



Standard Administrative Policy and Procedure

Subject: Driving for University Business

Number: UW SAP 7-9.10

I. PURPOSE

To establish policies and procedures governing driving for University business, including driver qualification and requirements, conditions of vehicle use, authorized and unauthorized transportation of passengers, and the use of personal vehicles for University business.

II. DEFINITIONS

Driver: Any individual who drives or seeks to drive for University business including, but not limited to, employees, students, volunteers and guests.

Qualified Driver: Any individual who is approved to drive a University Vehicle or University Personal Vehicle for University business in accordance with this Policy.

University Vehicle: A licensed vehicle or trailer that is owned, rented, leased or otherwise under the possession or control of the University.

University Personal Vehicle: A licensed vehicle owned by a private individual during the time the personal vehicle is being used for University business.

III. DRIVER QUALIFICATIONS

Only Qualified Drivers may drive a University Vehicle or University Personal Vehicle. A Driver is considered qualified by meeting the following requirements of the Risk Management Department that the individual driver:

- A. Is at least 18 years old.
- B. Has a valid United States or Canadian driver's license and has held a valid driver's license from any jurisdiction, foreign or domestic, for at least one (1) year prior to the request to be a Qualified Driver. If any portion of the record for the one (1) year prior to the request to be a Qualified Driver is from a jurisdiction other than the United States or Canada, the individual must submit a copy of the record from the foreign jurisdiction to Risk Management, with the request to become a Qualified Driver outlined in Section IV(D) below.

- C. Possesses the correct current license for the vehicle type that they will be driving, including any required endorsements.
- D. Has requested driving privileges from the Risk Management Department and has authorized the University to complete a Motor Vehicle Record (MVR) check by submitting the Request for Driving Privileges form available online at the Risk Management Web site. MVR checks will be done at least annually and more frequently as determined necessary by the Risk Management Department.
- E. Has a satisfactory driving history record (MVR). A driving history record is considered satisfactory when it meets the following requirements established by the Risk Management Department:
 - 1. The individual must not have exceeded two at-fault accidents or moving violations within the last 12 months.
 - 2. The individual must not have been convicted of, pled guilty or nolo contendere (no contest) to, or signed an agreement with a court or prosecuting attorney in which guilt is admitted to any “major offense” in the past 36 months. “Major offense” includes drunk driving, driving under the influence of drugs, reckless driving, leaving the scene of an accident/hit and run, motor vehicle homicide, attempting to elude a police officer, racing, or any license suspension as a result of a moving violation.
- F. Notifies the Driver’s supervisor and the Risk Management Department when there is a change in his/her license status.
- G. Complies with any other requirements of the Risk Management Department for Driver Qualifications.
- H. If an employee or applicant for employment does not meet the above criteria and has been denied approval for Qualified Driver status by Risk Management the individual and/or the affected campus department may seek a review of this determination. An individual may be still deemed a Qualified Driver for purposes of this policy if the Chief Risk Officer, in consultation with the Office of General Counsel and the applicable Vice President, approves requested exceptions to the criteria. The review and final determination by the Chief Risk Officer will be made on a case-by-case basis.

IV. DRIVER CONDITIONS OF USE

Drivers may only operate a University Vehicle or University Personal Vehicle in a manner that ensures the safety of the Driver and any occupants. The University prohibits activities that are illegal, activities which are defined as misuse or activities that endanger vehicle occupants while operating a University Vehicle or University Personal Vehicle.

A. Categories of Misuse of a Vehicle that Apply to Both a University Vehicle or a University Personal Vehicle

Engaging in any of the following activities constitutes a misuse of both a University Vehicle and a University Personal Vehicle:

1. Driving when not a Qualified Driver.
2. Driving while under the influence of drugs or alcohol, including but not limited to the following:
 - a. Operating any University Vehicle or University Personal Vehicle while under the influence of alcohol or a controlled substance.
 - b. Operating any University Vehicle or University Personal Vehicle while under the influence of any illegal substance.
 - c. Possessing or transporting any illegal, controlled substance, in the University vehicle or Personal Vehicle.
 - d. Operating any University Vehicle or University Personal Vehicle while impaired from any prescription medication.
3. Operating any University Vehicle or University Personal Vehicle without the use of available seatbelts by all occupants. The Driver is responsible for ensuring the number of occupants does not exceed the number of available seatbelts and that each occupant is using the provided seatbelts whenever the vehicle is in motion.
4. Talking on, texting with, or otherwise using a handheld mobile communication device while driving. Use of a hands-free device while driving is permitted. It is not misuse to use a handheld device when contacting 911 or other emergency services.
5. Driving during restricted hours or for extended periods of time as follows:
 - a. Departments may impose policies regarding hours of the day that driving is allowed or restricted (e.g. driving restricted between 1:00 a.m. – 5:00 a.m.).
 - b. It is recommended that one Driver not exceed eight hours of driving per day.
 - c. It is recommended that multiple Drivers not exceed 16 hours of driving per day.

- d. It is recommended that all Drivers take brief rest periods every two hours.
- 6. Operating a University Vehicle or University Personal Vehicle that is rendered unsafe because of a mechanical problem. Before beginning a trip, the Driver should inspect the vehicle for safety issues such as tires, wipers, lights, and any other safety equipment for observable defects.
- 7. Failing to comply with any state's applicable traffic laws, ordinances or regulations. In addition to being considered misuse of a University Vehicle or University Personal Vehicle, failure to comply with laws or regulations may subject the Driver to personal responsibility for any consequent damages or fines as well as a possible loss of indemnification by the University.
- 8. Failing to pay any parking tickets or similar fines and related penalties and interest incurred during operation of the University Vehicle or University Personal Vehicle. Such costs are the responsibility of the Driver and must be paid timely to the appropriate jurisdiction.
- 9. Failing to report any accident or damage to a University Vehicle or University Personal Vehicle to the Risk Management Department as required by the Accident Reporting Procedures.
- 10. Transporting any hazardous materials (including, but not limited to chemical, biological and medical materials) unless in compliance with applicable Federal, State, local and University Hazardous Materials Transportation policies.
- 11. Use of 15-passenger vans, whether University owned or rented through an outside car rental agency, except use of 15-passenger vans that have been converted for the use of cargo or maintenance purposes only are acceptable. Additionally, 12-passenger vans are acceptable.

B. Additional Categories of Misuse of a University Vehicle:

In addition to the misuses listed above, engaging in any of the following activities constitutes a misuse of a University Vehicle (but does not constitute misuse of a University Personal Vehicle):

- 1. Possessing or transporting alcohol in a University Vehicle unless transporting such substances is within the scope of the Driver's official job duties.
- 2. Smoking in a University Vehicle, including e-cigarettes.

3. Unless an exception is approved in writing by the Risk Management Department in advance, transporting unauthorized passengers such as family members, friends, or others in a University Vehicle when not necessary for official University business.
 - a. Exceptions may be requested by submitting the request form available from the Risk Management Department prior to the planned travel and will be granted only in limited circumstances when necessary for University business or otherwise in the best interest of the University.
 - b. Transportation of individuals who are relevant to University business (e.g., contractors, employees of other public entities, University clients, participants in University programs, University volunteers, etc.) in a University Vehicle is permitted and does not require a request for an exception as described in this section.
4. Transporting pets or animals other than service dogs for individuals with disabilities or animals associated with University business in any University Vehicle.
5. Allowing anyone who is not a Qualified Driver to operate a University Vehicle.
6. Operating any University Vehicle “off-road” unless necessary for official University business.
7. Transporting firearms in any University Vehicle, exception as follows:
 - a. Certified Wyoming Peace Officers carrying their service weapons.
 - b. Employees who are authorized to possess firearms to perform job related functions.
 - c. Sports clubs that have received written approval from Risk Management and UW Police.
8. Unless the Driver’s employment contract specifies otherwise, operating a University Vehicle for personal use including trips of short duration or “detours” from official University business. This includes personal use of any University Vehicle while “on call.” This does not include activities reasonably associated with University business such as obtaining meals while on a travel status.
9. Driving a vehicle towing a trailer without complying with the following requirements:

- a. Towing of trailers is only allowed with SUVs or pickup trucks equipped with properly-installed towing packages.
 - b. The trailer load weight must not exceed the limits specified by the trailer manufacturer and the total load weight of the trailer does not exceed the towing limits specified by the tow vehicle manufacturer.
 - c. The trailer load is appropriately distributed and adequately secured in place.
 - d. The wheel base of the tow vehicle is adequate for the trailer being towed.
 - e. All trailer lights and brakes are in proper working order.
 - f. Trailer tires are properly inflated.
 - g. The trailer emergency chains are adequate and secured as required by law.
10. Adding storage or luggage racks above any vehicle owned by the University unless the addition is facilitated through Fleet Services.

C. Sanctions

- 1. Employees, students and volunteers who misuse any University Vehicle or University Personal Vehicle may be subject to discipline up to and including suspension or termination from University employment in accordance with the appropriate University regulation or policy. Misuse may also lead to a requirement to take a defensive driving course and/or loss of University driving privileges.
- 2. When a complaint of alleged misuse of a University Vehicle is received, the Assistant Director of Transportation Services shall confer with the Director of Transportation Services who will conduct an investigation into the alleged misuse. If the alleged misuse is verified, a full written report shall be submitted to the Deputy Vice President for Budget and Finance or designee and the individual to whom the vehicle was assigned at the time of the misuse may be subject to sanctions.
- 3. When visible damage to a University Vehicle is found that has not been reported, the damage shall be investigated by the Risk Management Department. Where warranted as the result of the investigation, a written report shall be submitted to the relevant Vice President(s) and the individual to whom the vehicle was assigned at the time of the damage may be subject to sanctions.

V. Cowboy Joe Club, University Foundation and Department Courtesy Vehicles

If a department possesses a courtesy vehicle, a Vehicle Usage Agreement must be on file with the Risk Management Department. The Cowboy Joe Courtesy Vehicle program, University Foundation Vehicles, and Department Courtesy Vehicles are considered University Vehicles but are exempt from the following provisions of this Policy: Sections IV (B) (1), (4), (6), (7), and (8).

To the extent there is a conflict between a Vehicle Usage Agreement governing a Cowboy Joe Club, University Foundation or Department Courtesy Vehicle and this Policy, the provisions of the Agreement shall govern.

VI. University Police and/or Law Enforcement Officials

The University Police are hereby exempt from any provisions of the policy to the extent the policy conflicts with any provisions of law governing University Police.

VII. Private Vehicles Used for University Business

The University encourages the use of a **University Vehicle** owned by the University for University business whenever possible. However, individuals using a **University Personal Vehicle** for University business are required to carry auto liability insurance, with at least the minimum limits required by the state where the vehicle is registered, and the insurance may not include any prohibition or restriction on the use of the vehicle for commercial, work or work-related purposes which would render the insurance invalid during the use for University purposes. The individual using the **University Personal Vehicle** must ensure a current vehicle registration and proof of insurance is in the vehicle during all travel for University business.

VIII. Passengers

- A.** Individuals who are relevant to University business (e.g., contractors, employees of other public entities, University clients, participants in University programs, University volunteers, etc.) may be transported in a **University Personal Vehicle**.
- B.** Passengers who are not related to University business (e.g. family members, friends, etc.) may be transported in a **University Personal Vehicle** if the **Driver** has obtained a waiver from each non-University-related passenger (or their appropriate guardian if the passenger is a minor or dependent adult) and filed it with the **Driver's** University Department prior to such transportation in the **University Personal Vehicle**. Each Department is responsible for reporting all waivers to the Risk Management Department. If a **Driver** anticipates transporting the same non-University related passenger on a regular basis, the **Driver** may submit a waiver covering multiple trips. Such a waiver must be resubmitted at least annually and the **Driver** must submit an estimate of the number of days each non-University passenger will be in the **University Personal Vehicle**.
- C.** The University is not, under any circumstance, responsible for injuries or damage to any passenger who is not related to University business. An employee who

transports a passenger who is not related to University business in a **University Personal Vehicle** without obtaining and filing the required waiver for each such passenger is deemed to be outside the course and scope of employment in that action, the University will not be responsible for any resulting liability, and the employee may be subject to appropriate discipline up to and including termination.

Responsible Division/Unit: Risk Management

Source: None

Links: <http://www.uwyo.edu/regs-policies>

Associated Regulations, Policies, and Forms: None

Approved: 4/27/2022