

Merrimack College Motor Vehicle Use Policy

1.0 Purpose

This Motor Vehicle Use Policy is intended to provide the necessary requirements in order for Merrimack College employees (faculty and staff) and students to be permitted to operate College owned, leased and rented motor vehicles. The Motor Vehicle Use Policy may be amended, changed or replaced from time to time by the College at its sole discretion.

2.0 Definitions

College - Merrimack College

Motor Vehicle - A motorized form of transportation designed, developed and properly registered for public road transportation and owned, leased or rented by the College. The term "Motor Vehicle" does not include personal vehicles or non-registered vehicles which are not intended for public road transportation, such as golf carts. Use of a Motor Vehicle is restricted to College-related activities.

Control - An agent of the College responsible for the Motor Vehicle must be able to reach the Motor Vehicle and prevent unauthorized entry and use for them to be deemed in "control" of the Motor Vehicle.

Qualified College Driver - In order to be a Qualified College Driver, individuals must be approved prior to operating a Motor Vehicle utilizing the criteria outlined within this policy.

Employees must be approved by their supervisor and respective Dean or Vice President to drive a College Motor Vehicle. Employees must complete and pass the full training and have an approved Motor Vehicle Record through the Merrimack College Police Department.

Students must be sponsored by an office of the College i.e. Athletics, Service Learning, Student Affairs. Students must complete and pass the full training and have an approved Motor Vehicle Record through the Merrimack College Police Department.

Motor Vehicle Record ("MVR") - A Motor Vehicle Record, or MVR, details an individual's past driving history based on accidents and/or citations over a predetermined period.

Authorized Van Driver - In addition to being a Qualified College Driver, an Authorized Van Driver must have possessed a valid driver's license issued by any of the United States or the District of Columbia for a minimum of three (3) years to operate a College Owned Vehicle, or must have possessed a valid driver's license issued by any of the United States or the District of Columbia for a minimum of four (4) years for a College rented van through Enterprise. They

must have at least three (3) years of driving experience and specifically be authorized to drive a 12 passenger van through the Merrimack College Police Department.¹

College Business - Activities (including travel) engaged in on behalf of and at the request or authorized by the College, e.g., field trips, experiential learning activities, clubs/organization activities and athletic events.

3.0 Roles and Responsibilities

Motor Vehicle Use Administrator

The Office of Parking and Transportation shall serve as the Motor Vehicle Use Administrator to oversee the implementation of the Motor Vehicle Use Policy. The Office of Parking and Transportation will work in conjunction with the Merrimack College Police Department (MCPD), the Dean of Students Office, the Office of Community Standards, Human Resources, Athletics, Stevens Service Learning Center, and the Office of the General Counsel when an infraction or question is identified.

Duties include:

- Ensuring that all applicable drivers are qualified under the Motor Vehicle Use Policy;
- Maintaining a current, approved listing of Qualified College Drivers;
- Maintaining necessary data on all Qualified College Drivers;
- Assisting the College with providing information regarding accidents or incidents involving Motor Vehicles from Merrimack College Police Department, outside policing agencies;
- Implementing new policies related to motor vehicle use as established by the College.

Qualified College Drivers

Qualified College Drivers must comply with the following requirements:

- Operate Motor Vehicles only after first being authorized through the Motor Vehicle Use Administrator;
- Operate Motor Vehicles according to the Motor Vehicle Use Policy;
- Inspecting the vehicle and ensuring it is safe before departing;
- Immediately report Motor Vehicle defects and accidents to the Motor Vehicle Use Administrator; and
- Immediately report changes in driving status to Merrimack College Police Department and the Office of Parking and Transportation.

¹ Please contact the Office of Procurement for more information on renting vans through other vendors.

4.0 College Driver Qualification

It is a privilege, not a right, to be permitted to operate a Motor Vehicle. Before being allowed to drive a Motor Vehicle individuals must first become a Qualified College Driver.

The Office of Parking and Transportation must ensure that all those with College Business driving responsibilities are qualified to drive in accordance with the Motor Vehicle Use Policy and that, as applicable, driving responsibilities are outlined in employee job descriptions. In order to be a Qualified College Driver, individuals must be approved by the Motor Vehicle Use Administrator utilizing the criteria outlined in this section. The College reserves the right to grant or deny driving authorization to any individuals seeking to be a Qualified College Driver, as well as suspend or revoke prior approval of a Qualified College Driver.

4.1 Qualification Requirements - Qualified College Driver

To be authorized as a Qualified College Driver for the Merrimack College van fleet, individuals must meet the following criteria:

- Must be a College employee (faculty/staff) or student. Third Parties (i.e., non-employees, non-students, and/or volunteers) are not permitted to operate Motor Vehicles.
- Must have possessed a valid driver's license issued by any of the United States or the District of Columbia for a minimum of three (3) years. College Owned Vehicle, or must have possessed a valid driver's license issued by any of the United States or the District of Columbia for a minimum of four (4) years for a College rented van through Enterprise.
 - Students who have driving responsibilities as part of employment with the College must comply with all student conditions of the Motor Vehicle Use Policy.
- Must complete the Merrimack College Driver Authorization Form, which requires the approval of the employee's supervisor and respective Dean/Vice President or the student's sponsoring department.
 - For employee: Once an employee obtains the verbal approval of their supervisor and respective Dean/Vice President the employee must complete the mandatory Defensive Driver Training course. Employees must obtain Department Head approval and submit the required documents to the Office at least two weeks before the expected need for driving authorization. Employees must complete the Defensive Driver Training course on an annual basis.
 - For students: The student must complete the mandatory Defensive Driver Training in-person course before being considered for further approval. Students must obtain approval from their sponsoring office and the sponsoring office must submit the required documents to the Merrimack College Police Department at least two weeks before the expected need for driving authorization. Students

must complete the Defensive Driver Training in-person course on an annual basis.

- Motor Vehicle Record checks will be conducted by the Merrimack College Police Department. However, there are particular states that do not release motor vehicle driver histories in this manner. In those cases, the employee or student will be notified that they will need to obtain their driver history at their own expense, and provide it to the Motor Vehicle Use Administrator.
- Must meet Motor Vehicle Record Review Criteria established for Qualified College Drivers as described further in this section.
- Must participate in vehicle-specific training (e.g., vans) as required by the Motor Vehicle Use Administrator.
- Must follow appropriate procedures when renting vehicles for College Business.
- Must comply with all requirements set forth in this Motor Vehicle Use Policy.
- Notwithstanding the above-listed criteria, the College reserves the right to grant or deny driving authorization to any driver.

4.2 Motor Vehicle Record Review and Frequency

A MVR details an individual's past driving history over a predetermined time period. Since driving eligibility is subject to change without College notice at any given time, it is critical that MVRs are reviewed on a predetermined basis. At a minimum, MVRs will be reviewed for each Qualified College Driver at the following intervals:

- **Upon hire or placement in a driving position:** Drivers may not, and should not be asked to, drive on College Business until their driving history has been investigated. For new hires with driving responsibilities, Human Resources will submit completed MVR forms to the Merrimack College Police Department for review.
- **After an accident occurs or a motorist observation report is received:** Obtaining an MVR following an accident or after a call-in report has been received will assist in determining if there has been a recent change in driving history.
- **As part of a periodic review:** As part of an ongoing program to re-verify the qualifications of existing drivers, a MVR shall be obtained for all Qualified College Drivers on the following schedule and reviewed to determine if remedial training or other action is necessary, including removal or restriction of driving responsibilities:
 - Students - on an annual basis, provided that the students' sponsoring departments continue to authorize driving privileges.

- Employees - on an annual basis provided that the employees' sponsoring departments continue to authorize driving privileges.

4.3 Motor Vehicle Record Evaluation Criteria - All Qualified College Drivers

In its efforts to consistently review MVRs for all Qualified College Drivers, the College has defined a standard threshold for evaluating eligibility for driving responsibilities at the College.

Upon each MVR review, driver records will be classified as Acceptable and Prohibited. *Acceptable* drivers may be eligible to drive under the Motor Vehicle Use Policy, given completion of other criteria. Drivers with a *Prohibited* MVR rating will be ineligible to participate as a Qualified College Driver. *Prohibited* drivers are eligible to re-apply on a semesterly basis.

To assist in determining eligibility, MVR classifications are based on at fault accident and citation history over the prior eighteen (18) months. Individuals will not be authorized as Qualified College Drivers and will be classified as **Prohibited** if they meet any of the following criteria in the last eighteen (18) months:

Motor Vehicle Record Citations/At Fault Accidents

At Fault Accidents	Major Motor Vehicle Citations	Motor Vehicle Citations
More than one (1) at fault accident in the last 18 months.	One (1) or more major motor vehicle violations in the last 18 months.	More than one (1) motor vehicle violation in the last 18 months.
Driver is fully or partially responsible for the accident.	Including, but not limited to: Driving under the influence Driving while impaired Refusal to submit a Blood Alcohol Content (BAC) test Careless/Reckless driving Racing Failure to report an accident Making a false accident report Leaving the scene of an accident Vehicular homicide/manslaughter	Including, but not limited to: Suspended license due to minor citation Speeding Texting while operating Running a stop sign/red light Improper Turn Passing across a double yellow line Passing a stopped school bus Failure to yield Following too close Failure to wear a seat belt

	Attempting to elude a police officer	Load or size violations
	Driving while license is suspended or revoked	Illegal possession of alcohol or drugs

4.4 Driver Authorization

The Motor Vehicle Use Administrator will add the student or employee names to the authorized list.

4.5 Change in Driving Status

Any change in driving status that places a driver outside of the requirements of this Motor Vehicle Use Policy must be reported immediately by the driver, or their Supervisor possessing knowledge of such change in status, to the Motor Vehicle Use Administrator. Failure to report such change subjects the driver to disciplinary action, as well as permanent revocation of driving authorization for the College.

5.0 Multi-Passenger Van Drivers

In addition to the requirements of this Motor Vehicle Use Policy, drivers of College-owned multi-passenger vans must have at least three (3) years of driving experience and be specifically authorized to drive such vehicles through the Motor Vehicle Use Administrator to be designated as Authorized Van Drivers. Prior to receiving such authorization, each driver must undergo College-specific training.

- **Driving To and From Sports Events - Student Drivers**

Coaches who are Authorized Van Drivers should drive all sports teams whenever possible. If a coach is not available, then a student who is an Authorized Van Driver may drive but it is not preferred.

6.0 Use of Rented Motor Vehicles

Drivers of rented Motor Vehicles also must abide by this Motor Vehicle Use Policy and meet the same requirements noted above for those driving College-owned vehicles. Such drivers must obtain authorization from the College before renting Motor Vehicles to conduct College Business. Students may not rent Motor Vehicles to conduct College Business.

The rental of fifteen (15) passenger vans is strictly prohibited. The rental of other commercial motor vehicles requires prior authorization from the College and compliance with all applicable Federal Motor Carriers Safety Regulations.

7.0 Operational Requirements and Safe Practices

The following guidelines have been established to reduce the risk of incident and injury in the operation and use of Motor Vehicles by Qualified College Drivers.

7.1 General Operational Guidelines

- Drivers must operate Motor Vehicles in a safe and courteous manner and in accordance with all federal, state and local laws and College policies.
- The maximum speed for operation of Motor Vehicles shall not exceed the posted speed limits.
- Drivers must have in their possession their United States driver's license while operating Motor Vehicles.
- Drivers must not allow unauthorized drivers to operate Motor Vehicles.
- Drivers may only transport College employees or students in Motor Vehicles.
- Drivers must keep a record of all occupants in the Motor Vehicles.
- Drivers are responsible for ensuring that the vehicle is maintained in safe driving condition by doing a walk-around safety inspection before taking the vehicle out in addition to reporting any warning lights that may be appearing on the dashboard.
- Drivers will not tamper with the GPS units installed in the vans.
- Cell phones, headsets and the use of two earphones are prohibited while operating Motor Vehicles, unless such use, e.g., a hands-free device, is allowed by state law.
- Drivers are not permitted to type or read text messages or emails while operating a Motor Vehicle. Additionally, drivers may not use iPods, iPads, computers, MP3 players or similar devices while operating Motor Vehicles.
- All drivers and passengers must use seat belts at all times, regardless of whether the Motor Vehicle is being operated on or off campus. The number of passengers permitted in any Motor Vehicle may not exceed the number of seat belts.
- Passengers are not permitted to ride in the rear cargo areas of vans.
- All doors (cargo, tail and lift gates) shall be closed at all times when a Motor Vehicle is in motion.
- Drivers must clean the Motor Vehicle's hood, windows and roof of snow and ice before operating it.
- The potential hazards of driving in severe weather should be assessed depending on the time of year and trip location
- When backing a Motor Vehicle such as a van into a parking space, loading dock or similar, any passenger should, when necessary, exit the Motor Vehicle and provide assistance for the driver as a spotter. If the driver of the Motor Vehicle does not have a passenger who can perform this service, the driver must perform one of the following:
 - Exit the vehicle and check the space before backing up; or

- Drive by the space, checking for any hazards, before backing up.
- Drivers may not drive the vehicle while impaired, affected, or influenced by alcohol, illegal drugs, medication, illness or fatigue. Drinking and/or possession of alcohol or other intoxicating substances or illegal drugs in Motor Vehicles is strictly prohibited.
- Drivers may not transport alcohol or any illegal substances in the vehicles.
- Traffic violations are not considered reimbursable costs under the Motor Vehicle Use Policy. All traffic violations, including parking and speeding tickets, are the sole responsibility of the driver including those that occur on College campus. Any citations received while operating a Motor Vehicle should be immediately reported to the Motor Vehicle Use Administrator. The receipt of multiple traffic and parking citations may adversely affect an individual's ability to become or remain a Qualified College Driver.
- Drivers may not tow anything behind a Motor Vehicle without prior authorization.
- Drivers are prohibited from transporting DOT-regulated hazardous materials in a Motor Vehicle.
- Drivers shall not drive on grass, landscaping, sidewalks or other unapproved vehicle access lanes, streets, driveways or roads, and rights of way, unless it is specifically required to perform their job duties and there are no other means available to access the building, facility or work site.
- Drivers shall not accept compensation outside of their employment agreement with the college.
- Drivers may not use College owned or leased vehicles for any personal use.
- Drivers must report any Motor Vehicle equipment or operational issues on the Vehicle Inspection [Form](#) when returning the vehicle. Equipment or operational issues will then be reported to Facilities by the Motor Vehicle Use Administrator.
- Drivers must return Motor Vehicles with interiors in a clean condition and free of trash.
- Except as provided below, any Motor Vehicle which will be out of the immediate sight and control of the Qualified College Driver shall have the ignition keys removed and the engine shut down. A Motor Vehicle must never be left running merely for convenience (i.e., running the heater to keep it warm or the air conditioner to keep it cool.) It is strongly recommended that any unattended Motor Vehicle be secured with the windows closed, and the doors, if so equipped, locked. Limited exceptions are as follows:
 - A Public Safety emergency Motor Vehicle may be left running while unattended but only if the doors are locked.

** Drivers reserve the right to opt out of driving a vehicle if there are any unaddressed safety concerns.

7.2 Guidelines for Trips to High-Volume Traffic Areas and Trips of Significant Distance

- For trips to out-of-state destinations with regularly reported high-volume traffic (i.e., rush hour traffic), such as Logan Airport, transportation by bus, train, or charter service must be used.
- For trips greater than two hundred (200) miles in a twenty-four (24) hour period, the College recommends at least two (2) Qualified College Drivers.

- Except for employees in the Merrimack College Police Department, driving Motor Vehicles between 11:00 PM and 5:00 AM is prohibited without the prior approval of the Motor Vehicle Use Administrator.
- Motor Vehicles may not be driven more than three hundred (300) miles one-way from the Merrimack College campus. For trips to exceed this distance, a charter service or other transportation methods (i.e., airplane, train, or bus) must be used.
 - Any exception to the 300-mile limitation must be approved in writing by the Motor Vehicle Use Administrator, in consultation with the Merrimack College Police Department and in compliance with any applicable Federal Motor Carrier Safety Regulations.
 - The following factors shall be considered in granting an exception:
 - The necessity of using a Motor Vehicle for the trip (i.e., is there a need to transport equipment, or is there a need to use a Motor Vehicle on site at the destination?);
 - The potential hazards of driving in severe weather should be assessed depending on the time of year and trip location;
 - The number of College employees that would be accompanying the trip; no such trip should be authorized in which only students are attending, as there should be sufficient faculty/staff for both chaperone and driving purposes;
 - Usage should be limited to the newer Motor Vehicles; and
 - A financial and risk evaluation should be undertaken that weighs the total costs of utilizing the Motor Vehicle (i.e., gasoline and wear and tear), as well as the potential risks of driving such distance as compared to other options (i.e., airplane, train or bus).

7.3 Violations of General Operational Guidelines

- Reported violations of general operational guidelines will be reviewed by the Motor Vehicle Use Administrator in consultation with the Office of the General Counsel and the Merrimack College Police Department.
- Violations of these guidelines may result in loss of driving privileges, additional training requirements, or other disciplinary action through the Student Conduct Process for students or the Office of Human Resources for employees.

8.0 Accident Reporting

Qualified College Drivers must report all accidents, regardless of how minor, involving Motor Vehicles to the Motor Vehicle Use Administrator immediately following the incident. Drivers must ensure that any accident report completed by law enforcement off campus and other pertinent information (including but not limited to photos of the accident, insurance information, drivers license, registration) is promptly brought to the Merrimack College Police Department.

8.1 Vehicle Accident Procedures

In the event that a Qualified College Driver is involved in an automobile accident. Call the Merrimack College Police Department at extension 5555 or 978-837-5555.

- If an accident occurs off campus, do not leave the scene of the accident. Call 911 or the local police department.
- Take necessary precautions to protect the accident scene. Vehicles should not be moved until after the police arrive unless they present a safety hazard.
- Obtain name, address, phone number and insurance information of the other party. Also obtain contact information for any witnesses.
- Provide the other party with the insurance information contained in the Motor Vehicle glove compartment, as well as your name, address, and telephone number.
- Cooperate fully with the investigating officer and law enforcement agency.
- Do not discuss the details of the accident with anyone other than law enforcement.
- Do not admit liability or fault, make offers, or agree to settle on behalf of the College. It is important that such admissions and decisions be reserved for the insurance carriers.
- Do not sign any document other than those required by a law enforcement official. The driver should not make any statement nor sign any document regarding fault, liability, or payment of bills.
- If the Motor Vehicle must be towed from the scene, remove keys and College property, and lock the vehicle. The Qualified College Driver should call Roadside Assistance to obtain the tow. The information for Roadside Assistance is located in the glovebox of the vehicle.
- Take pictures. If the driver has a camera or smartphone, they should take and save pictures of all involved vehicles and related damage to property at the accident scene. This information may be relied upon in a subsequent investigation.
- Stay with your group. Unless an ambulance has responded to transport an individual for medical attention, the driver and any passengers should determine safe transport and leave the accident scene together.
- Notify your Supervisor and the Motor Vehicle Use Administrator as soon as possible.
- Accidents involving rented Motor Vehicles also must be reported to the rental agency by the Procurement Office.

9.0 Roadside Assistance

The College has obtained 24-hour roadside assistance for college owned vans. Information on the roadside assistance service is located in each motor vehicle's glove compartment. Qualified College Drivers should access this service when they are off-campus and encounter a need for roadside assistance (i.e., vehicles will not start, break down, lock out, flat tire, etc.) All roadside assistance events should be reported to the Motor Vehicle Use Administrator immediately after the incident.

**MERRIMACK COLLEGE MOTOR VEHICLE USE POLICY
ACKNOWLEDGMENT FORM**

By signing this form, I acknowledge that I have received a copy of the Merrimack College Motor Vehicle Use Policy, and I understand that it is my responsibility to read and comply with the policies.

NAME (printed) _____

SIGNATURE: _____

DATE: _____