BATES COLLEGE MOTOR VEHICLE POLICY: (Revised 7/2014)

I. **Introduction:**

The Bates College Motor Vehicle Safety Handbook and Policy is based on a loss prevention model which establishes the safety of drivers and passengers as a fundamental priority in the operation of Bates College Motor Vehicles. For policy purposes, the term “Bates College Motor Vehicle” includes all motor vehicles owned, leased and/or rented by the College and employee-owned and leased vehicles while in use for College business purposes.

Experience tells us that motor vehicle crashes are preventable. Working to prevent and reduce the number of motor vehicle crashes helps to lower the incidence of personal injuries, lowers the aggregate cost of property damage, and works to reduce the insurance costs while serving as an important part of the larger effort to foster a safe educational environment at the College.

The safety and well being of the College’s students, faculty and staff are important goals for all elements of the College’s programs. While it is the responsibility of all community members to participate in safe practices, it is particularly important that every student or member of the College’s faculty and staff who accepts the responsibility to operate a Bates College Motor Vehicle should consider safety as a fundamental part of the obligations which obtain in that capacity.

Please read the Bates College Motor Vehicle Safety Policy carefully and take very seriously the responsibility you accept by becoming a driver of a Bates College Motor Vehicle.

All student drivers as well as faculty and staff under the age of 25 will be required to take a Safety Driving Course provided by the College Department of Security and Campus Safety, file a “Drivers Application with the Department, sign an Agreement for Operation of Bates College Motor Vehicles form and provide the department with a current copy of your Drivers Record in order to be certified for driving Bates College Motor Vehicles.

This Policy addresses not only the rules governing the operation of Bates College Motor Vehicles (part II) but, also the circumstances under which Bates College students may be approved to drive Bates College Motor Vehicles in support of academic, co-curricular, and formally organized extracurricular activities of the College (part III).

II. **Rules Governing the Operation of Bates College Motor Vehicles:**

A. **Compliance with Traffic Laws**

Operators of Bates College Motor Vehicles will comply with all motor vehicle regulations, laws, and ordinances at all times.

B. **Alcohol and Drugs**

The use of alcohol and/or drugs by the driver or passengers of a Bates College Motor Vehicle is strictly prohibited, either while in possession of the vehicle or within 24 hours prior to such possession. Violation of this provision will be grounds for immediate termination of driving privileges under this policy.

C. **Safety Belts**

In compliance with state law, all drivers are required to use safety belts while operating a motor vehicle for the College. Similarly, all passengers, regardless of placement in the vehicle, must wear safety belts while the vehicle is in motion. It is the driver's responsibility to insure 100% compliance with this aspect of the policy.
D. Certified Drivers of Bates College Motor Vehicles

Bates College students must be certified in order to drive Bates College Motor Vehicles. Faculty and staff under the age of 25 must be certified in order to drive Bates College Motor Vehicles. Standards and requirements to be certified are described in this section II-D, below.

The Driver Safety Program consists of three online training videos and quizzes and a commentary drive/back up training scheduled with the Driver Trainer. The training class is good for four (4) academic years (July 1 to June 30). Training sessions are coordinated by the Driver Trainer and information can be found on the Security website. If you have questions about training or need to sign up for a course, please contact Officer John Heutz at jheutz@bates.edu

Other faculty and staff are authorized to drive Bates College Motor Vehicles so long as they possess an approved driver's license from the United States. Exceptions to this blanket authorization for faculty and staff age 25 years and over may be necessary where there is a demonstrated record of unsafe driving practices by the individual.

To become a certified driver of Bates College Motor Vehicles, Bates College students as well as faculty and staff under the age of 25 must:

1. Drivers must be at least eighteen (18) years of age and have a United States license. No international licenses qualify to become certified.

2. File with the Department of Security and Campus Safety (no less than 5 days before the class date) a Bates College driver application and a copy of your motor vehicle driving record.

   a. The time it takes to receive a requested motor vehicle record varies from state to state, but can take up to one (1) week or more. Some states have an online process where the record can be obtained while other states require additional authorizations to obtain records. In these situations, the individual will need to speak directly to their local Department of Motor Vehicles. Records should show at least a three year history. Any questions regarding the motor vehicle record please contact the Driver Trainer.

3. Have less than ten (10) points on their Motor Vehicle Record check

   a. Disqualification: Motor Vehicle Records are scored using a point system. Persons who have ten (10) or more points (major violations, i.e., driving under the influence of alcohol or drugs, reckless operation, hit and run, driving under suspension, fleeing from a police officer) after a review of their Motor Vehicle Record is ineligible to drive a Bates College Motor Vehicle. Persons who are convicted of a major violation after becoming an approved driver must notify the College’s Driver Trainer or their designee in which event authorization to drive a Bates College Motor Vehicle will be suspended.
b. The Driver Trainer will evaluate the applicant's MVR based on the Point System for MVR Evaluations. An unacceptable driver is any individual who does not hold a valid driver's license or scores a total of ten (10) points or more over the past three (3) calendar years based on the Point System for MVR Evaluations referred to above. Points will be based solely upon information obtained from the MVR. MVRs will be reviewed and will be kept confidential. The College scores MVRs based on the Point System for MVR Evaluations which may not correspond to the driver’s state point system.

Applicants will be notified by the Driver Trainer of their eligibility. All applicants and approved drivers may attend, at their personal expense, a defensive driving program approved by the Driver Trainer to improve their driving score. Successful completion (must be documented) of the defensive driving course will result in the driver receiving three (3) point credits toward his or her MVR screening. For example, an applicant with an MVR score of ten (10) who is ineligible to drive a College motor vehicle may successfully complete a defensive driving course and reapply with an MVR score of seven (7).

4. Satisfactorily complete a Driver Safety Program conducted by the College. Completion of the course by student drivers is good for four (4) years. The MVR’s after being submitted each year will be re-evaluated and once cleared the driver will be cleared for the academic year to drive a College Motor Vehicle.

5. Provide to the Department of Security and Campus Safety yearly with updated Motor Vehicle drivers history report.

E. Authorized Passengers
Only those individuals affiliated with the College, i.e., faculty, staff, students, or invited guests, are to be transported in Bates College Motor Vehicles. Personal use is strictly prohibited. It is the driver's responsibility to enforce this policy.

F. Crashes/Accidents Involving College Vehicles

Bates College policy requires that any accident involving Bates College Motor Vehicles, regardless of severity, location, or fault, should be reported immediately to the law enforcement authority within the jurisdiction where the accident occurred and to the Department of Security and Campus Safety at Bates College (207-786-6254). If the accident or incident takes place on the Bates College Campus the local jurisdiction will be Bates College Security- (207) 786-6254. An Officer will report to your location to file a report.

If there is an accident involving a Bates College Motor Vehicle, the first order of safety is to attend to the injured parties and to insure that all parties are safely out of further harm’s way in the area of the accident. Note: injured parties should be moved only by medical personnel except under the most unusual and crisis-like circumstances to prevent added trauma arising to the victim.

Each driver's packet contains information on accident reporting, as well as an insurance card bearing the name of the College's insurance broker. No driver should operate a Bates College Motor Vehicle for the College unless s/he has the accident reporting kit and the insurance card in their possession.
Other points for consideration in the event of an accident:

1. Make no statement to anyone other than to law enforcement personnel or to the Bates College Director of Security and Campus Safety.

2. Make no statement about payment of damage.

3. Admit no liability.

4. Move the vehicle only when so instructed by police unless your best judgment under the circumstances is that moving the vehicle is the best and safest course of action.

Drivers of College vehicles are responsible for all citations received as a result of an automobile accident, excessive speed and other moving violations.

If a College owned vehicle is damaged and cannot be driven and the Department of Safety and Security authorizes it, the vehicle will be towed by AAA. If a rental vehicle is damaged, follow the procedures outlined on the rental agreement and/or posted inside the vehicle. In addition, contact the Department of Security and Campus Safety to report the accident. Unless approved by the Department of Security and Campus Safety, in consultation with the College's in-house mechanic, any damaged College Motor Vehicle or rental vehicle must be returned to campus or the rental location immediately following an accident.

ACCIDENT REPORTING FORMS:

For any accident or damage occurring involving a College owned or rental vehicle, drivers must complete a Bates College Accident Report within 24 hours and submit it to the Department of Security and Campus Safety Communications Center. Blank reports may be picked up from the Communications Center. The Department of Safety and Campus Safety will notify the College’s risk manager.

Driving privileges may be suspended or revoked after an accident with a College Motor Vehicle upon further investigation of all accidents.

Failure to report any incidents and complete a Bates College Accident Report within 24 hours will result in loss of all driving privileges of College owned vehicles and may result in the loss of insurance benefits to the College and result in your department/organization being charged the cost of repairs.

RENTAL VEHICLES:

Any potential claims involving a rented vehicle will need to submit a copy of the rental agreement with the Bates College Accident Form.

BREAK DOWNS:

If a breakdown of a college owned vehicle occurs call the Security Communications Center at (207-786-6254) for further assistance as the College uses AAA services.

If a breakdown of a college rental vehicle occurs call the rental companies after hour’s number provided by the rental company for further assistance. If no one can be reached at the rental after hour’s number, call the Security Communications Center at the number above.
G. Driver Responsibility in Bates College Motor Vehicles

The ultimate responsibility for the safety and well being of all passengers belongs to the driver of the Bates College Motor Vehicle. No policy or procedural statements can eliminate that responsibility. All laws must be obeyed and good safety practices followed on an ongoing basis.

The areas listed below further define the driver's responsibilities.

H. Equipment

Any equipment discrepancies, failures, or vehicle damage should be reported to the Department of Security and Campus Safety, and for rented/leased vehicles, to the company owning the vehicle. Inspect the vehicle before using so that pre-existing problems are noted at the outset and, if possible, corrected before vehicle use. Vehicles thought to be unsafe should not be taken out on the road under any circumstances.

2. Cargo

All cargo and equipment shall be stored in a secure fashion so that it does not interfere with the safe operation of the vehicle or endanger the safety of the passengers. Cargo should be stored elsewhere than behind the rear wheels of a 10 passenger van as it contributes to poor handling characteristics of the vehicle in the event of an emergency or tire failure. If the number of passengers is less than 10, cargo could be stored over the axle or in front of it. Cargo should not exceed 200 lbs. in this event. The cargo should be secured as to prevent it from being a hazard in the event of an accident. Cargo on the roof of a 10 passenger van or any other vehicle is not permitted. Transportation of a trailer with a 10 passenger van is also prohibited.

3. Uncooperative Passengers

Passengers who do not, by their actions while being transported in a Bates College Motor Vehicle, support the safe driving goals of this policy should be reported by the driver to the departmental supervisor who approved the use of the Bates College Motor Vehicle for College business.

4. Distractions

The driver's attention should always be on the safe operation of the vehicle. Distractions such as eating or drinking should be refrained from while the vehicle is in motion. Smoking is prohibited in College vans.

5. Cellular Phone and Electronic Device Use while Operating a Vehicle

Employees and/or students whose job responsibilities/College work includes driving a College owned, rented, borrowed, leased, or personal vehicle while conducting College business, as defined in the Motor Vehicle Policy, should refrain from using their phones, and electronic devices while driving. This includes College owned and personal cellular phones and electronic devices.

Drivers shall comply with all federal, state, and local laws and regulations regarding the use of mobile technology devices including cellular phones. Incoming or outgoing cellular phone calls are not allowed while driving. Sending or reading text messages, emails, dialing cellular phones, viewing television, videos, or DVD’s and inputting data into laptop computers, personal digital assistants or navigation systems are prohibited while driving per law and College policy. The cellular phones voicemail feature should be on to store incoming calls while driving and all message retrievals and calls should be made after the vehicle is safely parked.

If acceptance of a call is unavoidable and pulling over is not an option, drivers are expected to keep the call short, use hands-free options if available, refrain from complicated or emotional
discussions and keep their eyes on the road. Special care should be taken in situations where there
is traffic, inclement weather, or the employee is driving in an unfamiliar area. Whenever possible
have another occupant of the vehicle receive the call.

Driving while distracted in the State of Maine is a moving violation (Sec. 1. 29-A MRSA §2118). Crashes incurred while the driver is using a cellular phone or electronic device may be considered
to be preventable and the driver may be subject to disciplinary action. Anyone who is charged
with traffic violations resulting from the use of their phone or an electronic device while driving
will be responsible for all financial liabilities (fines associated with citations) that result from such
actions.

I. Unauthorized Use of Bates College Motor Vehicles
Only authorized and certified drivers may drive Bates College Motor Vehicles. Drivers for whom
vehicles have been signed out or rented are not authorized to delegate driving responsibilities to
other drivers except in an emergency and, then, only where the delegated driver is a certified
driver for Bates College Motor Vehicles. Improper delegation of driving responsibility may lead
to a suspension of driving privileges for the individual in question.

In the case of long term rentals of vehicles (typically in the intercollegiate athletics program) a
faculty or staff member will be the driver of record and responsible for assuring that those who
drive the vehicle are properly authorized to do so under this policy.

J. Passenger Vans:
Bates College will no longer utilize 15 or 12 passenger vans. No more than 10 passengers
including the driver should ever be in a Bates College Motor Vehicle at any time.

III. Approvals Required for Bates College Students to Drive Bates Motor Vehicles:
The College distinguishes between the question of the rules for qualifying Bates College students for
driving Bates College Motor Vehicles (addressed in part II, above) and the processes and policies
which will govern the acceptable circumstances wherein Bates College students may be asked to drive
Bates College Motor Vehicles.

Broadly speaking, Bates College students will be authorized to drive Bates College Motor Vehicles
only when absolutely necessary for the direct support of the College's academic, co-curricular, and
formally organized extracurricular programs and when faculty or staff personnel are not available to
serve in the capacity of driver.