

Davis School District Policy and Procedures

Subject: 3RM-005 Vehicle and Equipment Use Policy

Index: Risk Management

Revised DRAFT: June 4, 2014 January 22, 2020 – Five Year Review. No Changes.

1. PURPOSE AND PHILOSOPHY

The Board of Education of Davis School District (Board) adopts this policy to establish procedures, obligations, and expectations of employees who, within the scope of their employment, have occasion to operate District owned vehicles and equipment, or personal vehicles for official District purposes.

2. DISTRICT VEHICLES AND EQUIPMENT

2.1. Authorization for Use

Davis ~~School~~ District (~~District~~) employees shall operate District owned vehicles and equipment only when the employee:

2.1.1. is authorized by their position and/or supervisor, to act as the operator of a ~~District~~ vehicle or piece of equipment;

2.1.2. has successfully completed the Utah Risk Management Driver training course ~~online as outlined by the District safety coordinator;~~

2.1.3. holds a valid Utah operator's license for each class of vehicle or piece of equipment they are approved to operate. The District may verify license status by checking motor vehicle records; ~~and~~

~~2.1.4. has completed a District Vehicle and Equipment Use Permission Form and the form has been approved by the appropriate supervisor; and~~

~~2.1.5.~~ ~~2.1.4.~~ has demonstrated, to the supervisor's satisfaction, that they are qualified to operate the vehicle or piece of equipment.

2.2. Out of State Use

Utah Governmental Immunity caps are not applicable in courts outside of Utah; therefore ~~Davis School~~ District vehicles shall not be used for travel out of state.

2.3. Responsibilities of Vehicle/Equipment Operator

Employees operating District vehicles and equipment shall:

2.3.1. operate such vehicles and equipment in a safe, responsible manner, and in compliance with State laws and regulations governing vehicle use;

2.3.2. refrain from eating or engaging in other activities which may distract an individual from safely operating a vehicle or piece of equipment;

2.3.3. be encouraged to pull off to a safe area and stop driving to receive a phone call using a handheld wireless communication device. Employees who use a wireless communication device in this manner while driving must continue to operate the vehicle in a safe manner;

2.3.4. comply with State law prohibiting text messaging, electronic mail, or dialing a phone number using a handheld wireless communication device while operating a moving District vehicle on a highway in the state;

2.3.5. inspect vehicles or equipment before operating to ensure the vehicle or equipment will function in a safe manner;

2.3.6. ensure the vehicle or equipment is made available for routine maintenance as well as unscheduled maintenance when required;

2.3.7. report all traffic citations and warnings (both moving and nonmoving violations) received while operating such vehicles or equipment to their supervisor;

2.3.8. be personally responsible for traffic fines, court appearances, and other personal judgments or penalties arising from their violation of traffic laws while operating

- such vehicles or equipment;
 - 2.3.9. refrain from operating any such vehicles or equipment when under the influence of controlled substances, medications, or mental or physical conditions which could impair their ability to properly operate a vehicle or piece of equipment;
 - 2.3.10. return such vehicles and equipment daily to the District facility designated for that vehicle or piece of equipment unless it is taken to the operator's residence as authorized under section 2.5 of this policy;
 - 2.3.11. report any loss, redaction, or suspension of their operator license status to their supervisor as soon as they are notified of the licensing status change;
 - 2.3.12. report all accidents immediately to their supervisor and to the Risk Management Department. All CDL holders shall comply with Federal and State laws regarding the reporting of accidents, citations, or driving convictions and shall immediately report such occurrences to their supervisor;
 - 2.3.13. limit the use of the District purchasing procedures, ~~fueling-District~~ cards, maintenance and repair facilities, and supplies, to bona fide District vehicle and equipment use. Material and facilities shall not be used for personal benefit except that transportation mechanics may repair their personal vehicle(s) at the transportation shop. Transportation mechanics shall:
 - [a] reimburse the District for the cost of materials or supplies used in such repairs; and
 - [b] provide a Certificate of Insurance for liability and property damage before using District facilities for personal benefit;
 - 2.3.14. not allow other persons to use their ~~fueling-District~~ card or request that others allow them to use ~~fueling-District~~ cards which are not assigned to them;
 - 2.3.15. be evaluated in connection with their use of District vehicles and equipment as part of their annual job performance review; and
 - 2.3.16. renew annually, their Davis School District Vehicle and Equipment Use Authorization by signing such form as part of their annual job performance review. Renewal of the Agreement shall be done only when an employee's performance review clearly demonstrates they have complied with the requirements of this policy.
- 2.4. Prohibited Conduct of Vehicle/Equipment Operator
Any employee involved in one or more of the following circumstances while operating District vehicles and equipment will immediately lose their operational authorization:
- 2.4.1. unlawful use, distribution, dispensing, manufacture, or possession of a controlled substance;
 - 2.4.2. operating any vehicle or piece of equipment while under the influence of alcohol, any drug, or the combined influence of alcohol and any drug;
 - 2.4.3. use of any District vehicle or piece of equipment for illegal or unauthorized purposes;
 - 2.4.4. operating a vehicle or piece of equipment in a manner which endangers the safety or life of others;
 - 2.4.5. clearly negligent use of District owned vehicles or piece of equipment.

Any employee convicted of any of the items listed in section 2.4 of this policy, regardless of whether it occurred while operating a District vehicle or piece of equipment, may be permanently prohibited from operating District vehicles and equipment, and/or subject to disciplinary action, up to and including termination.

2.5. Emergency Call Out

In specific instances, the superintendency and/or department directors may establish specific positions and/or classes of employees who are subject to emergency callout.

These employees or classes of employees may be assigned a District vehicle to keep at their personal residence in order to more quickly respond to emergency circumstances. Employees so designated, may be changed at any time by the superintendency and/or department director without consultation or negotiation with the affected employee or classes of employees. When an employee is designated to have a District vehicle at their residence for emergency callout use, the vehicle shall not be used for personal purposes.

2.6. Disposal of Vehicles and Equipment

All vehicles and equipment shall be disposed of only by sales events and methods which are approved by the Board and by rules adopted by the State for disposal of surplus property. ~~Each sales event must be approved individually by the Board.~~

2.7 Accident Management Procedures

The Risk Management Department shall establish orderly procedures and guidelines for reporting, investigating, and documenting all accidents, collisions, and incidents involving District vehicles and equipment.

3. USE OF PERSONAL VEHICLES FOR DISTRICT PURPOSES

3.1. If an employee uses their personal vehicle for official District purposes the employee shall:

3.1.1. ~~pass the defensive driving test on the Division of Risk Management website successfully complete the Utah Risk Management Defensive Driver training course online~~ and provide ~~District Risk Management~~ his/her immediate supervisor with a copy of the test results and a copy of a valid ~~driver~~ driver's license;

3.1.2. be reimbursed for mileage incurred at the per mile rate approved by the Board upon approval by the employee's budget manager:

- [a] mileage reimbursement for use of personal vehicles shall be provided only for miles traveled for District purposes after an employee has arrived at their first work assignment location each day.
- [b] mileage reimbursement shall not be provided for miles traveled from their last work assignment location to their home.
- [c] employees who receive an administrative allowance are not entitled to mileage reimbursement unless it is requested and approved as part of a travel request.

3.1.3. be responsible to provide insurance coverage for their personal vehicles and shall pay all costs of operating the vehicle;

3.1.4. report any traffic accidents, traffic citations and warnings (both moving and non-moving violations), while using their personal vehicle for official District purposes to their supervisor;

3.1.5. be personally responsible for traffic fines, court appearances, and other personal judgments or penalties arising from their violation of traffic laws while operating their personal vehicle for official District purposes.

3.2. If an employee is involved in an accident while using their personal vehicle for official District purposes:

3.2.1. the employee's personal insurance will be the first source of restoration for property damages;

3.2.2. after the employee's personal insurance is exhausted the District may agree to consider providing supplemental restoration for liability coverage from available

resources depending on the specific facts and circumstances of an accident, but District insurance may not supplant the employee's personal insurance coverage.

4. EDUCATION EMPLOYEE REQUIRED REPORTS OF ARREST

- 4.1. All employees who drive motor vehicles (District or personal) as an employment responsibility shall report within 48 hours to their supervisor:
 - 4.1.1. any matters involving arrests for alleged sex offenses;
 - 4.1.2. any matters involving arrest for alleged drug-related offenses;
 - 4.1.3. any matters involving arrest for alleged alcohol-related offenses;
 - 4.1.4. any matters involving alleged offense against the person under Title 76, Chapter 5, Offenses Against the Person;
 - 4.1.5. Convictions, including plea in abeyance and diversion agreements of the foregoing offenses.
- 4.2. Employees shall be subject to investigation and discipline in accordance with District policy 2HR-201 Employee and Volunteer Background Checks and Employee Personal Reporting of Arrests, section 5-2.

5. USE OF TRIP REDUCTION PROGRAMS

The District supports the use of trip reduction programs such as van pools and public transit. To facilitate employee participation in these programs, the District, upon employee request, may act as the fiscal agent on behalf of a group of employees wishing to enroll in a program or who are participating in such a program. As the employees' agent, the District Finance Department is authorized to collect fees from employees through payroll deduction and remit those fees, on behalf of the employees, to the agency providing trip reduction programs.

DEFINITIONS

“Crimes against a person” Means any matters involving arrests for alleged offenses against the person under Utah Code Ann., Title 76, Chapter 5, Offenses Against the Person. This Title and Chapter includes, but is not limited to, crimes where a person has assaulted, harassed, abused, neglected, exploited, endangered, kidnapped, murdered, trafficked, raped, sexually assaulted, etc. another person(s).

“District card” means a purchasing instrument provided by a financial institution designated and approved by the Superintendent’s Office.

“Handheld wireless communication device” means a handheld device used for the transfer of information without the use of electrical conductors or wires (i.e., wireless telephone; text messaging device; laptop; or any substantially similar communication device that is readily removable from the vehicle and is used to write, send or read text or data through manual input.)

“Equipment” for purposes of this policy means utility vehicles, construction and lawn equipment.

“Vehicle” for purposes of this policy means buses, vans and passenger vehicles, maintenance and delivery trucks.

REFERENCE

[Utah Code Annotated §34-36-1](#) – Motor vehicles of employers – safe maintenance and operation.

[Utah Code Annotated §41-6a-1716](#) – Prohibition on using a handheld wireless communication device while operating a moving motor vehicle.

[Utah Administrative Code R37-1-8](#) – Risk Management Underwriting Standards

[Utah Administrative Code R277-516](#) – Education Employee Required Reports of Arrests.

[Utah Administrative Code R307-320](#) – Employer-Based Trip Reduction Program.

~~[Utah Administrative Code R614-6-6](#) – Motor Vehicle Transportation of Workers.~~

RELATED POLICIES OTHER LINKS

[2HR-201 Employee and Volunteer Background Checks and Employee Personal Reporting of Arrests](#)

[Accident Management Procedures and Guidelines](#)

[Utah Risk Management Driver Video and Test](#)

DOCUMENT HISTORY:

Adopted: July 12, 2005 – With the adoption of this policy, the Proper Use of Equipment and Vehicles section of 2HR-011 Safety Issues in Human Resources Management was moved.

Revised: August 7, 2007 – Requires employees to report all traffic citations and warnings (both moving and nonmoving violations) to their supervisor while driving District vehicle or their personal vehicle for official District purposes.

Revised: November 3, 2009 – Updated to comply with State law prohibiting text messaging while operating a vehicle. Also added language requiring a certificate of insurance for liability from a District employee before using a District facility for personal benefit. Added section 4 Education Employee Required Reports of Arrests.

Revised: October 5, 2010 – As part of a five-year review, including a reorganization of the Table of Contents, policy was renumbered from 2HR-013 to 3RM-005. Added language that it is practice not to use District vehicles for travel out of state.

Revised: March 4, 2013 – Added requirement to pass the defensive driving test if an employee uses a personal vehicle for District purposes as required by law.

Revised: June 4, 2014 – Minor changes to comply with changes in State law.

Revised: ~~_____~~ - Five-year review. No substantive changes to comply with current practice.