-institutional program.

## 15 Passenger Van Operations

Departments may continue to utilize 15-passenger vans currently in their fleet but must enforce the following recommendations until these vans are replaced with alternative forms of transportation:

- Drivers of 15-passenger vans must be at least the age of 25; unless authorized by a specific-institutional program.
- All operators of 15+ passenger vans or vehicles are required to undergo an annual 15 Passenger van safety-training course that will be administrated by the designated responsible department.

- Number of Occupants: The number of occupants in a passenger van shall not exceed twelve including the driver.
- Seat Belts 3-Points: Seat belts and other occupant restraint devices shall be worn at all times by all occupants. Any malfunctioning seat belts shall be repaired or replaced immediately.
- Trips exceeding 4 hours one-way must include two qualified and TSUS Component approved drivers.
- Limit Driving Time: All operators should take frequent breaks, driving no more than every two hours.
- Drivers and all passengers traveling in passenger vans must refrain from excessive loading of the vehicle. Equipment and baggage shall not be piled higher than seat level.
- Anytime a passenger van is operated with fewer than ten passengers, all passengers must sit as far forward in the vehicle as possible. Any cargo carried inside the vehicle must be positioned as far forward as practical.
- Using the roof or exterior of these vehicles to carry loads of any kind is prohibited.

## Cutaway Van Operations

Guidelines for safety cutaway van operations shall include, but not be limited to:

- The driver shall not use any handheld device while operating a vehicle.
- The number of occupants in the cutaway van shall not exceed fourteen, including the driver.
- Seat belts and other occupant restraint devices shall be worn at all times by all occupants. All occupants shall be seated and secured prior to the vehicle being moved.
- All securements for ADA wheelchair passengers shall only be secured by authorized personnel prior to vehicle being moved.
- The wheelchair lift shall only be operated by authorized personnel.
- Trips exceeding 4 hours one-way must include two qualified, TSUS Component approved drivers.
- All operators should take frequent breaks. Maximum driving time during a 24-hour period shall be 10 hours per driver.
- Drivers and all passengers traveling in the cutaway van must refrain from excessive loading of the vehicle.
- All towing shall only be conducted by a professional towing company with the appropriate equipment for towing the vehicle.
- Using the roof or exterior of the vehicle to carry loads of any kind is prohibited.
- All accidents involving the vehicle must be reported immediately to the designated responsible individual or department, local law enforcement authority and Texas State Transportation Services.

## Other

- Unauthorized passengers are prohibited. This includes family, friends and/or any other persons not authorized by the institution or system in writing.
- Smoking by operator or passengers is not allowed in Institutional vehicles.
- Roadside Assistance: Texas Roadside Assistance (1-800-525-5555) should be contacted when operating an institutional vehicle and in need of Roadside Assistance. Employees should inform the operator that they are from a state agency and operating an institutional vehicle.

## Reporting of Accidents or Damage

The driver is responsible for the immediate reporting of any accidents or damage incurred while operating an institutional vehicle. An incident should be first reported to the local police department having jurisdiction. Notify the TSUS Component's designated responsible individual as soon as practicable after any accident or incident resulting in injury or damage to the vehicle and follow all claim reporting procedures as outlined by TSUS' TPA Guidelines

When you have an accident, you must:

- Get immediate medical attention if you or your passengers are injured.
- Keep calm and avoid arguments over blame.
- Make no statements concerning guilt or fault.
- Never agree to make payments for the accident.
- Notify the designated responsible department and police department; a police report may be necessary for some insurance claims.
- Discuss the accident only with police officers, the TSUS Component's Adjuster or a TSUS Component official.

- Record as much information as you can on all other parties to the accident. This information may include names of individuals involved, driver's license number, addresses, vehicle make, model and year, witness names and telephone numbers, the name of the city or jurisdiction in which the accident occurred and the name of the investigating officer.
- Take pictures, including damage to all vehicles, scene of the accident (wide angle), street signs...etc.
- Complete a Vehicle Accident/ Incident Report and forward it to the designated responsible individual as soon as possible

## Travel Using Personal Vehicles

- **Notice of Potential for Personal Liability:** TSUS Components recognize that employees occasionally use personal vehicles while engaged in TSUS Component-related activities on campus and in the local area. *Because personal automobile insurance will be looked to first in the event of an accident*, all persons who use their vehicles while conducting TSUS Component business should be made aware of the possibility of personal liability related to such use. Employees using their personal vehicles for TSUS Component-related activities are required to carry the state minimum of auto liability insurance. In addition, the employee may be asked to produce proof of insurance prior to approval of travel. The TSUS Component provides limited secondary liability coverage for damages arising from use of a personal vehicle; however, members of the driver's family and other employees are excluded from coverage under that policy.
- **Reimbursement for Costs of Using Personal Vehicles:** TSUS Component fuel cards will NOT be issued for use in personal vehicles used to conduct TSUS Component-related business. Mileage costs related to any significant use of personal vehicles will be handled in accordance with the Component Institution's travel policy.
- Use of Personal Vehicle for TSUS Component-related business will have a current annual state inspection prior to travel.
- **Use of Personal Vehicles Not Required:** No individual shall be required to use their vehicle to perform TSUS Component-related activities.

## Travel Using Rental Vehicles

*Including short-term (less than six months) lease vehicles*

- (a) With limited exceptions, when an employee rents a vehicle from a rental company ("provider") under the Institution's Rental Agreement, liability, comprehensive, and collision insurance coverages are automatically provided. The Traveler should only purchase the collision damage waiver or loss damage waiver when renting vehicles from a rental company not under the Institution's Rental Agreement (this is a reimbursable expense).  
The Hired/Non-Owned policy provides coverage that is in excess of the insurance secured through the Rental Agreement.
- (b) When a provider under the Rental Agreement is not used, employees should purchase the Collision Damage Waiver (CDW) or Loss Damage Waiver (LDW) (this is a reimbursable expense). Please contact the Travel Coordinator for an explanation of other coverage options, as some of these coverages are not reimbursable. When an employee does not purchase the Collision Damage Waiver (CDW) or Loss Damage Waiver (LDW) the Hired/Non-Owned policy will provide excess liability, comprehensive, and collision coverage after applicable deductibles.
- (c) Institutions must notify the Travel Coordinator at least 48 hours prior to the trip if any rental vehicle is to be taken off road or if a vehicle is being rented or leased for extensive travel (travel outside of the 48 contiguous states or rented or leased for more than 30 days). The following information must be provided with the notification:
  - 1) dates insurance coverage is needed;
  - 2) city and state where the vehicle is being rented;
  - 3) name, address and phone number of the rental company;
  - 4) make, model, license number, vehicle identification number, and value of vehicle;
  - 5) names of the individuals that will be driving the vehicle; and
  - 6) purpose of the rental.
- (d) If a leasing company requires a copy of the Certificate of Insurance before releasing the vehicle, then the institution needs to notify the Travel Coordinator. The same information as mentioned in (c) is needed. The Travel Coordinator will then notify the insurance company to request the certificate. Institutions shall develop internal procedures for centralizing these requests.
- (e) If a rental vehicle is involved in an accident, both the driver and institution shall follow Reporting of Accidents or Damage procedures of this policy.