

The City University of New York

FLEET MANAGEMENT POLICY

Revised April 2010

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I. INTRODUCTION AND STATEMENT OF POLICY

This manual contains the information you will need to help you safely operate and properly maintain any vehicles owned or leased by the University, including assigned and pool vehicles, and multi-passenger vehicles (each a "University vehicle"). This manual also contains the University's policies regarding who is permitted to operate University vehicles and for what purposes. Portions of this manual also apply when renting vehicles or using your personal vehicle for University business.

Each time a City University of New York (hereafter referred to as "CUNY" or "University") vehicle is operated in an inappropriate and unsafe manner, it places the University, the vehicle operator, any passengers, other drivers and pedestrians at risk. Proper use of any University vehicle will help protect CUNY and the vehicle operator from potential public liability and negligence lawsuits in the event of an accident.

The University will attempt to ensure that all drivers are instructed in the safe and proper use of the University vehicles and that all vehicles are properly maintained. Our goal is to reduce the risk of and/or eliminate all vehicle accidents involving University vehicles.

Please read this manual carefully and keep it handy for future reference.

II. VEHICLE SAFETY PROGRAM

A) MINIMUM REQUIREMENTS FOR OPERATING A UNIVERSITY VEHICLE

- (i) All potential drivers of University vehicles must satisfy all of the criteria listed below:
 1. Drivers must possess a legal current US driver's license, recognized by the State of New York, a copy of which must be provided to the Campus Fleet Safety Manager. Drivers who do not possess a New York State driver's license must provide the Campus Fleet Safety Manager with a copy of their driving abstract each semester.
 2. Drivers must be University employees or employees of one of the following entities or types of entities related to the University, conducting University business: the Research Foundation, auxiliary enterprise corporations, college associations, student services corporations, child care centers, performing arts centers, and art galleries.
 3. Drivers must be of driving age and preferably, but not necessarily, licensed 4 or more years.
 4. Drivers must have a good driver record as determined by a Motor Vehicle Records Review; see Section II (B) below.
 5. Employees who are required to attend a Defensive Drivers course will be allowed to continue to drive until successful completion of the course,

except for violations as noted in Section II (A) (ii) below.

- (ii) **ANY** driving violations involving a conviction for intoxication and/or use or possession of any controlled substance, reckless driving, license suspension or failure to report an accident are unacceptable and may lead to revocation of driving privileges by the University.
- (iii) It is each driver's responsibility to immediately report all restricted licenses and/or suspended licenses to the driver's Campus Fleet Safety Manager. Failure to report the existence of a restricted or suspended license may lead to revocation of driving privileges.
- (iv) All drivers are responsible for parking and/or traffic violation tickets received while driving a University vehicle.
- (v) Smoking in University vehicles is prohibited.
- (vi) Drivers are prohibited from using mobile phones, BlackBerries® and other electronic devices without a hands-free adapter. Many localities and municipalities have enacted regulations governing the usage of mobile phones while operating an automobile. In New York State, it is illegal to operate a mobile phone without using a hands free device, and, it is expected that all drivers of University vehicles will obey the law and comply with applicable regulations.

Drivers must adhere to the following safety guidelines regarding mobile phones:

1. Make driving your priority—you may be endangering yourself and others if you are using a mobile phone while driving.
2. Choose a phone with hands-free capabilities, but understand that while risk is diminished, it is not eliminated.
3. Pull to the side and put the vehicle in PARK to place your mobile phone call(s) or send text messages, or use a hands free mobile phone headset for calls.
4. If you receive calls while driving, use a hands free headset and keep conversations as brief as possible. Reserve discussions that require complex thought or note-taking for your non-driving time. Do not send or read text messages while driving.
5. Actively compensate for the potential distraction created by mobile phone use. Move to a slower travel lane, increase your following distance, and be alert to current conditions and be prepared for the unexpected.
6. Terminate a call immediately if the traffic situation requires.
7. Use the memory-dialing features to program emergency numbers and frequently called numbers into your phone.

8. TURN OFF your mobile phone if you need to jump start your vehicle, while refueling and/or in accordance with "Blasting Operations" warning signs.
- (vii) All University vehicles are equipped with seat belts, as required by law. Drivers and all passengers of University vehicles are required to use available seat belts at all times while the vehicle is in motion including passengers in the rear seat(s).
- (viii) Driving under the influence of drugs/alcohol is prohibited.
- (ix) Possession and/or use of alcohol, illegal drugs or other intoxicating substances in a University vehicle is forbidden.
- (x) Operation of University vehicles must be in full compliance with all applicable federal, New York State and New York City laws

B) MOTOR VEHICLE RECORDS REVIEW

The University will review all University vehicle operators' Motor Vehicle Records to evaluate their driving history. For drivers with New York State licenses, this will be conducted through the NYS DMV License Event Notification System (LENS); all such drivers will be enrolled in LENS. This system keeps accurate records of driving infractions and associated points, and notifies the University of any action taken by governmental entities with respect to driving licensing. Previously, all drivers were required to sign an Authorization and Release of driving information from the NYS DMV. This will no longer be required under the LENS program. Drivers who do not possess a New York State license must provide the Campus Fleet Manager with a copy of their driving abstract each semester (see Section II.A.(i).1)

C) ROUTINE SAFETY CHECKS BY DRIVERS

Drivers are responsible for routine checks of the University vehicle they are assigned or about to use. This includes but is not limited to:

1. Visual inspection of tire wear and inflation;
2. Inspection to insure all lights and horn are operational;
3. Inspection to insure brakes operate in a normal fashion;
4. Inspection to insure gas, oil and other fluid levels are adequate; and
5. Inspection to insure no physical damage to vehicle such as dents, scrapes, etc.

No driver should perform work, other than safety and fluid checks listed above, to vehicles themselves. Each driver is responsible for notifying the Fleet Manager in the event a University vehicle is not operating properly, requires repairs and/or

there is a reason to believe the vehicle is not safe to drive.

D) DEFENSIVE DRIVING COURSE

Drivers may be required to attend a National Safety Council Defensive Driver Course. The Defensive Driver Course will be provided by the University at no cost to the employee and can be taken during the employee's regular work schedule.

E) LICENSE SUSPENSION/REVOCATION – DUE PROCESS RIGHTS

In the event of a suspension or revocation of the drivers license of an employee who is required to drive as part of his/her duties and responsibilities, the college may proceed to file disciplinary charges subject to the employee's due process rights to representation and a hearing in accordance with the disciplinary procedures of CUNY's collective bargaining agreements.

The CUNY Fleet Management Policy does not diminish an employee's collective bargaining rights or rights under Section 75 of the New York State Civil Service Law, as may be applicable.

III. ASSIGNED, POOL AND MULTI-PASSENGER UNIVERSITY VEHICLES

A) ASSIGNED VEHICLES

1. All assigned University vehicles shall be considered part of the University's motor pool, available for the University's use as needed.
2. While part of the University's stand-by fleet, vehicles provided to Presidents and Vice Chancellors in their letters of employment may continue to be used for commuting purposes, but must be made available for University use as needed.
3. Assigned University vehicles must only be used for official University business, and use for personal purposes is not permitted unless such use is incidental or ancillary to official business.
4. Notwithstanding paragraph 3 above, a limited number of critical employees are deemed to have emergency responsibilities and are expected to be on duty seven days per week, 24 hours per day. These employees are granted authorization to have their assigned University vehicles with them at all times, except when they are on personal business outside of the New York City Metropolitan area. Use by these employees of assigned vehicles for personal purposes within the New York City Metropolitan area is deemed to be incidental to authorized purposes and is therefore permitted under this policy.
5. The University requires operators of assigned University vehicles to keep a detailed log of all business-related use of the vehicles, including mileage of assigned University vehicles and locations traveled to and from. Any mileage not reported as having a valid business purpose will be considered personal use

and the value of such use must be imputed as personal income.

B) POOL VEHICLES

1. Access to pool vehicles shall be restricted to drivers authorized by the University.
2. Keys to pool vehicles shall be kept in a secure location.
3. The Fleet Safety Manager shall maintain a Pool Vehicle Use Log that will contain: drivers name, vehicle license plate number, date and time vehicle taken, date and time date of return, etc.
4. Drivers must sign the Pool Vehicle Use Log prior to removing any pool vehicle from its space and after returning it. Upon returning the pool vehicle, drivers should note in the log any condition(s) affecting the safety of said vehicle.
5. Pool vehicles shall only be used to conduct official University business.
6. Pool vehicles must always be used if available and in preference to use of rentals or reimbursement for personal vehicle use.

C) MULTI PASSENGER VANS/BUSES

1. Drivers must be properly licensed to operate a multi-passenger van/bus as required by the State of New York.
2. Each driver must sign a statement certifying that s/he does not have a physical/medical condition that would impair her/his ability to operate a vehicle.
3. Drivers must participate in a training seminar conducted jointly by the University's designated broker and insurer. The training seminar is at no cost to the employee.
4. The Fleet Safety Manager shall maintain a Van/Bus Vehicle Use Log that will contain: drivers name, vehicle license plate number, date and time vehicle taken, date and time date of return, etc.
5. Drivers must sign the Van/Bus Vehicle Use log prior to removing any van/bus from its space and after returning it. Upon returning the van/bus vehicle, drivers should note in the log any condition(s) affecting the safety of said vehicle.
6. Vans/Buses shall only be used to conduct official University business.

IV. IN CASE OF AN ACCIDENT

A) IMMEDIATELY AT THE SCENE

If you are involved in an accident, your first duty as a driver is to:

1. Immediately call 911 for help;
2. Protect the scene so that further damage and/or injuries do not occur;
3. If possible, give assistance to anyone who has been injured.
4. **DO NOT LEAVE THE SCENE, REGARDLESS HOW MINOR THE DAMAGE MAY APPEAR.**

B) VEHICLE ACCIDENT REPORTING

A Vehicle Accident Reporting Kit is provided for every University vehicle. A sample of the items contained in the Accident Reporting Kit is attached to this manual. This kit must be kept in your vehicle's glove compartment at all times. Instructions for completing the forms are included in the kit. If you need a replacement kit please contact your college's Fleet Safety Manager.

Any driver involved in an accident with a University vehicle should:

1. Call 911 and give assistance as described above, if possible;
2. Attempt to get names, addresses and telephone numbers of any witnesses. If witnesses refuse to give their contact information, copy down their vehicle license plate number, if possible;
3. Draw a rough diagram of the scene of the accident. If possible, take photos;
4. When police arrive, request a formal police report. Get name, precinct and badge number of officer;
5. Unless your vehicle creates a hazard, refrain from moving the vehicle until the police department, fire department and/or other emergency responders arrive;
6. Refrain from giving statements or signing anything other than those absolutely necessary for the police report;
7. **NEVER** admit responsibility or agree to pay for anything;
8. **NEVER** argue about who is responsible for the accident. **BE COURTEOUS!**; and
9. Report all accidents and/or property damage within 24 hours, and personal injury/deaths or major accidents immediately as instructed in the Accident

Reporting Kit. Failure to comply with this requirement may result in revocation of driving privileges.

V. USE OF RADAR DETECTORS

The University prohibits the installation, possession, and/or use of radar detectors in University vehicles.

VI. USE OF PERSONAL VEHICLES ON CUNY BUSINESS

Personal vehicles should not be used for University business unless no pool vehicle is practically available, a location is not easily accessible by mass transit, or in case of emergency. Employees who use their personal vehicles for University business must maintain the minimum statutory automobile liability limits as required by the State in which the vehicle is registered.

Certificates of insurance verifying these minimum limits may be requested and must be provided upon request.

VII. EMPLOYEES WITH PHYSICAL DISABILITIES

University employees who are disabled and who have personal vehicles that have been modified to accommodate their disabilities, are authorized to use their vehicles when automobile transportation is needed to fulfill official University business.

VIII. USE OF RENTAL VEHICLES

In circumstances where a location is not easily accessible by mass transit and a pool vehicle is not practically available, employees may use the least expensive option of either a rental vehicle or their personal vehicle. Rental vehicles shall be deemed University vehicles for purposes of Articles II, IV, and V of the Policy.

IX. VEHICLE MAINTENANCE

1. A University vehicle shall be considered for replacement upon reaching a total mileage of 75,000 miles or when maintenance and operating costs exceed \$10,000 per year.
2. The need for University vehicles with annual mileage under 10,000 shall be reviewed annually and continued use must be authorized by the Chief Operating Officer.

3. University vehicles shall undergo a full 13 point vehicle check every 3500 or 7500 miles driven. The Fleet Manager shall monitor vehicle mileage to ensure that these services are completed according to schedule.

X. VEHICLE ACQUISITION

1. University vehicles shall be purchased or leased off contracts administered by the OGS when available.
2. Leasing or outright purchasing are the most cost effective means of acquiring vehicles for the University.

(Complete and return to Fleet Manager)

I have received, read and understand the Fleet Management Policy.

(Print Name)

(Signature)

(Date)