



Midland Independent School District

MIDLAND ISD

Vehicle Safety and Use Program

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Midland ISD Vehicle Safety and Use Program

Introduction

It is the policy of Midland ISD that district vehicles will be used only for district business.

This policy mandates that only a district employee may occupy the vehicle and only during the regular scope and fulfillment of their job will they operate and occupy the district vehicle.

In addition, Midland ISD requires that district vehicles be operated only by authorized district employees that are meeting motor vehicle record (MVR) qualifications.

Summary

It shall be the practice of Midland ISD to promote the safe and accident-free operation of all vehicles used in conducting school business through proper driver management and safe driving practices. The objectives of this vehicle safety program are to:

- Establish a written program outlining minimum guidelines for the safe operation of vehicles while conducting Midland ISD business.
- Establish minimum standards for drivers that are operating Midland ISD vehicles; and
- Establish methods and standards by which vehicle accidents are to be reviewed, evaluated and corrected.

Scope

This manual outlines the minimum practices regarding the safe operation of school vehicles. Individual departments may have additional policies in place that surpass the requirements in this manual.

Bus driver policies are coordinated by the Transportation Department and are subject to Department of Transportation regulations.

Violations of the rules contained herein may result in revocation or restriction of driving privileges or other disciplinary action as appropriate.

Driver Responsibilities

Supervisors are responsible for ensuring that employees under their direction comply with all elements of this program.

All employees and officials who drive a vehicle to conduct district business must comply with applicable elements of this program and must sign a statement confirming that they have read and understand the information contained herein.

Driver Qualifications

The District's human resources department will confirm eligibility for District vehicle driving at time of hire, based upon job requirements. Meeting eligibility requirements includes, but may not be limited to:

- Personal driving record review,
- Possession of a valid driver's license,
- Consent to a medical exam for driver fitness, if requested,
- Consent to previous employer reference,
- Knowledge of the District's policy pertaining to search and drug/alcohol testing, and
- Additional commercial driver's license (CDL) requirements, if necessary.

Any physical impairment that impacts safe vehicle operation or that would prevent an applicant from obtaining a driver's license may be grounds for rejecting the applicant for a position requiring use of a District vehicle as part of his or her normal duties, subject to the provisions of the Americans with Disabilities Act (ADA).

Only district employees and district officials shall be authorized to drive district vehicles, including vehicles rented by the district. Examples of those who may be required to drive district vehicles as part of their job or function include, but are not limited to:

1. Employees assigned to a vehicle (e.g. maintenance, technology, food service, administrators, etc.)
2. Coaches
3. Campus administrators
4. District administrators
5. School Board members

Driver's License

Employees and officials who drive on district business must have a current and valid Texas driver's license appropriate for the classification of vehicles they drive. Licenses will be photocopied and kept in the employees personal file. Drivers are to have their license in their possession at all times during operation. The driver's license must be shown to the driver's manager or other district administrator if requested. An employee driver is required to immediately notify, within 24 hours or end of the next business day, his or her supervisor when his or her driver's license has been suspended, revoked, or restricted, or in the event of any accidents or receipt of any citations. If revocations, suspensions, restrictions, or citations are challenged in court, the decision must be reported to the supervisor within 24 hours or end of the next business day after the decision. Failure to do so may result in loss of driving privileges or other disciplinary action.

Age Requirement

Drivers under the age of 21 are prohibited from operating vehicles owned by Midland ISD.

Exemptions to this rule may be granted on a case-by-case basis for employees who are 18 years of age or older with no history of violations or at-fault accidents on their driving record.

MVR Review

District vehicle drivers must read and sign an MVR consent form that permits Midland ISD to complete a motor vehicle background check.

All drivers shall have their MVR reviewed prior to driving a district vehicle for the first time. Employees whose job descriptions include driving a district vehicle shall have their MVR reviewed upon hire and/or when the employee signs this acknowledgement. MVR checks are valid for one (1) year. Drivers with unacceptable MVRs shall be prohibited from operating a Midland ISD vehicle. Any change in status of an MVR will result in an immediate MVR review and possible change in driving status.

Drivers who have satisfactory MVRs as outlined in the MVR Review and Driver Qualifications sections will be qualified to drive district-owned vehicles. The Risk Manager and/or Transportation Department will review the driver's MVR and score it using the point classification system for vehicle accidents and violations. The Midland ISD Transportation Department must verify that drivers are qualified to operate district vehicles before they begin driving on district business.

Driving Requirements and Responsibilities

Employees and officials who drive district-owned vehicles on district business must follow all rules outlined in this program. When operating district vehicles, drivers should remember that their driving habits reflect on the district and its other employees and officials. Midland ISD vehicles must be used legally, courteously and safely.

- Drivers must wear seat belts and require seat belts to be worn by their passengers.
- Adherence to all traffic laws is mandatory. The driver is also expected to take reasonable defensive action, including reducing speed when confronted with unfavorable driving, road, or weather conditions.
- District vehicles are to be driven only by the operator(s) to whom the vehicles have been assigned. Under no circumstances will non-approved drivers be allowed to operate District-owned vehicles.
- District-owned, -leased, or -rented vehicles are to be used only for District business, for emergencies, and for transportation to and from the driver's usual place of employment, when it is a convenience to the District. Personal use of a district vehicle is not permitted under any circumstances when outside of the employees normal working hours. District vehicles should remain on Midland ISD property after hours except for Midland ISD police fleet and management approved fleet to be taken by an authorized employee under certain circumstances that benefit the District (Employees on call).
- Range of use for off property and take home assignment of vehicles is limited to the surrounding counties of : Midland, Martin, Howard, Ector, Andrews, Crane, Upton, Glasscock and Reagan. Police Officers and Maintenance Technicians on call for their assigned weekend are the only staff authorized to take home MISD vehicles.
- Alcohol, tobacco products, e-cigarettes and other vapor products are not allowed in district vehicles.

- Drivers must not place or answer phone calls while driving district vehicles unless using a hands-free device. If no hands-free device is available, drivers must pull off the road to a safe location to place or answer calls.
- Drivers must do a walk-around inspection of any district vehicle before driving it to check for any visible maintenance or safety issues.
- Drivers are responsible for the care of district vehicles assigned to them and may be held responsible for improper care and abuse of the vehicle. Misconduct could lead to withdrawal of driving privileges and/or disciplinary actions.
- District vehicles are to be driven by authorized employees only, or in case of repair testing, by a mechanic.
- Drivers must immediately report all tickets received for moving violations during the operation of a District vehicle to their immediate supervisor. In the event a driver of a District vehicle is determined to have incurred serious violations, a written advisory will be issued stating he or she is in jeopardy of forfeiting his or her rights under this regulation, pending investigation. The lone exception to this rule is if the violation is of such magnitude to be the sole cause for termination of employment or driving rights.
- All CDL drivers must comply with all applicable and ongoing Department of Transportation (DOT) regulations, including successful completion of medical, drug, and alcohol evaluations.
- District drivers who alter, tamper with and/or attempt to deactivate a vehicle tracking device may be subject to disciplinary action including, but not limited to termination.
- In the event of an accident involving a District vehicle, all drivers including drivers who are required to meet the Department of Transportation CDL regulations must agree to submit to mandatory alcohol and drug testing at a facility designated by the District. This includes random testing in accordance with federal DOT regulations.
 - In no event will the testing be delayed more than two hours after the employee is released by investigating authorities.
 - Positive test results for alcohol and/or drugs will result in disciplinary action, including termination of employment. Positive test results for drug(s) and/or alcohol prescribed by a physician will result in disciplinary action if medical instructions/warnings were not followed properly, and prior notification was not provided to the appropriate supervisor

Types of Violations for Screening District Drivers

For driver job applicants and current District drivers, the following criteria, as defined by the Texas Department of Public Safety, will be used to determine eligibility to operate a District vehicle:

- All Type “A” violations (as defined below) will result in termination of driving privileges for employees and will disqualify any potential driver employees (this may impact eligibility for employment or current job status). School bus drivers will follow

Department of Public Safety and internal point system procedures and regulations.

- Any other drivers (employees or applicants) showing one of the following on their personal driving record will be restricted from driving District vehicles:
 - One or more Type “A” violations in the last three years;
 - Three or more accidents (preventable accidents) in the last three years;
 - Four or more Type “B” violations in the last three years; or
 - Any combination of accidents and Type “B” violations that equal four or more in the last three years.

Type “A” Violations include:

- Driving While Intoxicated;
- Driving While Under the Influence of Drugs;
- Negligent Homicide Arising Out of the Use of a Motor Vehicle (gross negligence);
- Operating During a Period of Suspension or Revocation;
- Using a Motor Vehicle for the Commission of a Felony;
- Aggravated Assault with a Motor Vehicle;
- Operating a Motor Vehicle Without the Owner’s Authority (grand theft);
- Permitting an Unlicensed Person to Drive;
- Reckless Driving;
- Speed Contest (racing); and
- Hit and Run (Bodily Injury or Property Damage).

Type “B” Violations include all moving violations not listed as Type “A” violations.

Reporting Incidents

An incident report packet is located in the glove box of each district vehicle along with emergency phone numbers. The packet contains instructions on what to do in case of an incident/accident. Drivers should become familiar with the instructions before using vehicles.

Drivers are responsible for completing and filing all necessary reports within the time periods required by this program. Failure to file a report may result in the loss of driving privileges.

Drivers must immediately notify their supervisor and the transportation department of any accident/incident, collision or vandalism during district business or involving district vehicles. If the incident/accident results in injuries or fatalities, drivers must report them to the Transportation Director and Risk Manager immediately after ensuring the injured have or will receive necessary medical treatment.

In most cases a representative from the Transportation Department and MISD police department will respond to any vehicle accident to conduct an on-scene investigation. If a

Transportation Department representative is not available for response to the accident, the driver of the district vehicle must complete an incident report and take pictures if physically able. Drivers must forward copies of all vehicle accident/incident forms to the Transportation Department.

Drivers involved in vehicle crashes should only discuss details of the incident with supervisors, police officers, appropriate state officials, or representatives of the district insurance carrier. Drivers are prohibited from signing or making any statements regarding responsibility for vehicle accidents.

Accident Prevention and Review

The purpose of the Accident Prevention and Review is to review the details of incidents/accidents and to determine how they could have been prevented. The District Risk Manager will review any incident that involves a district vehicle and will recommend corrective actions as appropriate.

Department of Transportation (DOT) Regulated Vehicles

Any vehicle traveling across state lines with a gross vehicle weight rating over 10,000 lbs. (e.g., box trucks/moving vans) is subject to DOT regulations. Each driver must have a DOT compliant driver file maintained in the Transportation Department before being allowed to drive vehicles within this classification.

In addition to a DOT compliant driver file, any driver of a vehicle with a gross vehicle weight rating over 26,000 lbs. (e.g., dump trucks, large construction vehicles, busses) must possess a valid commercial driver's license and be in compliance with DOT regulations.

The Midland ISD Transportation Department will be responsible for evaluating the applicability of DOT regulations to this district's operations and ensure compliance with those regulations. All drivers of DOT regulated vehicles will have responsibilities beyond those outlined in this policy.

Non-District Owned Vehicles (Personal Vehicle for District Business)

In situations where a non-district vehicle is used to conduct district business the following rules apply:

- Non-district owned vehicles driven for district business are to be driven by licensed adults; not students. Students are not to be asked to drive personal vehicles to conduct district business.
- Drivers of non-district owned vehicles for district business are required to carry personal auto liability insurance at all times, regardless of whether the driver is being reimbursed mileage or paid a travel allowance or stipend.
 - The insurance verification card must be carried in the vehicle while it is in use.
 - The personal auto liability policy for the vehicle will be **primary** in the event of an accident.
- Coverage is only available for vehicle repairs to an employee's vehicle when the owner's personal insurance limits are exhausted.
- Drivers of non-district owned vehicles for district business must report all accidents

and/or citations during business hours to his or her supervisor.

Vehicle Security

The security of Midland ISD vehicles is of high importance. Drivers are expected to take all reasonable steps to ensure that vehicles and cargo are secure from theft and vandalism.

When unattended:

- Vehicle interiors shall be secured: windows up, doors locked, and keys removed.
- Cargo should not be left unattended.
- Tools should be secured inside the vehicle or in exterior locked compartments and out of sight.
- Vehicles that are parked off-site should be parked in a well-lit area and should not be parked on the street.
- Do not leave target theft items (especially computers) in plain view inside a locked vehicle.

Pre-Trip Walk-Around Inspections

District vehicle drivers are responsible for conducting walk-around inspections of the vehicles before driving each day or shift and report any defects or damage to the Transportation Department. Drivers must also note defects or damage to seats, seat belts, interior lights, and engine warning lights, rearview mirrors, and emergency equipment.

Defects or damage must be reported to the Transportation Department fleet manager or foreman. The fleet manager or foreman will evaluate the vehicle and ensure that all hazards are repaired promptly. Vehicles that are unsafe to drive must be placed out of service immediately.

Vehicle Service and Maintenance Intervals

Vehicle service and maintenance intervals are determined by the vehicle manufacturer. Maintenance will be performed by a qualified mechanic. A signed and dated record of all maintenance work must be kept in the vehicle file with the Transportation Department. Vehicles that are unsafe to drive must be placed out of service until repairs are completed.

Records Kept For District Vehicles

This district keeps the following records on district-owned vehicles:

- *Vehicle history report.* Provides a complete history of the costs of maintenance, parts, and labor associated with the vehicles.

Defensive Driving

District drivers are expected to drive defensively at all times.

- Defensive driving is defined by the National Safety Council as the ability to avoid crash involvement despite adverse driving conditions and the actions or errors of others. The NSC further outlines the formula for defensive driving:

- Recognize the hazard.
- Understand the defense.
- Act correctly in time.
- The following actions will help improve your defensive driving:
 - Protect your cushion of safety! A driver should do everything reasonable to maintain clear space to the front, the sides, and to the rear of the vehicle at all times.
 - Rear-end accidents are among the most common preventable accidents. Maintain an adequate following distance between your vehicle and the vehicle in front of you. When traveling at speeds up to 40 mph allow at least three seconds of following distance, PLUS at least one additional second for speeds over 40 mph, PLUS at least one additional second for poor driving conditions.
 - Be aware of what is in the areas to the side of your vehicle. This is especially important on multi-lane roadways. Do not drive alongside other vehicles if you can avoid it. Beware of side-swipe and tail-swing hazards as you negotiate turns with your vehicle. Buses and other long vehicles are particularly vulnerable to this danger.
 - Know what is behind you. If another vehicle is tailgating you, allow additional following distance between yourself and the vehicle in front of you so that you can stop more slowly if traffic stops ahead of you. Sometimes slightly slowing your vehicle will encourage a tailgater to pass you removing them from your danger zone.
 - Scan ahead. Anticipating hazards before you reach them helps to prevent many accidents.
 - In town scan one to one-and-one-half blocks ahead.
 - On the highway scan at least one quarter mile down the road.
 - Don't let your attention get fixed on the spot right in front of your vehicle.
 - Back safely. Virtually all backing accidents are preventable.
 - Scan the entire area behind your vehicle that you will be backing into before you get in your vehicle.
 - Back slowly and carefully keeping your eyes moving and your attention focused.
 - Back only when necessary and only as far as necessary.

- When in doubt: Stop, secure the vehicle and Get Out And Look.
- Try to anticipate the improper actions of others.
 - Constantly play the “what if?” game with yourself as you drive. For example: “What if that driver who is stopped at that cross street suddenly pulls in front of me?” or “What if that driver in front of me suddenly slows down or changes lanes?”
 - Have a plan of action (evasive maneuver) in your mind at all times.
- Practice the Five “See’s” of Driving:
 - See High: See far enough ahead of you along the road to spot danger before it can affect your vehicle. Try to see at least twelve seconds traveling distance ahead of your vehicle.
 - See All: See all of the hazards on and near the road, such as pedestrians, bicyclists, parked cars, vehicles making a right on red, vehicles on cross-streets, vehicles coming out of parking lots, oncoming vehicles, etc. Check your mirrors often and keep your eyes moving. Remember to always “expect the unexpected.”

See an Out: Maintain proper following distance at all times. Maintain a cushion of safety all around your vehicle. Always know what is around your vehicle and be prepared to take evasive maneuvers at any time. Don’t let yourself become trapped without an out on a multi-lane roadway.
 - See That You Are Seen: Always use your turn signals to alert other drivers what you are about to do. Tap your horn if necessary to alert others of your presence.
 - See With a Smile: Maintain your composure. Always keep a good attitude about other drivers, even when they do unsafe things. Remember that “anger is just one letter away from danger.” Defensive driving means avoiding accidents despite the actions or errors of others. You are the professional driver.

Definitions of Terms

- **Accident.** An unplanned or unintended incident involving a motor vehicle that results in injury, death, or damage.
- **Collision.** An unplanned or unintended incident in which a motor vehicle contacts another vehicle, person, or object.
- **Crash.** An incident involving one or more vehicles in motion.
- **Incident.** An event that resulted – or could have resulted – in personal harm or property damage.

- **Injury.** Physical harm or damage to a person.
- **Mobile Equipment/Utility Vehicle.** Vehicles not designed for travel on public roads, e.g. forklifts, gators, golf carts, trailers, etc.
- **Motor vehicle.** Any licensed mechanically or electrically powered device designed to be operated on public roads and streets.
- **Passenger.** Any person in a vehicle other than the driver.
- **Preventable incident.** One in which the driver failed to do everything that could have been done to avoid it.

Educating the Future!



Midland Independent School District

MIDLAND ISD VEHICLE USE AGREEMENT

I acknowledge that I have read the Midland ISD (MISD) Vehicle Safety and Use Program and understand the MISD specific fleet policies and procedures.

As a condition of my using an MISD vehicle, I agree to a check of my driving record. I also understand that my driving record will be checked periodically.

I agree to inform my supervisor and the MISD Transportation Department whenever any negative change in the status of my driving record may occur, such as license revocation, accidents, tickets or suspension. I understand that any negative change in the status of my driving record may result in the revocation of the privilege of driving an MISD vehicle.

I further understand the following:

- Use of an MISD vehicle by me if I am under the influence of alcohol or drugs is strictly forbidden.
- Use of a mobile device while operating a vehicle is not permitted unless using a hands-free function.
- MISD vehicles are not to be used for non-MISD business.

Any such vehicle use by me will be considered a violation of MISD rules and may subject me to disciplinary action.

Name on Driver's License (print): _____

Texas Driver's License #: _____ Date of Birth: _____

Driver Email: _____ Driver Phone: _____

Campus/Dept: _____ Supervisor: _____

Supervisor's Signature: _____ Date: _____

Driver's Signature: _____ Date: _____

Complete the form, sign and send to the District Risk Manager through school mail or e-mail to derek.dominguez@midlandisd.net

Do not write below this line - Transportation Office use only

Approved: _____ Denied: _____ Reason: _____

Risk Manager: _____

Date: _____

Auto Accident Instructions



AUTO ACCIDENT INSTRUCTIONS

IMPORTANT: IN CASE OF ACCIDENT, DO THE FOLLOWING:

1. Move your vehicle if it is creating a safety hazard or if instructed to do so by the police.
2. Check for injuries of passengers and keep all students in the vehicle until the police officer releases everyone. If you need to evacuate the vehicle, use extreme caution and keep all students together in orderly fashion.
3. Protect the scene of the accident.
4. Contact your supervisor, the Transportation Department, and MISD Police Department for all accidents (major & minor). Report the following information:
 - a. Location of Accident
 - b. Any Injuries?
 - c. Ambulance Needed?
 - d. Is the vehicle drivable?
5. Complete an accident report or obtain the following information from the other parties involved:
 - a. Other driver
 - i. Name
 - ii. Address
 - iii. Contact Phone
 - iv. Driver's License Number
 - v. Insurance Information (policy holder name, policy number, company, contact phone)
 - b. Other vehicle information (Year, Make, Model & License Plate)
6. Secure the following information at the scene:
 - a. Location of accident (cross street or block number)
 - b. Scene description (time of accident, any obstructions of view, environment, road signs, speed limit signs, unusual weather conditions, incline in pavement, etc. – It is important to get this information at the accident scene as these details are easily forgotten)
 - c. Number of passengers in the district vehicle, and if there are any injuries
 - i. List names of students and get parent's names and contact numbers
 - d. Number of passengers in other vehicle
 - i. List names and if minors
 - ii. Any injuries?
 - e. Any witnesses? Possible Witnesses?
 - f. Take photos of the accident scene, including any vehicle damages. Get at least 4 different angles.
7. **Do not talk to anyone about the accident** except school officials and police officers. The driver should request that a statement / interview be taken privately.
8. **Never admit liability or agree to pay for damages.**
9. Be calm, cool, collected and courteous.

If an accident occurs on non-school day or any time the Transportation Office is closed or unreachable, make sure the following calls are made:

1. Call the Transportation Director by cell phone.
2. Contact the county sheriff's office or city police department.
3. If necessary, call 911 for an ambulance or fire department response.

It is most important that any and all accidents, regardless of severity, are reported immediately to the Transportation Office. This is for the driver's protection as well as the school districts'.

Auto – Accident Information

Complete the form in its entirety and give to your transportation contact or school contact at the accident scene. All information contained herein will be given to the insurance company for claim processing.

Accident Details:

Bus / Vehicle No. _____

Accident Date: _____

Accident Time: _____

Location or Intersection: _____ City: _____ State: _____

Accident Description: _____

Scene Description: _____

Police Contact: Yes / No If yes, what police department? _____ Phone: _____

Citations Issued: Yes / No Who: _____ Offense: _____

Member Vehicle

Year: _____ Make: _____ Model: _____ Color: _____

Vin#: _____ License Plate#: _____

Member Driver: _____ Home Contact Phone: _____

Is member vehicle damaged as a result of this accident: Yes / No

If yes, what area is damaged? _____

Vehicle Drivable? Yes / No If no, where towed to: _____

Why is the vehicle not drivable? _____

Member Driver Written Statement: _____

Accident Scene Diagram:

If at Intersection, draw diagram below labeling streets and positions of vehicle (include obstructions and landmarks):

