

Occidental College

Authorized Driver Program Procedures

Introduction

In order to help promote the safety of persons who drive themselves and others while they are conducting College business or while they are traveling in support of College programs; and in order to protect the College from unnecessary litigation and possible financial harm; and in order to comply with reasonable insurance carrier requirements and recommendations, the College has established the Authorized Driver Program for qualifying and approving drivers.

Operation of a motor vehicle under any circumstances is a privilege granted by the state and requires the driver to act in a careful and responsible manner at all times. Operation of a motor vehicle on College business or in support of a College program does not mitigate that responsibility. California Law requires all drivers to be properly insured whenever operating a motor vehicle for any purpose. Under state law, when an employee operates his or her own personal vehicle on College business or in support of College programs, the driver's personal insurance is primary coverage in the event of an insurable incident and College insurance only applies beyond personal policy limits.

Most motor vehicle rental companies will not rent to persons under 25 years of age and the College's insurance carrier will not insure students driving rental cars from a third party. Therefore, the College provides a fleet of College-owned vehicles under the Vehicle Rental Program whereby students who have applied for and attained Authorized Driver status are eligible to rent and operate College-owned vehicles on College business or in support of College programs.

NOTE: The Zip car Program is not affiliated with Occidental College Vehicle Rental or Authorized Driver Program in any manner. It is provided as a service only.

The Authorized Driver Policy and these procedures are intended primarily to apply to the transporting of students, faculty or staff to College organized or sponsored events. Examples of travel not intended to be covered under the Authorized Driver Policy but for which employees driving their own vehicles are eligible for reimbursement for mileage are off campus driving trips to a lunch meeting, to a conference or to the airport to fly to a conference, etc.

The Effective Date of these procedures is 10/1/2011.

Responsibility for the Authorized Driver Program

Responsibility for implementing the Authorized Driver Policy rests with the Vice President for Administration who develops procedures to be approved by the President. Three departments reporting to the Vice President share responsibility for the day-to-day management of the Authorized Driver Program – Facilities Management Department, Campus Safety Department and the Office of Risk Management. The Assistant Director of Resources, Transportation and

Rentals in the Facilities Management Department has primary responsibility for the management of the Authorized Driver Program. The Transportation and Motor Pool Coordinator, working under the direct supervision of the Assistant Director, facilitates the ongoing operation of the Program. Any questions about these procedures should be directed first to the Coordinator (email: authdriver@oxy.edu – phone: x3452).

Authorized Driver Program

Key Elements of Facilities Management Department’s Management of the Authorized Driver Program:

- Qualification and approval of current College faculty, employees and students to drive their own personal vehicle or any College-owned vehicle and current College faculty and employees to drive any vehicle from a car or truck rental agency (students not eligible) for the purpose of conducting any College business or in support College programs.
- Compliance with all current College insurance guidelines and all insurance company requirements and recommendations.
- Documentation of procedures for management of the Program
- Maintenance of a current approved Authorized Driver status list.

Other Resources/Transportation Policy and Procedures Documents:

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| A. Authorized Driver Policy | F. Passenger Manifest Policy |
| B. Vehicle Rental Policy | G. Passenger Manifest Procedures |
| C. Vehicle Rental Procedures | H. Summary of Rights (FCRA) |
| D. Authorized Driver Application | I. Summary of Rights (ICRAA) |
| E. Personal Vehicle Passenger Waiver | J. Appeal Process |

Included Parties:

The Authorized Driver Program Procedures apply to all College employees and current students operating a College owned vehicle or operating their own vehicle on College business or in support of a College program. Procedures also apply to authorized faculty and staff operating a rental vehicle to conduct college business or in support of a College program. The College insurance carrier will not insure student drivers of vehicles rented from a third party.

All applicants for Authorized Driver status must be either a current, active College employee or a currently enrolled student. From time to time other persons related to the College may be subject to these procedures as determined by the VP for Administration and the President.

No person other than an Authorized Driver may operate any vehicle either on or off campus in relation to College business or programs. In keeping with insurance industry standards and in order to provide a reasonable period of time for reviewing an applicant’s official driving record, Authorized Driver status requires a minimum of two consecutive years of driving experience immediately prior to the date of application.

Employees of the College include full-time, part time, casual and temporary employees, regular and adjunct faculty members, student resident advisors and students on work study, who either may be asked to drive in relation to their job or may offer to drive in support of a job-related function, are required to receive Authorized Driver status before operating any vehicle including his or her personal automobile for such purposes.

All currently registered students who are not student employees on work study, are eligible to apply for Authorized Driver Status. Non-Employee Student Authorized Drivers are defined as currently enrolled students who operate a vehicle in support of a College department (including ASOC), organization or club function, program, or event but who are not otherwise employed by the College.

If an employee's job description indicates that driving is an essential component of his or her position's job duties, loss of Authorized Driver status may affect his or her employment. The Human Resources Department is responsible to manage the employment aspect of the Authorized Driver Program according to the College's employment policies.

Risks Associated with Use of Personal Vehicles for College Business:

It is essential for applicants for Authorized Driver Status to understand that operating a personal vehicle while on College business or in support of College-sponsored programs entails personal financial risk. According to California law, the employee's/student's personal automobile insurance must respond first to any liability claims that occur even though he or she is driving for College purposes. Further, physical damage to a personally owned vehicle is not covered under the College's insurance policy. This physical damage exclusion is an insurance industry standard and is not the result of a discretionary decision by the College. The College strongly advises all persons who decide to operate their personal vehicle for College purposes to purchase an appropriate amount of physical damage insurance through their personal auto policies because the College will not pay for physical damage to a personally owned vehicle driven for College purposes.

Prior to driving on College business, non-faculty employees are required to obtain the permission of their supervisor to drive for the College, and, when using their own personal vehicle, employees must inform their supervisor that they will be using their own vehicle for College Business

Department Responsibility:

Department chairs, directors or equivalent must insure that employees and students within their departments who are driving while conducting business on behalf of the College or in support of College-sponsored programs comply with the Authorized Driver Program Procedures.

Authorized Driver Application Process

Applying for Authorized Driver Status: In order to qualify as an Authorized Driver each employee or student is required to file an application. Additionally, the following items must be on file in the Facilities Management Department:

1. Authorized Driver application and ADR release form are required to be completed and signed (see examples on pages 11 and 12).
2. Two Quick Reference sheets outlining program requirements must be read and signed by Authorized Driver applicants.
3. Photocopy of current valid driver license. Temporary driver licenses cannot be accepted.
4. Copy of MVR (motor vehicle report) obtained by the Facilities Management Department through ADR (American Driving Records, Inc.). The College bears the cost of obtaining the report.
5. Certificate after completion of on-line Defensive Driving (DDT) Follow the link and click on *Review Training Again* :
 English at
http://www.phly.com/aboutphly/LossControl/DriverTraining/quiz/start_exam.htm
 Spanish at
http://losscontrol.com/epic/PIC-Defensive_Driving/Spanish/index.html

The Motor Vehicle Report (MVR):

The MVR is an important element in the application review process. The College relies on each applicant’s MVR in order to determine his or her eligibility. The MVR shows all reported accidents, tickets, suspensions and judgments pertaining to an applicant’s driving record. Each reported item is evaluated on a point factor system that is consistent with systems recommended by the College’s automobile and liability insurance carriers. The Authorized Driver Program is designed to support those applicants whose MVR demonstrates a good driving record and to deny applicants that fail to meet insurance industry and College driving standards.

ADR – “American Driving Records” is an independent company that provides employers access to current MVR reports (electronically in most cases) from 47 states including California. (Unable to obtain from Nevada, New Hampshire and Pennsylvania) A student from any of these states who is applying for Authorized Driver status must personally obtain his or her MVR from his or her state and provide the original report to Facilities Management. The College will reimburse the student for the report-processing fee charged by the state if the student provides the Transportation and Motor Pool Coordinator with an original receipt. Applicants are required to sign a release for the College that is included on the Authorized Driver Application Form and to sign a separate release required by ADR. Some states (for example, Washington) require yet a third release form to be signed. The Transportation and Motor Pool Coordinator will provide applicants with all of the necessary forms (authdriver@oxy.edu; x. 3452). The College requires applicants to sign all necessary releases in order to be considered for Authorized Driver status.

FCRA and ICRAA – The federal “Fair Credit Reporting Act,” and California’s “Investigative Consumer Reporting Agencies Act” require the College to provide each applicant with summaries of the provisions of these regulations. The FCRA and ICRAA are consumer protection acts. Driving Records are classified as consumer reports and the College must comply with all related disclosure requirements.

Applicant’s Responsibility for MVR Data – The College accepts at face value the

content of a state-generated MVR report. It is the responsibility of the applicant to work with his or her state department of motor vehicles (or its equivalent) to correct any errors. The Facilities Management Department cannot accept any documentation about any applicant's driving record other than an ADR or state-generated MVR report.

Students from Certain States Must Personally Obtain MVR Report – Because of respective state requirements, requests for MVR's for students with WA, AZ, VA, AL and MI driver licenses can be requested by Facilities Management only if such students are employees. A student from any of these states who is not a student employee and who is applying for Authorized Driver status must personally obtain his or her MVR from his or her state and provide the original report to Facilities Management. The College will reimburse the student for the report-processing fee charged by the state if the student provides the Transportation and Motor Pool Coordinator with an original receipt. Reimbursements usually require approximately 2 weeks to process. The College will not reimburse students for the cost of mailing, express mailing, or delivering the report.

Acceleration of Authorized Driver Approval Process – An Authorized Driver applicant can accelerate the process by providing his or her own MVR report. Most states charge about \$5 to provide the report and the College will reimburse applicants for the report-processing fee charged by the state if the applicant provides the Transportation and Motor Pool Coordinator with an original receipt. Again, the College will not reimburse applicants for the cost of mailing, express mailing, or delivering the report.

On-Campus Accident Reports:

In addition to information recorded on the applicant's MVR, the eligibility determination includes points assessed for accidents that occur on campus. All faculty, employees and students are required to report any on-campus accident to the Campus Safety Department immediately after such accident, regardless of which party or parties to an accident may be at fault. Reports can be initiated by calling Campus Safety at (323) 259-2599 or by visiting the Campus Safety Department. Campus Safety then conducts an investigation and produces an assessment of the accident, a copy of which is included in the Authorized Driver review process. Generally, on-campus accidents that occurred within a three-year period prior to the review are included. Campus Safety is open 24 hours a day, 7 days a week. Thus, reporting of on-campus accidents is not limited to normal business hours but should be reported immediately after an accident occurs. Failure to report an on-campus accident in a timely manner will result in the immediate revocation of Authorized Driver status as well as possible additional sanctions.

Employees must obtain a California License:

Employees are required by the state to obtain a California Driver License within ten days of becoming employed in California. Facilities Management will initially process out of state licenses, but employees are required to provide Facilities Management with a photocopy of their valid California license within 30 calendar days of their employment by the College. Employees who do not provide the required documentation by the date required will be suspended from Authorized Driver status until they provide evidence of a California driver license.

Only U.S. Driver Licenses Accepted:

No out-of-country driver licenses are accepted. This program currently accepts only U.S. driver licenses because of the difficulties associated with obtaining and reviewing out-of-country driving records.

Applicants Need Only Apply Once:

The process of applying for Authorized Driver status is a one-time occurrence. The releases included in the original application authorize the Facilities Management Department to request each applicant's MVR report from ADR annually. Persons from states that do not permit ADR inquiries are responsible to provide Facilities Management with an updated MVR report annually. This "automatic renewal" procedure is designed as a service to applicants who may view the application process as burdensome. If an applicant does not wish to have their status automatically reviewed each year, he or she should notify the Transportation and Motor Pool Coordinator of this concern in writing via email (authdriver@oxy.edu) after filing the application. He or she is then responsible to file a new application for Authorized Driver status each year in which he or she wishes to return to approved status.

Applications Accepted Throughout the Year;

Persons may apply for Authorized Driver status throughout the year. An applicant's documentation remains on file and will be automatically reviewed at the beginning of each subsequent academic year as described above.

Evaluation of Factors for Authorized Driver Status

Point system for Receiving or Retaining Authorized Driver Status:

The driving records (MVR's) and any On-Campus accident reports of applicants for Authorized Driver Status are evaluated and points are assigned to incidents appearing on such reports. MVR's and On-Campus Accident reports for all currently Authorized Drivers are reviewed on an annual basis and points reviewed to determine continued eligibility.

Point Count Eligibility for Faculty and Staff:

Valid Status – Five or fewer points - a driver is granted or retains Authorized Driver status.

Probation – Six or seven points - a driver is granted or changed to Authorized Driver Probationary status. The Asst. Director provides a letter advising the driver and their immediate supervisor. The Asst. Director, through ADR, will check all probationary drivers' MVR reports monthly until the driver's status shifts to "valid."

Denial/Revocation – Eight or more points – the application is denied or continuing Authorized Driver status is revoked. The Asst. Director provides a letter advising the driver and their immediate supervisor.

Point Count Eligibility for All Students:

As noted in the Authorized Driver Policy, based on the College's prior loss experience as well as insurance industry standards, students are subject to a stricter standard of eligibility than faculty and staff employees. While points are assigned to faculty and staff and students under the same schedule (see below), the total point threshold for student Authorized Driver status is lower than

it is for faculty or staff employee Authorized Driver status. This difference is based on the following factors:

- 1) Insurance carrier recommendations which are based on actuarial data from historic losses related to vehicular accidents
- 2) The College's prior vehicle claims experience

Therefore, awarding or retention of Authorized Driver status for students is as follows:

Valid status – 3 or fewer points - a driver is granted or retains Authorized Driver status

Denial/Revocation – 4 or more points - Authorized Driver status is denied or continuing Authorized Driver status is revoked.

Other Factors Affecting Retention of Authorized Driver Status:

In addition to the point system, the following are other factors affecting retention of Authorized Driver status for all Authorized Drivers:

Failure to provide Passenger Manifest for Vehicle Rental Program –

First offense with Valid Status	Probation
Second offense within a 12 month period	Revocation for one year

Failure to report an accident either on or off campus to Campus Safety is subject to immediate revocation of Authorized Driver status.

Failure to respond to investigation requests from Campus Safety or other departments or agencies is cause for immediate revocation of Authorized Driver status.

Note: The College retains the right of immediate suspension or revocation based on the severity of a single incident and/or third party reports of endangerment to self or others as a result of careless behavior including but not limited to, speeding, reckless driving, operating a vehicle under the influence of drugs or alcohol or other unsafe actions.

Any repetitive failure to follow policies and requirements of the Authorized Driver and/or Vehicle Rental Program will be cause for re-examination of driver's status with the College retaining the right to determine corrective action as deemed necessary.

Evaluation of Driving Record and Assignment of Points:

Any activity shown on the MVR report or any On-Campus accident report will result in the Asst. Director of Resources, Transportation, and Rentals completing a Driver's Evaluation Form (one is designed for faculty and staff and another designed for students) for the applicant. The form displays the Asst. Director's assignment of points to the applicant's driving record. Except for relatively new drivers, a three-year period of driving activity will be included in the evaluation. Everything appearing on a driver's MVR is used toward the point system in granting Authorized

Driver status, even if it occurred prior to 3 years. As noted above, a minimum of two years of continuous driving experience immediately prior to the evaluation is required to apply for Authorized Driver status.

Points are assigned as follows:

Serious Major Violations within 3 years	8 points
Examples: License suspended or revoked Hit and Run DUI (Alcohol and/or drugs)	
Other Major Violations within 3 years	6 points
Examples: Reckless driving Excessive speed License suspended and then reinstated	
Note: Violations above will be reduced to 4 points after 3 years	
Up to Two Moving Violations within 3 years	1 point
Three or More Moving Violations within 3 years	2 points
Accidents:	
Driver at fault <\$750 damage	2 points
Driver at fault >\$750 damage	3 points

Appeals Process

The appeals process provides a structure for adjudicating appeals of the Authorized Driver status assigned to individuals when it is denied, revoked or assignment of probationary status. This appeals process cannot be used to address employment decisions related to an assignment of Authorized Driver status. Persons who are concerned about employment decisions related to an assignment of Authorized Driver status should contact the Director of Human Resources by calling (323) 259-2613.

Criteria for Appeals: Authorized Driver status is assigned on the basis of the point factor systems described in detail above. Individuals may appeal the denial of Authorized Driver status, the revocation of status, or the assignment of probationary status based on the following criteria:

- 1) The appellant has objective evidence that the points assigned to a specific incident are unwarranted because the incident was inaccurately defined at the time of the review; and
- 2) The appellant contends that the point total has been calculated incorrectly.

Appeals Process: The appellant is required to send a written request for an appeal to the Office

of the VP for Administration within seven (7) calendar days of the driver's receipt of notification of Authorized Driver status. The request should explain briefly how the appeal meets the criteria defined above. The VP will review the request with the Appeals Committee convener, who in turn will contact the appellant to review procedures, discuss any documents that need to be provided and set an appropriate date for the appellant to supply any additional materials. The convener will then set a meeting date for the Appeals Committee, provide Committee members with a copy of the Appellant's written appeal (including additional relevant documents) and attend the meeting. The Convener will notify the Appellant by email or campus mail of the committee's decision. Decisions of the Appeals Committee are final.

Appeals Committee: The Authorized Driver Appeals Committee will be comprised of a non-voting convener and four voting members:

- The Director of Risk Management will serve as convener of the committee as a non-voting member.
- The Vice President for Administration, as a voting member.
- One administrative member of Human Resources, or designee, as a voting member.
- One administrative member of Campus Safety, or designee, as a voting member.
- One administrative member of Facilities Management other than the Asst. Dir. who provided the original review, or designee, as a voting member.
- The Assistant Director for Resources, Transportation and Rentals Division of Facilities Management will attend Committee meetings as a non-voting member.

All four voting members of the committee must be present. Committee members will be provided with a copy of the College's Authorized Driver Procedures for appeal considerations. The purpose of the appeal process is to review the risk factors and the eligibility points assigned to the appellant. Members of the Appeals Committee will not make determinations as to fault or blame in relation to any incident reported either on the appellant's MVR report or a Campus Safety Incident Report. Through this process the appellant is given the opportunity to provide objective third-party evidence limited to police reports and insurance reports of a substantial nature written on insurance company letterhead, which may serve as the basis for revising the appellant's point total. The appeals committee, based on evidence from these reports, can reassign points of an incident on a percentage of responsibility. The appeals committee will not accept personal letters from individuals as sufficient third-party evidence.

NOTE: Some cases maybe resolved by Director of Risk Management without going to appeal and insurance carrier.

Responsibilities of All Authorized Drivers

Authorized Drivers at no time can use cell phones, text messaging, earphones, iPods or personal electronics while operating a vehicle

Authorized Drivers are responsible for the conduct of the persons riding in their vehicle.

Authorized Drivers are responsible to file a Passenger Manifest for each trip. (Note: The passenger manifest for the ASOC “shuttle” is handled differently.)

Authorized Drivers are required to drive safely, comply with all of the elements of public law including car seat and seat belt regulations.

Authorized Drivers are not to use or be under the influence of drugs or alcohol of any kind while driving. Use of such substances before or during driving is illegal and unacceptable and will result in permanent loss of Authorized Driver status as well as possible other disciplinary actions. Some prescription drugs or over-the-counter drugs can impair a drivers ability to safely operate a motor vehicle. Such drugs are clearly labeled. Use of such drugs by Authorized Drivers while operating a College-owned rental vehicle or their own vehicle on College business or in support of a college program may result in permanent loss of authorized Driver status.

The Authorized Driver is responsible for any damage to a vehicle due to improper or inappropriate use of the vehicle and damage will be charged to the driver. Examples include but are not limited to off-road use, towing other vehicles, transporting any corrosive materials or saltwater equipment and spillage of any food or beverages in vehicles.

All Occidental College vehicles are for the exclusive use of Occidental Faculty, Staff, Administrators and Students. No minors or non Occidental passengers are allowed.

Minors who are registered students or qualified through Admissions or the Athletic Recruiting Program who have filed a waiver signed by parent or legal guardian on file with the College may ride in College vehicles.

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