



OFFICE OF RISK SERVICES—
ASSOCIATE VICE PRESIDENT & CHIEF RISK OFFICER

OFFICE OF THE PRESIDENT
1111 Franklin Avenue, 10th Floor
Oakland, California 94607-5200

September 7, 2018

CHANCELLORS
ACADEMIC COUNCIL CHAIR MAY
LABORATORY DIRECTOR WITHERELL
ANR VICE PRESIDENT HUMISTON

Re: Systemwide Review of Proposed Revisions to Presidential Policy BFB-BUS-46

Attached for Systemwide Review are proposed revisions to Presidential Policy BFB-BUS-46.

The Office of Risk Services (OPRS) partnered with the systemwide UC Driver Vehicle Safety Workgroup and the UC Fleet Managers Workgroup to complete a comprehensive review of UC Business and Finance Bulletin 46 (BUS 46), which was last revised in July 1994. The BUS 46 Policy applies to the use of any UC vehicle (owned or leased) and any personal vehicles used in the course of University business. The following proposed changes to the Policy aim to increase accountability for vehicular usage throughout the UC system to improve safety, reduce vehicular accidents, and create cost savings to the University.

- The inclusion of the California Department of Motor Vehicles (DMV) Negligent Operator Treatment System (NOTS) as a standard for eligibility to drive on behalf of the University.
- Implementation will apply to all drivers on University business – not solely employees.
- Establishment of Vehicle Collision Review Committees to review collisions, determine preventability, and promote driver safety awareness.
- Establishment of guidelines for drivers involved in preventable collisions including training, suspension, and potential revocation of driving privileges.

The proposed revisions were presented to the Policy Advisory Committee (PAC) on September 21, 2017. During that meeting, the PAC recommended additional UC stakeholders to review the revisions of BUS 46 and provide feedback since the Policy affects major units, including Human Resources, Labor Relations, Research Policy Analysis and Coordination, Academic Policy and Compensation, and Student Affairs.

Systemwide Review is a public review distributed to the Chancellors, the Director of Lawrence Berkeley National Laboratory, the Chair of the Academic Council, and the Vice President of Agriculture and Natural Resources requesting that they inform the general University community, affected employees, and union membership about policy proposals. Systemwide Review also includes a mandatory, three-month full Senate review. Employees should be afforded the opportunity to review and comment on the draft policy. Attached is a Model Communication which may be used to inform non-exclusively represented employees about these proposals. The Labor Relations Office at the Office of the President is responsible for informing the bargaining units representing union membership about policy proposals.

We would appreciate receiving your comments no later than December 17, 2018. Please submit your comments to ehs@ucop.edu. If you have any questions, please contact Ken Smith at 510-882-3499.

Sincerely,



Cheryl Lloyd
Associate Vice President & Chief Risk Officer

Attachments: Presidential Policy BFB-BUS-46 (redline and clean copy)
Model communication

cc: President Napolitano
Provost and Executive Vice President Brown
Executive Vice Chancellors/Provosts
President's Advisory Group
Vice President Duckett
Vice President Ellis
Vice President Holmes-Sullivan
Vice Provost Carlson
Vice Provost Gullatt
Deputy General Counsel Woodall
Vice Chancellors/Vice Provosts of Academic Personnel/Academic Affairs
Academic Personnel Directors
Chief of Staff Rachel Nava
Executive Director Baxter
Executive Director Chester
Executive Director Peterson
Director Grant
Director Hairston
Director Henderson
Director Lee
Manager Smith
Manager Steinhoff
Manager Jordan
Manager Crosson



~~BFB-BUS-46: Use of University Vehicles~~
BFB-BUS-46: Use of Vehicles and Driver Selection

Responsible Officer:	Chief Risk Officer ED - Procurement Services
Responsible Office:	RK - Risk / EH&S PS - Procurement Services
Issuance Date:	2/28/1978 2/28/1978
Effective Date:	TBD 10/1/2015
Last Review Date:	3/28/2017
Scope:	All Campuses, Medical Centers, Division of Agriculture and Natural Resources (ANR), and the Lawrence Berkeley National Laboratory.

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I. POLICY SUMMARY

This ~~bulletin establishes the basic Use of Vehicles and Driver Selection~~ Policy ~~(Policy) governing~~ governs the use of vehicles and driver selection for while on University business. Motor vehicle accidents are the most frequent and costly claims to the [University of California](#). They are also the leading cause of death in the workplace in the United States. The University of California, in its mission to operate its vehicles safely for the protection of all with whom it shares the road, has

developed ~~"Driver Selection and Vehicle Use Guidelines"~~this Policy, which reflects ~~correctly~~currently accepted best practices for the selection and management of drivers operating any vehicle on behalf of the University of California. These best practices have proven effective in controlling misuse of vehicles and poor driving practices which lead to accidents. This ~~policy~~Policy applies to all ~~employees~~drivers who may operate any University of California vehicle ~~or their own personal vehicle on behalf of the University and while on University business, including leased or rented vehicles, leased or rented vehicle, or privately owned vehicle while on University business.~~ This ~~policy~~Policy does not apply to vehicles supplied by Third Party Suppliers.

TABLE OF CONTENTS

<u>I. POLICY SUMMARY</u>	<i>Error! Bookmark not defined.</i>
<u>II. DEFINITIONS</u>	<i>Error! Bookmark not defined.</i>
<u>III. POLICY STATEMENT</u>	<i>Error! Bookmark not defined.</i>
<u>IV. COMPLIANCE / RESPONSIBILITIES</u>	<i>Error! Bookmark not defined.</i>
<u>V. REQUIRED PROCEDURES</u>	<i>Error! Bookmark not defined.</i>
<u>VI. RELATED INFORMATION</u>	<i>Error! Bookmark not defined.</i>
<u>VII. FREQUENTLY ASKED QUESTIONS</u>	29
<u>VIII. REVISION HISTORY</u>	<i>Error! Bookmark not defined.</i>

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II. DEFINITIONS

~~**Alternative/Clean Fuel Vehicles**— Vehicles that operate on alternative/clean fuels other than gasoline or diesel fuel. Clean fuel is defined by the State of California as including, but not limited to, methanol, compressed natural gas, electric power, and liquefied petroleum gas (California Health and Safety Code Section 40603).~~

~~**At-Fault Collision**— A collision arising out of the use of a motor vehicle due to the negligence or willful misconduct of the operator, or any other preventable collision where reasonable assurance of non-fault cannot be furnished. See Vehicle Collision Review Committee (VCRC).~~

~~**Authorized Driver**— Employees, students, or volunteers who have been identified, by verification of their driving record through the Department of Motor Vehicles, as 1) having an acceptable driving record in accordance with those set forth in this policy, 2) received approval from the driver's manager or supervisor to drive on University of California business, a University of California-owned, leased, rented or otherwise controlled vehicle or personal vehicle, and 3) have met any other~~

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BFB-BUS-46: Use of University Vehicles~~BFB-BUS-46: Use of Vehicles and Driver Selection~~

~~requirements as set forth by the University. Authorized drivers may also include non-University of California persons, including consultants, provided they have been approved by the appropriate UC Location Official, and the vehicle use is for official University of California business. Any driver who is driving for University of California business, who has fulfilled all driver requirements and who has been approved to drive by the University Location Official.~~

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California Department of Motor Vehicles (DMV) Negligent Operator Treatment System (NOTS): A program created by the California DMV to keep so-called “negligent motor vehicle operators” off the roads. NOTS is based on assigning “point” over time to every California license holder for traffic offense violations to identify careless or negligent drivers.

Check Ride: An in vehicle evaluation of a driver’s physical and defensive driving skills. The intent of the check ride is to evaluate the driver’s proficiency at operating the vehicle. A check ride shall be administered by a qualified person trained to conduct such check rides. An example may include a certified Smith System Instructor.

Commerical Vehicle: A commercial vehicle is a vehicle as defined by the California Vehicle Code 260:
https://www.dmv.ca.gov/portal/wcm/connect/f93f514b-ffa6-46cd-9da7-939ef851e288/ch13_comm1_vehs.pdf?MOD=AJPERES
Examples include: Bus; 3 axle Truck; Tractor Trailer.

Conviction—: A conviction includes 1) a finding of guilty by a court or other tribunal as to any charged vehicular offenses, 2) a plea of guilty or non contest (nolo contendere) to such and offense, or 3) a bail forfeiture without entry of a formal plea.

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DMV Employer Pull Notice Program (EPN): A program that provides employers and regulatory agencies with a means of promoting driver safety through the ongoing review of driver records. The EPN program allows your organization to monitor Driver License records of employees who drive on your organization’s behalf.

Executive Vehicles—: Any vehicle, owned by ~~t~~The University, and driven by a member of the Senior Management Group (SMG).

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Frequent Driver—: ~~An employee type of driver who uses a~~drives University of California ~~or private vehicle for~~ University business on more than four trips per calendar month totaling at least 300 miles from 10-25 hours or more per month and for whom driving is not an essential job function (see also Infrequent Driver and Occupational Driver).

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Infrequent Driver: A type of driver who drives for University business for less than 10 hours per month and for whom driving is not an essential job function (see also

Frequent Driver and Occupational Driver).

1-Point Offenses: Violations define by the California DMV NOTS as 1-Point Offenses include (but are not limited to):

- Driving too fast or over the speed limit
- Running a stop sign or red light
- Improper/illegal or unsafe turn
- Passing across a double yellow line
- Failure to yield right-of-way
- Following too closely
- Illegal use of cell phone while driving

Note: if you are driving a commercial vehicle when you are cited, the points are worth 1 ½ times the standard point amount.

2- Point Offenses: Violations defined by the California DMV NOTS as 2-Point Offenses include (but are not limited to):

- Driving under the influence (DUI) of alcohol or drugs
- Evading a peace officer/reckless driving
- Driving with a suspended or revoked license
- Hit and run with injury or property damage
- Speed over 100 MPH
- DUI/causing bodily injury or death
- Explosives transportation

Note: if you are driving a commercial vehicle when you are cited, the points are worth 1 ½ times the standard point amount.

Major Violations — Major violations shall include, but are not limited to:

- ~~1. Driving under the influence of alcohol or drugs. This includes prescription drugs that have the warning that operating machinery or a motor vehicles while using the drug is not safe,~~
- ~~2. Failure to report an accident,~~
- ~~3. Making a false accident report,~~
- ~~4. Vehicular homicide or manslaughter,~~
- ~~5. Attempting to elude a police officer,~~
- ~~6. Driving while licenses is suspended or revoked,~~
- ~~7. Reckless driving, racing, or participating in a speed contest,~~
- ~~8. Speeding at 25mph or more over the posted speed limit, and~~
- ~~9. Hit and run.~~

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~~Minor Violations~~—Minor violations shall include any moving traffic violation other than a major violation. Examples include, but are not limited to:

- ~~1. Speeding less than 25mph over the posted speed limit,~~
- ~~2. Running a stop sign or red light,~~
- ~~3. Improper turn,~~
- ~~4. Passing across a double yellow line,~~
- ~~5. Failure to yield,~~
- ~~6. Following too closely, and~~
- ~~7. Using a cell phone while driving.~~

Motor Vehicle Report (MVR)—: A report by the Department of Motor Vehicles. It details the driving record, by individual names and driver license numbers, for each request submitted, and indicates the status of the applicable driver’s licenses.

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Occupational Driver—: ~~An employee for which type of driver for whom~~ driving is designated as an “essential job function.” ~~regardless of how frequently driving occurs. Drivers of University-owned rideshare vehicles are also considered occupational drivers for the purpose of determining their Driving Requirements. (See also Frequent Driver and Infrequent Driver)~~

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Preventable Collision—: Any collision that occurs while driving a vehicle on University of California business which results in property damage and/or personal injury, regardless of who was injured, what property was damaged, to what extent, or where it occurred, in which the driver in question failed to exercise every reasonable precaution to prevent it. See Vehicle Collision Review Committee (VCRC).

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University Location: Any property or building that is owned or leased by the University where University business or activities take place.

University Location Official: Chancellors, the Laboratory Director and the Vice President of Agriculture and Natural Resources or designee.

Vehicle (as defined in the California Vehicle Code Section 670)—: A device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.

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Vehicle Collision Review Committee—: A committee at each UC Location that reviews collisions based upon the preventability guidelines from the National Safety Council. The Committee reviews all collisions to determine preventability and to determine, in conjunctions with UC Location HR and the employee’s department, the necessary course of action.

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Violation—: An act involving the unsafe operation of a motor vehicle. Types of violations include but are not limited to:

1. ~~Civil~~: A written allegation by a law enforcement officer claiming a person violated a law (e.g., a traffic ticket).
~~4.~~
2. ~~Infraction~~: A violation punishable by a fine or other penalty, but not by incarceration.
~~2.~~
3. ~~Misdemeanor~~: A violation punishable by imprisonment in a County Jail, by fine, or by both.
~~3.~~
4. ~~Felony~~: A crime which is punishable by death or by imprisonment in the State Prison. Under certain conditions, a felony crime may be treated as a misdemeanor.

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III. POLICY STATEMENT

A. REGISTRATION AND IDENTIFICATION OF UNIVERSITY VEHICLES:

1. University vehicles, including those operated by the Associated Students and other University-related organizations shall be registered in the name of the University of California and licensed in accordance with [Business and Finance Bulletin BUS-19/Registration and Licensing of University-Owned Vehicles](#).
2. University of California vehicles, except executive vehicles and vehicles used for special purposes (e.g., undercover police cars and authorized rideshare vehicles), shall be conspicuously identified as the property of ~~t~~he University of California and are to be operated for business or official use only.
3. Identification of these vehicles shall be achieved by use of a decal or other device attached to the front and/or rear of each vehicle. These decals or other devices shall be standardized on a University-wide basis.
4. No other decals, stickers, or other signs, including dealer-identified license plate holders, shall be placed on any University vehicle, except that a Chancellor, Laboratory Director, or Vice President, Agriculture and Natural Resources may authorize exceptions on a case-by-case basis.

B. VEHICLE USE:

1. University Vehicles:

- a. Responsibility for determining, ~~authorizing~~approving, and controlling

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official vehicle use is the responsibility of the ~~Chancellors, the Laboratory Director, and the Vice President of Agriculture and Natural Resources and their designee(s)~~, University Location Official.

b. ~~No University of California vehicle will be released by Fleet Operations or any other unit or department unless the University Location Official has verified that the driver meets all requirements and has been informed of their responsibilities. Upon verification that the driver meets all requirements and has been informed of their responsibilities, then the University Location Official can approve the driver for driving University of California vehicles.~~

~~b.c.~~ University of California vehicles are provided to support official University of California business and are to be used only by Authorized Drivers. University of California vehicles will not be used by employees for personal reasons. Subject to individual UC Location ~~Local~~ local Policies policies, employees who use assigned vehicles on a 24-hour basis or are on-call will drive such vehicles directly home after work and leave them parked until needed for "call-out."

~~e.d.~~ University vehicles shall not be used regularly for transportation between personal residences and University campuses or other work locations, except those vehicles:

i. ~~Assigned to senior University executives (See Letter from President Dynes to Chancellors and Laboratory Directors, January 29, 2007, Revised University Policy Concerning Senior Management Automobiles); or,~~

~~ii.~~ Used in conjunction with authorized ridesharing programs, which include, but are not limited to, vanpools, carpools bus-pools, and guaranteed ride home programs; or,

~~iii.~~ Used occasionally for transportation to and from personal residences in connection with departure and return from official University business trips, when the appropriate department official has determined that such use is more efficient and economical than available alternatives.

~~d.e.~~ ny use of a vehicle for transportation between home and office, other than those stated above, must be specifically authorized in advance and in writing by the ~~Chancellor), the Laboratory Director, or the Vice President of Agriculture and Natural Resources of designee~~ University Location Official, as an exception to this ~~policy~~ Policy and justified by a special

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and/or frequent work requirement of the University of California ~~which that~~ cannot reasonably be met by other means of transportation. Drivers using vehicles under this section shall be subject to campus parking regulations.

~~e.f.~~ Vehicles ~~are not to be considered part of an employee's compensation and must not be used as an inducement for employment. In all cases, the vehicles~~ are to be operated in strict compliance with ~~the applicable state Vehicle Code~~ Vehicle Code and with the utmost regard for their care and cost-efficient and sustainable use.

~~f.g.~~ Authorized Drivers will not transport persons other than on-duty University of California employees in a University-owned vehicle, unless the persons are being transported in connection with official University of California business, are an approved participant of an authorized Rideshare Program, or as authorized by ~~a supervisor~~ the University Location Official.

~~g.h.~~ Except in the case of an emergency, a driver will not allow a vehicle to which he or she has been assigned to be driven by any person not authorized to drive the University of California-owned vehicle.

~~h.i.~~ In voluntary compliance with the State of California's Public Contract Code, Section 10326.1, the University of California will:

- i. Suspend the purchase of additional 15-passenger vans;⁷
- ii. Initiate a plan to phase out existing fleets of 15-passenger vans;⁸
- iii. Require a Class B Driver's License for all persons operating 15-passenger vans;⁷ and,
- iv. Not transport preschool and K-12 aged children in 15-passenger vans.

~~2. Personal Privately owned Vehicles: Authorized Drivers who use their personal vehicles for University of California business must:~~

- ~~a. Provide upon request, a Certificate of Insurance to the University of California with minimum limits of \$50,000/\$100,000/\$50,000 for bodily injury per person, bodily injury per accident, and property damage respectively. (See University of California Business and Finance Bulletin G-28/Travel Regulations for additional details);~~
- ~~b. Ensure their vehicle is currently registered with the Department of Motor Vehicles;~~
- ~~c. Operate the vehicle in accordance with traffic safety laws, including the use of seatbelts at all time the vehicle is in operation.~~

~~2. Motorcycles are not authorized for use on Official University of California business in accordance with University of California Business and Finance Bulletin G-28/Travel Regulations. The use of privately owned vehicles for University business is allowed, and Business and Finance Bulletin G-28/Policy and Regulations Governing Travel, and Business and Finance Bulletin BUS-81/Insurance Programs should be consulted regarding applicable travel and insurance regulations.~~

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~~3. **Rented or Leased Vehicles:** The University of California must ensure that employees operating rental vehicles on University of California business have adequate coverage for collision and liability or require employees to purchase the rental company's Loss/Damage/Waiver coverage. Whenever possible Travelers are expected to use rental agencies with which UC has University of California's Connexus Travel Program Systemwide Agreements that include insurance coverage in accordance with Business and Finance Bulletin G-28/Travel Regulations.~~

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~~4. **Rideshare Vehicles:** As provided by the delegated University Location Official non-University participants in University-sponsored ridesharing programs may be authorized to drive University-owned vehicles if they meet program criteria.~~

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~~3.~~

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C. **DRIVERS:**

~~1. Authorized drivers shall include faculty, staff, students (18 and older), and non-University persons, including consultants, provided they have been approved by the appropriate UC Location official, and the vehicle use is for official University of California business. As provided by Delegation of Authority (DA 1064) -Third Party Agreements, University Vanpool Programs, March 31, 1992, non-University participants in University-sponsored ridesharing programs may be authorized to drive University-owned vehicles if they meet program criteria. **Driver Eligibility:** Employees, students, volunteers and non-University of California Person, including consultants, are eligible to drive on University business subject to fulfilling all driver requirements and receiving approval by the University Location Official. Eligible drivers must be a minimum of 18 years of age.~~

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~~2. Drivers shall hold the valid license/endorsements for the type of vehicle to be used and shall have successfully completed any driver training/safety course required by the campus or State/Federal law. University employees who use a vehicle infrequently (e.g., for occasional travel, emergency departmental needs, etc.) or short term (less than 2 weeks) visitors/guests who use a vehicle only for the duration of their stay are exempt from the training/safety~~

~~course requirement.~~ **Driver Responsibilities:** When driving on University of California business, the driver assumes responsibility for operating the vehicle in a safe and responsible manner. Therefore, driver responsibilities include, but are not limited to, the following:

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1. Submit to and comply with all Driver Requirements

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2. Observing all traffic rules and regulations, including the use of seat belts and the non-use of hand-held communication devices. The driver will be responsible for any fines or penalties incurred, including parking violations;

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3. Having the appropriate class of valid driver's license in their possession at all times while operating the vehicle on University of California business;

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4. Operating the vehicle in a manner consistent with reasonable practices that avoid abuse, theft, or neglect of the equipment;

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5. Practicing safe driving techniques and adhering to current safety requirements, including the University of California's Business and Finance Bulletin G-46/Guidelines for the Purchase and Use of Cellular Phones and Other Portable Electronic Resources. (use of handheld wireless phones or cell phones is prohibited while driving unless the device is in a hands-free mode);

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6. Restricting the operation of vehicles to authorized drivers only;

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7. Reporting all moving violations or accidents, regardless of whether the violations or accidents occur while driving on university business, to the University Location Official within twenty-four (24) hours; in the case of University of California employees, accidents should be reported before the end of their shift; and,

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8. Ensuring the cleanliness of university vehicles both inside and out.

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2. Failure to comply with any of these responsibilities could result in disciplinary action, up to and including termination.

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~~3. The use of privately owned vehicles for University business is generally encouraged, and Business and Finance Bulletin G-28/Policy and Regulations Governing Travel, and Business and Finance Bulletin BUS-81/Insurance Programs should be consulted regarding applicable travel and insurance regulations.~~

University of California Policy BFB-BUS-46

BFB-BUS-46: Use of University Vehicles~~BFB-BUS-46: Use of Vehicles and Driver Selection~~

- ~~4. No vehicle will be released by Fleet Operations unless it has been verified that the proposed driver has been authorized, holds the valid license/endorsement for the type of vehicle to be used, and meets all other requirements.~~
- ~~5. No vehicle assigned to a department on a periodic basis will be driven unless the appropriate department official verifies that the proposed driver holds a valid license for the vehicle to be used and meets all other requirements.~~
- ~~6. Each UC Location is required to enroll the following authorized drivers in the Department of Motor Vehicles (DMV)'s Employer's Pull Notice (EPN) System:
 - ~~1. All University employees who are defined as Occupational Drivers,~~
 - ~~2. University employees who are defined as Frequent drivers and routinely drive a University vehicle or privately owned vehicle in the course of their regular employment, and~~
 - ~~3. All drivers of University-owned rideshare vehicles.~~~~

~~Local procedures will be implemented to monitor each authorized driver's driving records to ensure compliance with this policy.~~

- ~~7. Criminal penalties may be taken against the University if a person with a disqualifying action taken against his/her license or certificate is hired, allowed to continue employment or is permitted to continue operating as a driver. All drivers of University-owned rideshare vehicles, which require a Class C License and other specialized vehicles shall be required to pass a physical examination every two years.~~

- ~~3. All drivers of University-owned rideshare vehicles shall authorize the University to review their driving records by means of the DMV's Employer's Pull Notice (EPN) System. **Driver Requirements:** The following driver requirements will be enforced by the University Location Official. Driver requirements vary by type of driver.~~

Infrequent Drivers

- ~~1. Infrequent Drivers must have a valid United States license for the class of vehicle being operated and shall have successfully completed any driver training/safety course required by State/Federal law. Certain licenses or endorsements may be required for transporting minors. If the vehicle requires a Commercial Driver's License (CDL) then the driver must possess a valid CDL with the appropriate endorsements for the type of vehicle being operated. Please note that 15-passenger vans are not a University of California-authorized vehicle.~~

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2. Infrequent Drivers of University owned vehicles must submit a Motor Vehicle Report (MVR) for evaluation by the University Location Official and receive approval prior to driving a University owned vehicle. This process must be repeated annually or the driver must be enrolled in the Department of Motor Vehicles (DMV)'s Employer's Pull Notice (EPN) System.
3. Check rides may be conducted based upon the type of vehicle driven and/or reported/observed unsafe driving behavior.

Frequent Drivers

1. Frequent Drivers must have a valid United States license for the class of vehicle being operated and shall have successfully completed any driver training/safety course required by the campus or State/Federal law. Certain licenses or endorsements may be required for transporting minors. If the vehicle requires a Commercial Driver's License (CDL) then the driver must possess a valid CDL with the appropriate endorsements for the type of vehicle being operated. Please note that 15-passenger vans are not a University of California-authorized vehicle.
2. Each UC Location is required to enroll Frequent Drivers in the Department of Motor Vehicles (DMV)'s Employer's Pull Notice (EPN) System and evaluate the driving record in accordance with the Driving Standards.
3. Frequent Drivers shall be required to complete a University of California-approved Defensive Driving Course, in person or online, once every three years.
4. Check rides may be conducted based upon the type of vehicle driven, an employee's MVR, and/or reported/observed unsafe driving behavior, and California DMV NOTS.

Occupational Drivers

1. Occupational Drivers must have a valid United States license for the class of vehicle being operated and shall have successfully completed any driver training/safety course required by the campus or State/Federal law. Certain licenses or endorsements may be required for transporting minors. If the vehicle requires a Commercial Driver's License (CDL) then the driver must possess a valid CDL with the appropriate endorsements for the type of vehicle being operated. Please note that 15-passenger vans are not a University of California-authorized vehicle.
2. Prior to driving on University business, Occupational Drivers must bring a copy of their Motor Vehicle Report (MVR) from the Department of Motor

University of California Policy BFB-BUS-46

BFB-BUS-46: Use of University Vehicles~~BFB-BUS-46: Use of Vehicles and Driver Selection~~

Vehicles (DMV) printed within the last 30 days. An acceptable current MVR is a condition of employment for Occupational Drivers and will remain a condition of continued employment as long as the employee's essential functions include driving. Employees are not allowed to begin working until the MVR is received, reviewed, and deemed acceptable per the Driving Standards.

3. Each UC Location is required to enroll Occupational drivers in the Department of Motor Vehicles (DMV)'s Employer's Pull Notice (EPN) System and evaluate the driving record in accordance with the Driving Standards.
4. It is the policy of the University that a driving record that meets the University's standard is a condition of employment for Occupational Drivers who may drive a vehicle (whether the University's or their own) on behalf of the University. Maintenance of this acceptable driving record is a consideration for continued employment for those employees who are required to drive as part of their regularly assigned duties as University employees.
5. An Occupational Driver may have his or her employment terminated in accordance with University policy or collective bargaining agreement, if applicable, or be reassigned to a non-driving position at the discretion of the University of California in the event that his or her license is revoked or suspended by a court of law, or if it is determined that an employee does not meet the minimum Driving Standards.
6. A driver of a vanpool vehicle may operate with a class C license but shall possess evidence of a medical examination required for a class B license when operating vanpool vehicles. In order to be eligible to drive the vanpool vehicle, the driver shall keep in the vanpool vehicle a statement, signed under penalty of perjury, that he or she has not been convicted of reckless driving, drunk driving, or a hit-and-run offense in the last five years.. (California Vehicle Code 12804.9(J)).
https://www.dmv.ca.gov/portal/dmv/detail/pubs/hdbk/lic_classes
7. Occupational Drivers must be capable of demonstrating familiarity with the type of vehicles assigned.
8. Occupational Drivers shall be required to complete a University of California-approved Defensive Driving Course, in person or online, once every three years.
9. Check rides may be conducted based upon the type of vehicle driven, an employee's MVR, and/or reported/observed unsafe driving behavior, and California DMV NOTS.

8.3.

D. DRIVER RESPONSIBILITIES DRIVING STANDARDS:

The following driving standards will be enforced by the University Location Official.

1. The UC Location Vehicle Collision Review Committee (VCRC) has the authority to deem any employee in violation of University driving standards ineligible to drive. (see Section B. VCRC)
2. The Department of Motor Vehicles (DMV)'s Employer Pull Notice Program (EPN) is a critical component of this policy. A mechanism must be in place to review and address motor vehicle reports activity that are sent to the University. General information on enrollment and operation of the University of California's use of the EPN Program are included in Appendix A of this policy, attached.
3. All traffic violations that occur regardless of whether the violations occur during personal time or when driving for business or during non-business hours may affect driving privileges and are subject to constant review.
4. Any or all of the following violations, as defined in Section II ("Definitions") above, showing on the employee's driving record shall be cause for revoking an employee's authorization to drive on behalf of the University of California:
 - a. Three or more 1-Point Offenses as defined in this Policy within the past 36 months; or,
 - b. Three or more Preventable Collisions within the past 36 months; or,
 - c. One 2-Point Offense as defined in this Policy within the past 36 months.
5. Any Frequent Driver, Infrequent Driver or Occupational Driver will not be allowed to drive on University of California business if they do not fulfill all driving requirements and driving standards.
6. Departments that allow operation of vehicles on their behalf by drivers who do not meet the Driving Standards, as defined above, may be held financially accountable for personal injury and property damage arising from incidents involving that driver.

~~D. If assigned a University of California vehicle, the employee assumes responsibility for operating the vehicle in a safe and responsible manner. Therefore, driver responsibilities include, but are not limited to, the following:~~

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 1. Observing all traffic rules and regulations, including the use of seat belts and the non-use of hand-held communication devices. The Driver will be responsible for any fines or penalties incurred, including parking violations;

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BFB-BUS-46: Use of University Vehicles~~BFB-BUS-46: Use of Vehicles and Driver Selection~~

- ~~2. Having the appropriate class of a valid Driver's Licenses in their possession at all times while operating the vehicle on University of California business;~~
 - ~~3. Operating the vehicle in a manner consistent with reasonable practices that avoid abuse, theft, or neglect of the equipment;~~
 - ~~4. Practicing safe driving techniques and adhering to current safety requirements including the University of California's Business and Finance Bulletin G-46/Guidelines for the Purchase and Use of Cellular Phones and Other Portable Electronic Resources. (e.g. cell phones should be used only when the vehicle is parked);~~
 - ~~5. Restricting the use of vehicles to authorized drivers only; and~~
 - ~~6. Reporting all moving violations or accidents to a supervisor or manager before the end of the employee's shift, but in no case, longer than twenty-four (24) hours. Drivers are responsible for the cleanliness of vehicles both inside and out.~~
- ~~Failure to comply with any of these responsibilities could result in disciplinary action, up to and including termination.~~

~~**E. DRIVING AS A CONDITION OF UNIVERSITY EMPLOYMENT:** It is the policy of the University that a driving record that meets the University's standard is a condition of employment for Occupational Drivers who may drive a vehicle, the University's or their own, on behalf of the University. Maintenance of this acceptable driving record is a consideration for continued employment for those employees who are required to drive as part of their regularly assigned duties as University employees. All (?)Drivers of vehicles on University of California business shall be required to meet the following criteria:~~

~~**Driver's License Requirements:** Drivers must have a valid license for the class of vehicle being operated. If the vehicle requires a Commercial Driver's License (CDL) then the driver must possess a valid CDL with the appropriate endorsements for the type of vehicle being operated. Please note that the use of 15-passenger vans is not a University of California authorized vehicle.~~

~~2. **Motor Vehicle Reports (MVR):** The Department of Motor Vehicles (DMV)'s Employer Pull Notice Program (EPN) is a critical component of this policy. Every authorized driver must be registered in the EPN, and a mechanism in place to review and address reports of MVR activity that are sent to the University. General information on enrollment and operation of the University of California's use of the EPN Program are included in Appendix A of this policy, attached.~~

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- ~~a. All University of California new hires who must drive as a condition of their employment with the University must bring a copy of their Motor Vehicle Report (MVR) from the Department of Motor Vehicles (DMV) printed within the last 30 days.~~
- ~~b. An acceptable current MVR is a condition of employment for all who must drive as a condition of their employment with the University and will remain a condition of continued employment so long as the employee's essential functions include driving. Employees are not allowed to begin working until the MVR is received, reviewed, and deemed acceptable per the standards of this policy.~~
- ~~c. All traffic violations that occur regardless of whether the violations occur during personal time or when driving for business or during non-business hours may affect driving privileges and are subject to constant review.~~
- ~~3. **Employee Pull Notice (EPN):** The Department of Motor Vehicles (CDMV) Employer Pull Notice Program (EPN) is a critical component of this policy. Every authorized driver must be registered in the EPN, and a mechanism in place to review and address reports of MVR activity that are sent to the University.~~
- ~~4. **Other Requirements:** Occupational Drivers must be capable of demonstrating familiarity with the type of vehicles assigned. Those employees for which driving is designated as an "essential job function" or who frequently drive on University of California business, shall be required to complete a University of California-approved Defensive Driving Course, in person or online, once every three years.~~
 - ~~a. Check rides may be conducted based upon the type of vehicle driven, an employee's MVR, and/or reported/observed unsafe driving behavior, and~~
 - ~~b. Occupational Drivers must pass physical examinations administered by a licensed physician or if the examination is required by regulation, if there is a question about an authorized driver's fitness for driving duty, a fitness for duty examination may be required following consultation with the locatin's Disability Manager. Any such examination will be conducted in accordance with Disability Law Requirements.~~
 - ~~c. An Occupational Driver, if driving is an "essential job function" may have his or her employment terminated in accordance with University policy or collective bargaining agreement, if applicable, or be reassigned to a non-driving position at the discretion of the University of California in the~~

~~event his or her license is revoked or suspended by a court of law, or if it is determined that an employee does not meet the minimum driving standards of the University of California.~~

~~F. EXCLUDED EMPLOYEES:~~ Any employee who is deemed ineligible to drive by the UC Location Vehicle Collision Review Committee (VCRC).

~~1. Any or all of the following violations, as defined in Section II Definitions above, showing on the employee's driving record may be cause for revoking an employee's authorization to drive on behalf of the University of California and cause the employee to be considered an excluded employee if:~~

- ~~a. Three or more minor violations within the past three years, or~~
- ~~b. Two or more "at fault" collisions within the past three years, or~~
- ~~c. One major violation within the past three years.~~

~~2. Any Authorized Driver who is required to drive as part of their regularly assigned duties will not be allowed to drive on University of California business if they have an unacceptable Motor Vehicle Report (MVR) as defined in Section E. above.~~

~~Departments that allow operation of vehicles on their behalf by drivers who meet the criteria for an excluded employee, as defined in Section D. above, will be held financially accountable for personal injury and property damage arising from incidents involving that driver.~~

~~G.E.~~ **FLEET OPERATIONS:**

~~1. Each Chancellor, Laboratory Director, and the Vice President of Agriculture and Natural Resources~~University Location Official shall establish a Fleet Operations Unit to manage all University-owned and -operated vehicles at that UC Location.

~~2. Each Fleet Operations Unit shall establish equipment operating parameters, procedures and rules regarding specific maintenance and regulatory reporting responsibilities for each location. Operating parameters may include requirements to include car-sharing or telematics technology in University vehicles, as practicable.~~

~~2. The Fleet Operations Unit shall be responsible for establishing all vehicle rental rates. Such rates shall be established at levels sufficient to recover all allowable costs of operation and may be set at levels sufficient to establish a reserve for vehicle and other equipment acquisition and/or replacement, and~~

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facility renovation and/or construction. As appropriate, fees charged to Federal contract accounts must be in accordance with [Business and Finance Bulletin A-47/University Direct Costing Procedures](#). 4.

~~3.~~

The Fleet Operations Unit shall be responsible for the legally mandated emissions testing of all University-owned vehicles, at that UC Location, including those rented/operated by other departments on a long-term basis.

H. F. INSURANCE: University of California insurance programs provide coverage for the following:

1. [Business and Finance Bulletin BUS-81/Insurance Programs](#) covers personal injury and property damage to others that is caused by University vehicles when they are operated in the course of official University business, including authorized ridesharing programs. This coverage is in effect whether or not the driver is a University employee and covers personal injuries to University employees resulting from vehicle accidents occurring during the course of authorized trips on official University business.
2. [Business and Finance Bulletin BUS-81/Insurance Programs](#) covers employees for injuries sustained during the direct round-trip commute between home and the authorized worksite for all University employees participating in vanpools, bus-pools, guaranteed ride home programs, and other ridesharing programs utilizing University of California vehicles.
3. [Business and Finance Bulletin BUS-81/Insurance Programs](#) covers general purpose, rideshare, and specialized vehicles administered by the Fleet Operations Units or by other University of California departments. Costs for damages due to the careless operation or intentional misuse of vehicles shall not be recovered through this Program.

University insurance programs do not provide coverage for the following:

- a. Personal injuries sustained by non-University of California employees driving University of California vanpools.
- b. Personal injuries sustained by students and non-University of California ~~individuals-employees~~ driving ~~general purpose~~non-University vehicles.

When damage to a University of California vehicle is caused by a third-party, [The University of California](#) will attempt to recover full damage costs from the third party.

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Payment/reimbursement of all costs associated with the damage to any University of California vehicle resulting from misuse or careless operation by an authorized driver shall be from the driver, or the departmental budget, contract, or grant of the authorizing official. Such costs shall not be covered by University of California Insurance Programs.

G. TRAFFIC/PARKING CITATIONS:

1. Traffic/parking citations shall not be paid from any source of University of California funds.
2. The driver of a University of California vehicle is responsible for the payment of any traffic/parking citations incurred on or off University property during the time that driver is responsible for the operation of the vehicle. University of California parking citations have the same legal authorization as those issued by municipal or [State](#) law enforcement authorities.
3. Guidelines on preparing reports of moving violations and on disciplining repeated violators can be found in [Letter from President Gardner to Vice Chancellors and Laboratory Directors, University of California Guidelines on Drivers and Drivers' Public Driving Records, July 27, 1989](#).

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~~J.~~ **H. ALTERNATIVE TRANSPORTATION PROGRAMS:** [The University of California](#) encourages all campuses to offer ridesharing programs (e.g., vanpools, carpools, bus-pools, guaranteed ride home programs) to encourage use of public transit, and to participate in transportation management organizations or other appropriate cooperative arrangements for the purposes of furthering such activities.

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IV. COMPLIANCE / RESPONSIBILITIES

A. UC LOCATION RESPONSIBILITY: ~~Chancellors, the Laboratory Director and the Vice President of Agriculture and Natural Resources are~~The University Location Official responsible for:

1. The control and use of University of California vehicles under his or her custody;
2. Local procedures will be implemented to enforce Driver Requirements and Driver Standards.
3. Criminal penalties may be taken against the University if a person with a disqualifying action taken against his/her license or certificate is hired, allowed to continue employment, or permitted to continue operating as a driver.
- 2.4. Establishing and maintaining procedures for approving authorized

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~~Authorized drivers~~Drivers;

- ~~3.5.~~ Appropriate campus delegations, directives, and procedures to implement University of California policy;
- ~~4.6.~~ The provision of supplemental campus policy as needed; and
- ~~5.7.~~ Forwarding a copy of campus policies and procedures that are implemented as a result of this Bulletin, and any future modifications, to the [Office of the Chief Financial Officer – Capital Asset Strategies & Finance](#) attention Director of the Operating Budget.

B. VEHICLE COLLISION REVIEW COMMITTEE (VCRC):

1. **VCRC Mission:** The mission of the UC Location Vehicle Collision Review Committee (VCRC) is to review most collisions involving authorized drivers operating any vehicle on University business, thereby creating a means to monitor collision frequency and trends and to assist in the development of programs to promote safety, mitigate risk and reduce liability for the University of California.
2. **VCRC Overview:** Each UC Location shall implement and maintain its own Vehicle Collision Review Committee. The charge of the committee is to determine if a collision ~~could have been prevented~~was a Preventable Collision that the UC driver could have prevented. Based on the language provided by the National Safety Council (NSC), a preventable collision is defined as "any collision that occurs while driving a vehicle on University of California business which results in property damage and/or personal injury, regardless of who was injured, what property was damaged, to what extent, or where it occurred, in which the driver in question failed to exercise every reasonable precaution to prevent it."

A key element of a Safe Driver Program involves establishing a mechanism for actively assessing the preventability of each vehicle collision. The collision review process is based on the premise that, after training in defensive driving, Authorized University drivers are expected to meet a higher standard of safety than the average motorist not so trained. Furthermore, to ensure that all vehicle collisions are reviewed fairly, the University has adopted review procedures established by the NSC, using the NSC reference [A Guide to Determine Motor Vehicle Accident Preventability](#).

Promoting safe driving practices and holding drivers accountable for their driving behavior will contribute to a successful driving and vehicle safety program and provide a method to measure the effectiveness of pre- and post-collision driver safety training programs as well as other safety-related outreach efforts.

3. VCRC Goals:

- a. Promote driver safety awareness;
- b. Reduce frequency and severity of vehicle collisions;
- c. ~~Establish location-specific~~ Maintain standardized procedures for determining preventability of collisions; and
- d. Reduce the financial impact of property and liability losses related to vehicle collisions.

4. VCRC Membership: The membership of each committee shall be determined by the UC Location and may include representatives from the following (and other) University departments/groups:

- a. Risk Management;
- b. Environmental, Health, and Safety;
- c. Transportation/Fleet & Transit;
- d. University Police;
- e. Human Resources/Labor Relations;
- f. Employees; and
- g. Students.

The chair shall be elected by majority vote of the VCRC Committee.

5. VCRC Member Length of Service: Appointment terms should be for a minimum of 12 months; re-appointments may be approved.

6. VCRC Training Requirements: Prior to serving, each committee member should be trained in the following:

- a. Overview and goals of the collision review process and explanation of local committee procedures;
- ~~a.~~
- b. Introduction to defensive driving techniques and safe driving practices (including behind-the-wheel instruction and skill evaluation) utilizing a UC-approved driver training program; and
- ~~b.~~
- c. Introduction to the preventability determination process as outlined in *A Guide to Determine Motor Vehicle Accident Preventability* by the [National Safety Council](#).

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7. **VCRC Meeting Frequency:** The VCRC shall meet as frequently as necessary, and at least quarterly. Emergency meeting shall be convened as necessary. Minutes shall be kept of each meeting.

8. **VCRC Review Process:** All reports of accidents/collisions resulting in any property damage or personal injury will be pre-screened by ~~the local a~~ designated ~~collision investigator, who is a rotating~~ member of the Vehicle Collision Review Committee (VCRC), for “obvious” preventability prior to submission to the committee. The Committee shall see all such reports and has the option to independently review any pre-screening determination. A driver may request committee review of any collision determined by the pre-screening to be preventable. The VCRC will consider all information pertaining to each collision it reviews and make a determination as to its preventability.

a. Preparing the case:

- i. The name of the driver involved in the case will not be revealed to the committee members. The committee will use a case number or collision number to identify the case.
- ii. The driver involved should not be called before the committee to discuss the case. The driver’s collision report should represent the driver.

b. Presenting the case: The committee may consider the following sources of facts related to the case:

- i. Driver’s collision report, which includes description of events, diagrams, etc.~~---~~;
- ii. Witness statements~~.~~;
- iii. Photos of vehicle damage and/or property damage~~;~~;
- iv. Known amount in dollars (\$’s) of liability/property loss incurred as a result of the collision~~;~~;
- v. Police investigation reports~~;~~;
- vi. Collision investigation reports and summaries~~;~~;
- vii. Any supplemental reports pertaining to the collision~~;~~; ~~and~~
- viii. Driving record summary.

c. Reaching a decision:

- i. The committee shall consider recognized safe driving practices, training the driver has received, and University and UC Location

policies and procedures pertaining to vehicle operations when making its decision.

~~ii.~~ The committee shall vote by open ballot with the decision reached by a simple majority vote.

~~ii.~~
iii. The decision shall be entered into the meeting minutes.

d. Department notification: The driver and the department manager shall be notified in writing as to whether the collision was determined to be non-preventable or preventable. If the collision was determined to have been preventable, the committee notification shall include the following:

1. Reasons for classifying the case as preventable;
2. Amount of liability loss in dollars (\$'s) incurred as a result of the collision;
3. Determination for post-collision training; and
4. Determination for suspension/revocation of driving privileges ~~in consultation with UC Location Human Resources~~ consistent with applicable University personnel policies and collective bargaining agreements.

9. **VCRC Periodic Reports:** Periodic summary reports may be completed by the committee to indicate findings such as:

- a. Collision trends;
- b. Collision frequency by department/driver/vehicle type;
- c. Outreach program opportunities; and
- d. Safe driving practices sources.

10. VCRC Guidelines for Authorized Drivers Involved in Preventable Collisions: University of California actions may include but not be limited to the following, based on all the facts and circumstances. These recommended actions may be accompanied by appropriate performance management, consistent with University of California Personnel Policies and Collective Bargaining Agreements, up to and including disciplinary action. ~~Drivers involved in preventable collisions may also be subject to disciplinary actions consistent with applicable university personnel policies and collective bargaining agreements.~~

10. Drivers wishing to appeal the determination that a collision was preventable may submit such appeal to the appropriate department such as UC Location Human Resources.

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# of Preventable Collisions Within 36 Months*	Recommended Requirement	Completion Timeline
1	Classroom refresher training	Within 90 days of VCRC Notice of Decision date
2	Refresher training & satisfactory completion of behind the wheel instruction	Within 90 days of VCRC Notice of Decision date
3	Suspend university driving privilege for minimum 30 days & attend refresher training; satisfactory completion of behind the wheel instruction and evaluation	Immediately upon VCRC Notice of Decision
4	Revoke university driving privilege indefinitely	Immediately Upon VCRC Notice of Decision

* The Department Motor Vehicle's criterion for the length of time an accident stays on the driving record is 36 months. The University follows the same criteria when considering the consequences for drivers involved in a preventable collision

- a. The VCRC may recommend immediate suspension of driving privileges following any collision based on the severity and preventability of the collision pending further administrative action.
- b. Drivers involved in another preventable collision, who have previously had their university driving privileges suspended or revoked, and then reinstated, may be subject to permanent revocation of driving privileges as well as disciplinary actions consistent with ~~university~~ University personnel policies and collective bargaining agreements.

~~6-~~ **Reinstatement:** An Employee whose driving privilege has been revoked may apply to the Committee for reinstatement, one year from the date of revocation. The driver's overall driving record, the department manager's feedback, improvement efforts and any mitigating circumstances shall be taken into consideration. The request must be submitted in writing by the driver's department manager. Any such driver must complete approved refresher training that includes satisfactory completion of behind-the-wheel instruction and evaluation before his/her driving privilege may be reinstated. Additionally, the driver must successfully complete an approved online defensive driving course and be enrolled in the university's DMV EPN-driving record monitoring Program. The cost of any driver training shall be recharged to the driver's department.

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V. REQUIRED PROCEDURES

A. FLEET OPERATIONS:

1. The Fleet Operations Unit shall be responsible for the acquisition, inspection, and record keeping for all ~~general purpose~~ vehicles, ~~including those assigned~~

~~BFB-BUS-46: Use of University Vehicles~~BFB-BUS-46: Use of Vehicles and Driver Selection

~~for long-term use to other departments, equipment registered with the Department of Motor Vehicles, and specialized vehicles, as appropriate and equipment. The Fleet Operations may delegate these responsibilities concerning specialized equipment to the user department, as appropriate.~~

2. The Fleet Operations Unit shall assign general purpose vehicles to most users on a trip-by-trip basis. Departments may be assigned a vehicle on a long-term rental basis if such assignment serves the department needs more efficiently and economically than any alternative. Each exceptional assignments must be approved by the ~~Chancellor or designee~~University Location Official and renewed on an annual basis. A copy of the department's request for assignment and the appropriate approval will be maintained by the Fleet Operation's Unit.

~~3.~~The Fleet Operations Unit shall be responsible for the maintenance and service of all ~~general purpose~~ vehicles and specialized equipment including those assigned to a department on a long-term basis. Long-term user departments shall be required to adhere to maintenance schedules established by the Fleet ~~Facility Operations Unit~~ unless different arrangements are approved in writing by the ~~Chancellor or designee~~University Location Official.

~~3.~~ Responsibility for regular maintenance and servicing of specialized vehicles and equipment shall may be the responsibility of delegated to the user department by the University Location Official.

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4. Specialized vehicles (e.g., mobile clinics, fire apparatus, waste collection vehicles, forklifts, and farm tractors,~~and motor scooters~~), that are used by a single department, may be designated by the ~~Chancellor or designee~~University Location Official for permanent assignment to that department.

B. PROCEDURES FOR VEHICLE USE:

1. Each UC Location shall establish procedures to ~~identify properly authorized~~enforce Driver Requirements, Driving Standards and to approve drivers, trained, and licensed drivers, and to provide a record of each trip. In developing campus policies and procedures, the following items should be considered:

a. Delegations of authority to appropriate department officials;

~~a-~~

b. Procedures for authorizing and controlling vehicle use;

~~b-~~

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~~c.~~ Provisions regarding certain types of use (e.g., out-of-state, foreign travel, various rideshare programs) or certain types of users (e.g., students or non-University employees);

~~e.~~

~~d.~~ Requirements for reporting vehicle accidents and moving violations;

~~e.~~

~~e.~~ Requirements of the DMV's Employer's Pull Notice (EPN) System; and;

~~e.~~

f. Programs to foster traffic safety consciousness.

2. Departments with assigned vehicles and departments responsible for rideshare vehicles shall maintain records that document vehicle users and uses and that demonstrate compliance with [State](#) and [Federal](#) laws and University policies and procedures. Usage reports shall be prepared periodically, ~~but and~~ at least annually, and sent to the Fleet Operations Unit and to other appropriate campus administrative officials, and shall be reviewed to verify both the proper use and the continued need for the assignment of such vehicles.

3. Each UC Location shall establish methods to inform vehicle users of their responsibilities and of the limits of appropriate use.

4. Each UC Location shall establish procedures for reviewing instances of possible misuse of a vehicle by drivers and/or responsible authorizing officials, and shall take appropriate action up to and including termination of employment. Such action may include a requirement for reimbursement of costs incurred by the University of California through misuse; withdrawing or limiting permission to use a University fleet vehicle; and/or canceling authority to authorize use of vehicles. Reimbursement of any associated costs may be obtained from the driver, the authorizing official, and/or the budget of the using/responsible department.

C. ALTERNATIVE TRANSPORTATION PROGRAMS:

1. To ensure growth in ridesharing programs and use of public transit, specific incentives may be developed. Such incentives may include, but are not limited to, the following: discounted rates for riders, discounted rates for drivers, ~~r~~-personal use mileage for drivers, guaranteed ride-home programs, transit pass subsidies, and use of University-owned vehicles (those assigned to a department on a long-term basis) as authorized carpool vehicles in conjunction with ridesharing programs.

2. Participation in University of California ridesharing programs by non-University employees is permitted provided the University Location

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University of California Policy BFB-BUS-46

~~BFB-BUS-46: Use of University Vehicles~~BFB-BUS-46: Use of Vehicles and Driver Selection

maintains signed, annually updated participant and employer agreements outlining program elements, requirements, and responsibilities.

3. The University of California supports UC Locations' development of various guaranteed ride home programs. Such programs may include limited use of University-owned vehicles by public transit riders, or participants in authorized ridesharing programs (including non-University employees) who need to leave the work place for emergency reasons in advance of normally scheduled departures, or who must work late.

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VI. RELATED INFORMATION

Policy on Use of University Vehicles, February 28, 1978.

University Policy Concerning Executive Automobiles, 1988.

[Business and Finance Bulletin A-47/University Direct Costing Procedures.](#)

[Business and Finance Bulletin BUS-8/Acquisition and Disposition of University Vehicles.](#)

[Business and Finance Bulletin BUS-19/Registration and Licensing of University-Owned Vehicles.](#)

Business and Finance Bulletin BUS-74/Business Travel Accident Insurance. (Rescinded 6/2013). Information incorporated into Business and Finance Bulletin BUS-81/Insurance Programs.

[Business and Finance Bulletin BUS-81/Insurance Programs.](#)

[Business and Finance Bulletin G-28/Travel Regulations.](#)

[Letter from President Dynes to Chancellors and Laboratory Directors, January 29, 2007, Revised University Policy Concerning Senior Management Automobiles.](#)

[Letter from President Gardner to Vice Chancellors and Laboratory Directors, University of California Guidelines on Drivers and Drivers' Public Driving Records, July 27, 1989.](#)

University Accounting Manual Policy, Chapter E-821/ Senior Management Automobile Policy and Procedures. (Rescinded 2013).

[Facilities Manual, Volume 6 - Energy and Water Conservation and Management.](#)

[University of California Sustainable Practices Policy.](#)

~~BFB-BUS-46: Use of University Vehicles~~BFB-BUS-46: Use of Vehicles and Driver Selection

University of California Policy BFB-BUS-46

~~BFB-BUS-46: Use of University Vehicles~~[BFB-BUS-46: Use of Vehicles and Driver Selection](#)

[Regents Policy 7709/Senior Management Group Automobile Allowance.](#)

[Letter from President Gardner to Vice Chancellors and Laboratory Directors, University of California Guidelines on Drivers and Drivers' Public Driving Records, July 27, 1989.](#)

[Delegation of Authority DA 1064--Third Party Agreements, University Vanpool Programs from the President to the Chancellors, Senior Vice President-Business and Finance, and Directors of Lawrence Livermore National Laboratory and Lawrence Berkeley Laboratory, March 31, 1992.](#)

Letter from President Gardner to Chancellors and Laboratory Directors, August 8, 1985.

Delegation of Authority DA 0878--Execution of Purchase Contracts, Subcontracts, and Standard Purchase Orders for Goods and Services to be Supplied to the University. (Rescinded June 19, 1995 and Replaced with [DA 2045 Delegation of Authority—Execution of Purchase Contracts, Subcontracts, and Standard Purchase Orders for Materials, Goods, and Services to be Supplied to the University.](#))

Letter from President Atkinson to Chancellors and Laboratory Directors, June 19, 1995, Delegation of Authority DA 2045--Execution of Purchase Contracts, Subcontracts, and Standard Purchase Orders for Goods and Services to be Supplied to the University. (Rescinded June 11, 1998 and replaced with [DA 2100—Execution of Purchase Contracts, Subcontracts, and Standard Purchase Orders for Goods and Services to be Supplied to the University.](#))

[Letter from President Atkinson to Chancellors and Laboratory Directors, June 11, 1998; Delegation of Authority DA 2100—Execution of Purchase Contracts, Subcontracts, and Standard Purchase Orders for Goods and Services to be Supplied to the University.](#)

[State of California Vehicle Code, Section 15200/California Commercial Motor Vehicles Safety Act of 1988.](#)

[Federal Motor Carrier Safety Administration, United States Department of Transportation, Federal Motor Vehicle Safety Improvement Act of 1999, Public Law 106-159, December 9, 1999.](#)

[Federal Commercial Motor Vehicle Safety Act of 1986.](#)

[Americans with Disabilities Act of 1990.](#)

[Americans with Disabilities Act of 1990 Amended, January 1, 2009.](#)

Appendix A: THE EMPLOYER PULLNOTICE (EPN) PROGRAM/California Vehicle Code Section 1808.1. (See attached).

~~BFB-BUS-46: Use of University Vehicles~~[BFB-BUS-46: Use of Vehicles and Driver Selection](#)

University of California Policy BFB-BUS-46

~~BFB-BUS-46: Use of University Vehicles~~BFB-BUS-46: Use of Vehicles and Driver Selection

VII. FREQUENTLY ASKED QUESTIONS

Not Applicable

VII-VIII. REVISION HISTORY

This policy was revised to incorporate information on the Vehicle Collisions Review Committee (VCRC) process and add the elements of the Driver Selection and Vehicle Use Guidelines on October 1, 2015.

This policy was reformatted into the standard University of California policy template effective July 1, 2012.

Revision to BUS-46/Use of University Vehicles, August 1, 1994.

Issuance of BUS-46/ Use of University Vehicles, February 28, 1978.

~~BFB-BUS-46: Use of University Vehicles~~BFB-BUS-46: Use of Vehicles and Driver Selection

**BUS-46/USE OF UNIVERSITY VEHICLES
APPENDIX A
THE EMPLOYER PULL NOTICE (EPN) PROGRAM
California Vehicle Code Section 1808.1**

[The Employer Pull Notice \(EPN\) Program](#) was established to provide employers and regulatory agencies with a means of promoting driver safety through the ongoing review of driver records. The following is a brief history of the EPN program and when legislation was enacted:

1. 1982 - Law enforcement and government employers began to enroll their drivers into the program voluntarily.
2. 1989 - all Class A (formerly known as Class 1), Class B (formerly known as Class 2), transit authority, certified, and [The Public Utilities Commission \(PUC\)](#) regulated drivers (limousine drivers, charter party carriers, etc.) were enrolled pursuant to California Vehicle Code (CVC) Section 1808.1.
3. 1990 – [The Public Utilities Commission \(PUC\)](#) began enrolling owner operators.
4. 1998 – [California DMV, Motor Carrier Branch](#), began enrolling owner operators who transport property. PUC continued to regulate owner operators who transport passengers and household goods.

The EPN program allows your organization to monitor DL records of employees who drive on your organization's behalf. This monitoring accomplishes the following:

1. Improves public safety.
2. Determines if each driver has a valid DL.
3. Reveals problem drivers or driving behavior.
4. Helps to minimize your liability.

When an employer enrolls in the EPN program, they are assigned a requester code. The requester code is added to an employee's driver license (DL) record. When an employee's DL is updated to record an action/activity, a check is made electronically to determine if a pull notice is on file. If the action/activity is one that is specified to be reported under the EPN program, a driver record is generated and mailed to that employer.

The EPN program automatically generates a driver record when any of the following actions/activities occurs:

University of California Policy BFB-BUS-46

~~BFB-BUS-46: Use of University Vehicles~~BFB-BUS-46: Use of Vehicles and Driver Selection

1. Upon enrollment of driver in the EPN program.
2. Annually from the date of enrollment or 12 months from the last action/activity printout.
3. When a driver has any of the following actions/activities added to his/her driver record:
 - a. Convictions of a violation
 - b. Failures to Appear
 - c. Accidents
 - d. Driver License Suspensions or Revocations
 - e. Any other actions taken against the driving privilege

For additional information refer to:

https://www.dmv.ca.gov/portal/dmv/?1dmv&urile=wcm:path/dmv_content_en/dmv/vehindustry/epn/epngeninfo .



BFB-BUS-46: Use of Vehicles and Driver Selection

Responsible Officer:	Chief Risk Officer
Responsible Office:	RK - Risk / EH&S
Issuance Date:	2/28/1978
Effective Date:	TBD
Last Review Date:	3/28/2017
Scope:	[All Campuses, Medical Centers, Division of Agriculture and Natural Resources (ANR), and the Lawrence Berkeley National Laboratory.]

Contact:	Ken Smith
Title:	EHS Executive Director
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I. POLICY SUMMARY

This Use of Vehicles and Driver Selection Policy (Policy) governs the use of vehicles and driver selection for University business. Motor vehicle accidents are the most frequent and costly claims to the [University of California](http://www.universityofcalifornia.edu). They are also the leading cause of death in the workplace in the United States. The University of California, in its mission to operate its vehicles safely for the protection of all with whom it shares the road, has developed this Policy, which reflects currently accepted best practices for the selection and management of drivers operating any vehicle on behalf of the University of California. These best practices have proven effective in controlling misuse of vehicles and poor driving practices which lead to accidents. This Policy applies to all drivers who may operate any University of California vehicle, leased or rented vehicle, or privately owned vehicle while on University business. This Policy does not apply to vehicles supplied by Third Party Suppliers.

TABLE OF CONTENTS

I. POLICY SUMMARY	1
II. DEFINITIONS	2
III. POLICY STATEMENT	5
IV. COMPLIANCE / RESPONSIBILITIES	13
V. REQUIRED PROCEDURES	18
VI. RELATED INFORMATION	20
VII. FREQUENTLY ASKED QUESTIONS	22
VIII. REVISION HISTORY	22

II. DEFINITIONS

Authorized Driver: Any driver who is driving for University of California business, who has fulfilled all driver requirements and who has been approved to drive by the University Location Official.

California Department of Motor Vehicles (DMV) Negligent Operator Treatment System (NOTS): A program created by the California DMV to keep so-called “negligent motor vehicle operators” off the roads. NOTS is based on assigning “points” over time to every California license holder for traffic offense violations to identify careless or negligent drivers.

Check Ride: An in vehicle evaluation of a driver’s physical and defensive driving skills. The intent of the check ride is to evaluate the driver’s proficiency at operating the vehicle . A check ride shall be administered by a qualified person trained to conduct such check rides. An example may include a certified Smith System Instructor.

Commercial Vehicle: A commercial vehicle is a vehicle as defined by the California Vehicle Code 260:

https://www.dmv.ca.gov/portal/wcm/connect/f93f514b-ffa6-46cd-9da7-939ef851e288/ch13_comml_vehs.pdf?MOD=AJPERES

Examples include: Bus; 3 axle Truck; Tractor Trailer

Conviction: A conviction includes 1) a finding of guilty by a court or other tribunal as to any charged vehicular offenses, 2) a plea of guilty or no contest (nolo contendere) to such an offense, or 3) a bail forfeiture without entry of a formal plea.

DMV Employer Pull Notice Program (EPN): A program that provides employers and regulatory agencies with a means of promoting driver safety through the

ongoing review of driver records. The EPN program allows your organization to monitor Driver License records of employees who drive on your organization's behalf.

Executive Vehicles: Any vehicle, owned by the University, and driven by a member of the Senior Management Group (SMG).

Frequent Driver: A type of driver who drives for University business from 10 to 25 hours or more per month and for whom driving is not an essential job function (see also Infrequent Driver and Occupational Driver).

Infrequent Driver: A type of driver who drives for University business for less than 10 hours per month and for whom driving is not an essential job function (see also Frequent Driver and Occupational Driver).

1-Point Offenses: Violations defined by the California DMV NOTS as 1-Point Offenses include (but are not limited to):

- Driving too fast or over the speed limit
- Running a stop sign or red light
- Improper/illegal or unsafe turn
- Passing across a double yellow line
- Failure to yield right-of-way
- Following too closely
- Illegal use of cell phone while driving

Note: if you are driving a commercial vehicle when you are cited, the points are worth 1 1/2 times the standard point amount.

2-Point Offenses: Violations defined by the California DMV NOTS as 2-Point Offenses include (but are not limited to):

- Driving under the influence (DUI) of alcohol or drugs
- Evading a peace officer/reckless driving
- Driving with a suspended or revoked license
- Hit and run with injury or property damage
- Speed over 100 MPH
- DUI/causing bodily injury or death
- Explosives transportation

Note: if you are driving a commercial vehicle when you are cited, the points are worth 1 1/2 times the standard point amount.

Motor Vehicle Report (MVR): A report by the Department of Motor Vehicles. It details the driving record, by individual names and driver license numbers, for each request submitted, and indicates the status of the applicable driver's licenses.

Occupational Driver: A type of driver for whom driving is designated as an “essential job function” regardless of how frequently driving occurs. Drivers of University-owned rideshare vehicles are also considered occupational drivers for the purpose of determining their Driving Requirements.(See also Frequent Driver and Infrequent Driver)

Preventable Collision: Any collision that occurs while driving a vehicle on University of California business which results in property damage and/or personal injury, regardless of who was injured, what property was damaged, to what extent, or where it occurred, in which the driver in question failed to exercise every reasonable precaution to prevent it. See Vehicle Collision Review Committee (VCRC).

University Location: Any property or building that is owned or leased by the University where University business or activities take place.

University Location Official: Chancellors, the Laboratory Director and the Vice President of Agriculture and Natural Resources or designee.

Vehicle (as defined in the California Vehicle Code Section 670): A device by which any person or property may be propelled, moved, or drawn upon a highway, excepting a device moved exclusively by human power or used exclusively upon stationary rails or tracks.

Vehicle Collision Review Committee: A committee at each UC Location that reviews collisions based upon the preventability guidelines from the National Safety Council. The Committee reviews all collisions to determine preventability and to determine, in conjunction with UC Location HR and the employee’s department, the necessary course of action.

Violation: An act involving the unsafe operation of a motor vehicle. Types of violations include but are not limited to:

1. Civil: A written allegation by a law enforcement officer claiming a person violated a law (e.g., a traffic ticket).
2. Infraction: A violation punishable by a fine or other penalty, but not by incarceration.
3. Misdemeanor: A violation punishable by imprisonment in a County Jail, by fine, or by both.
4. Felony: A crime which is punishable by death or by imprisonment in the State Prison. Under certain conditions, a felony crime may be treated as a misdemeanor.

III. POLICY STATEMENT

A. REGISTRATION AND IDENTIFICATION OF UNIVERSITY VEHICLES:

1. University vehicles, including those operated by the Associated Students and other University-related organizations shall be registered in the name of the University of California and licensed in accordance with [Business and Finance Bulletin BUS-19/Registration and Licensing of University-Owned Vehicles](#).
2. University of California vehicles, except executive vehicles and vehicles used for special purposes (e.g., undercover police cars and authorized rideshare vehicles), shall be conspicuously identified as the property of the University of California and are to be operated for business or official use only.
3. Identification of these vehicles shall be achieved by use of a decal or other device attached to the front and/or rear of each vehicle. These decals or other devices shall be standardized on a University-wide basis.
4. No other decals, stickers, or other signs, including dealer-identified license plate holders, shall be placed on any University vehicle, except that a University Location Official may authorize exceptions on a case-by-case basis.

B. VEHICLE USE:

1. University Vehicles:

- a. Responsibility for determining, approving, and controlling official vehicle use is the responsibility of the University Location Official.
- b. No University of California vehicle will be released by Fleet Operations or any other unit or department unless the University Location Official has verified that the driver meets all requirements and has been informed of their responsibilities. Upon verification that the driver meets all requirements and has been informed of their responsibilities, then the University Location Official can approve the driver for driving University of California vehicles.
- c. University of California vehicles are provided to support official University of California business and are to be used only by Authorized Drivers. University of California vehicles will not be used by employees for personal reasons. Subject to individual UC Location local policies, employees who use assigned vehicles on a 24-hour basis or are on-call will drive such vehicles directly home after work and leave them parked until needed for “call-out.”

- d. University vehicles shall not be used regularly for transportation between personal residences and University campuses or other work locations, except those vehicles:
 - i. Assigned to senior University executives (See [Letter from President Dynes to Chancellors and Laboratory Directors, January 29, 2007, Revised University Policy Concerning Senior Management Automobiles](#)); or,
 - ii. Used in conjunction with authorized ridesharing programs, which include, but are not limited to, vanpools, carpools, bus-pools, and guaranteed ride home programs; or,
 - iii. Used occasionally for transportation to and from personal residences in connection with departure and return from official University business trips, when the appropriate department official has determined that such use is more efficient and economical than available alternatives.
- e. Any use of a vehicle for transportation between home and office, other than those stated above, must be specifically authorized in advance and in writing by the University Location Official, as an exception to this Policy and justified by a special and/or frequent work requirement of the University of California that cannot reasonably be met by other means of transportation. Drivers using vehicles under this section shall be subject to campus parking regulations.
- f. Vehicles are to be operated in strict compliance with the applicable state Vehicle Code and with the utmost regard for their care and cost-efficient and sustainable use.
- g. Authorized Drivers will not transport persons other than on-duty University of California employees in a University-owned vehicle, unless the persons are being transported in connection with official University of California business, are an approved participant of an authorized Rideshare Program, or as authorized by the University Location Official
- h. Except in the case of an emergency, a driver will not allow a vehicle to which he or she has been assigned to be driven by any person not authorized to drive the University of California-owned vehicle.
- i. In voluntary compliance with the State of California's Public Contract Code, Section 10326.1, the University of California will:
 - i. Suspend the purchase of additional 15-passenger vans;
 - ii. Initiate a plan to phase out existing fleets of 15-passenger vans;
 - iii. Require a Class B Driver's License for all persons operating 15-passenger vans; and,

- iv. Not transport preschool and K-12 aged children in 15-passenger vans.
2. **Privately owned Vehicles**: The use of privately owned vehicles for University business is allowed, and [Business and Finance Bulletin G-28/Policy and Regulations Governing Travel](#), and [Business and Finance Bulletin BUS-81/Insurance Programs](#) should be consulted regarding applicable travel and insurance regulations.
3. **Rented or Leased Vehicles**: Whenever possible travelers are expected to use rental agencies with which UC has [University of California's Connexus Travel Program Systemwide Agreements](#) that include insurance coverage in accordance with [Business and Finance Bulletin G-28/Travel Regulations](#).
4. **Rideshare Vehicles**: As provided by the delegated University Location Official non-University participants in University-sponsored ridesharing programs may be authorized to drive University-owned vehicles if they meet program criteria.

C. DRIVERS:

1. **Driver Eligibility**: Employees, students, volunteers and non-University of California persons, including consultants, are eligible to drive on University business subject to fulfilling all driver requirements and receiving approval by the University Location Official. Eligible drivers must be a minimum of 18 years of age.
2. **Driver Responsibilities**: When driving on University of California business, the driver assumes responsibility for operating the vehicle in a safe and responsible manner. Therefore, driver responsibilities include, but are not limited to, the following:
 1. Submit to and comply with all Driver Requirements.
 2. Observing all traffic rules and regulations, including the use of seat belts and the non-use of hand-held communication devices. The driver will be responsible for any fines or penalties incurred, including parking violations;
 3. Having the appropriate class of a valid driver's license in their possession at all times while operating the vehicle on University of California business;
 4. Operating the vehicle in a manner consistent with reasonable practices that avoid abuse, theft, or neglect of the equipment;
 5. Practicing safe driving techniques and adhering to current safety requirements, including the [University of California's Business and Finance](#)

[Bulletin G-46/Guidelines for the Purchase and Use of Cellular Phones and Other Portable Electronic Resources](#). (use of handheld wireless phones or cell phones is prohibited while driving unless the device is in a hands-free mode);

6. Restricting the operation of vehicles to authorized drivers only;
7. Reporting all moving violations or accidents, regardless of whether the violations or accidents occur while driving on university business, to the University Location Official within twenty-four (24) hours; in the case of University of California employees, accidents should be reported before the end of their shift; and,
8. Ensuring the cleanliness of university vehicles both inside and out.

Failure to comply with any of these responsibilities could result in disciplinary action, up to and including termination.

3. **Driver Requirements:** The following driver requirements will be enforced by the University Location Official. Driver requirements vary by type of driver.

Infrequent Drivers

1. Infrequent Drivers must have a valid United States license for the class of vehicle being operated and shall have successfully completed any driver training/safety course required by State/Federal law. Certain licenses or endorsements may be required for transporting minors. If the vehicle requires a Commercial Driver's License (CDL) then the driver must possess a valid CDL with the appropriate endorsements for the type of vehicle being operated. Please note that 15-passenger vans are not a University of California-authorized vehicle.
2. Infrequent Drivers of University owned vehicles must submit a Motor Vehicle Report (MVR) for evaluation by the University Location Official and receive approval prior to driving a University owned vehicle. This process must be repeated annually or the driver must be enrolled in the Department of Motor Vehicles (DMV)'s Employer's Pull Notice (EPN) System.
3. Check rides may be conducted based upon the type of vehicle driven and/or reported/observed unsafe driving behavior.

Frequent Drivers

1. Frequent Drivers must have a valid United States license for the class of vehicle being operated and shall have successfully completed any driver training/safety course required by the campus or State/Federal law. Certain

licenses or endorsements may be required for transporting minors. If the vehicle requires a Commercial Driver's License (CDL) then the driver must possess a valid CDL with the appropriate endorsements for the type of vehicle being operated. Please note that 15-passenger vans are not a University of California-authorized vehicle.

2. Each UC Location is required to enroll Frequent Drivers in the Department of Motor Vehicles (DMV)'s Employer's Pull Notice (EPN) System and evaluate the driving record in accordance with the Driving Standards.
3. Frequent Drivers shall be required to complete a University of California-approved Defensive Driving Course, in person or online, once every three years.
4. Check rides may be conducted based upon the type of vehicle driven, an employee's MVR, and/or reported/observed unsafe driving behavior, and California DMV NOTS.

Occupational Drivers

1. Occupational Drivers must have a valid United States license for the class of vehicle being operated and shall have successfully completed any driver training/safety course required by the campus or State/Federal law. Certain licenses or endorsements may be required for transporting minors. If the vehicle requires a Commercial Driver's License (CDL) then the driver must possess a valid CDL with the appropriate endorsements for the type of vehicle being operated. Please note that 15-passenger vans are not a University of California-authorized vehicle.
2. Prior to driving on University business, Occupational Drivers must bring a copy of their Motor Vehicle Report (MVR) from the Department of Motor Vehicles (DMV) printed within the last 30 days. An acceptable current MVR is a condition of employment for Occupational Drivers and will remain a condition of continued employment as long as the employee's essential functions include driving. Employees are not allowed to begin working until the MVR is received, reviewed, and deemed acceptable per the Driving Standards.
3. Each UC Location is required to enroll Occupational drivers in the Department of Motor Vehicles (DMV)'s Employer's Pull Notice (EPN) System and evaluate the driving record in accordance with the Driving Standards.
4. It is the policy of the University that a driving record that meets the University's standard is a condition of employment for Occupational Drivers who may drive a vehicle (whether the University's or their own) on behalf of

the University. Maintenance of this acceptable driving record is a consideration for continued employment for those employees who are required to drive as part of their regularly assigned duties as University employees.

5. An Occupational Driver may have his or her employment terminated in accordance with University policy or collective bargaining agreement, if applicable, or be reassigned to a non-driving position at the discretion of the University of California in the event that his or her license is revoked or suspended by a court of law, or if it is determined that an employee does not meet the minimum Driving Standards.
6. A driver of a vanpool vehicle may operate with a class C license but shall possess evidence of a medical examination required for a class B license when operating vanpool vehicles. In order to be eligible to drive the vanpool vehicle, the driver shall keep in the vanpool vehicle a statement, signed under penalty of perjury, that he or she has not been convicted of reckless driving, drunk driving, or a hit-and-run offense in the last five years.. (California Vehicle Code 12804.9(J)).
https://www.dmv.ca.gov/portal/dmv/detail/pubs/hdbk/lic_classes
7. Occupational Drivers must be capable of demonstrating familiarity with the type of vehicles assigned.
8. Occupational Drivers shall be required to complete a University of California-approved Defensive Driving Course, in person or online, once every three years.
9. Check rides may be conducted based upon the type of vehicle driven, an employee's MVR, and/or reported/observed unsafe driving behavior, and California DMV NOTS.

D. DRIVING STANDARDS:

The following driving standards will be enforced by the University Location Official.

1. The UC Location Vehicle Collision Review Committee (VCRC) has the authority to deem any employee in violation of University driving standards ineligible to drive. (see Section B. VCRC)
2. The Department of Motor Vehicles (DMV)'s Employer Pull Notice Program (EPN) is a critical component of this policy. A mechanism must be in place to review and address motor vehicle reports activity that are sent to the University. General information on enrollment and operation of the University of California's use of

the EPN Program are included in Appendix A of this policy, attached.

3. All traffic violations that occur regardless of whether the violations occur during personal time or when driving for business or during non-business hours may affect driving privileges and are subject to constant review.
4. Any or all of the following violations, as defined in Section II (“Definitions”) above, showing on the employee’s driving record shall be cause for revoking an employee’s authorization to drive on behalf of the University of California:
 - a. Three or more 1-Point Offenses as defined in this Policy within the past 36 months; or,
 - b. Three or more Preventable Collisions within the past 36 months; or,
 - c. One 2-Point Offense as defined in this Policy within the past 36 months.
5. Any Frequent Driver, Infrequent Driver or Occupational Driver will not be allowed to drive on University of California business if they do not fulfill all driving requirements and driving standards.
6. Departments that allow operation of vehicles on their behalf by drivers who do not meet the Driving Standards, as defined above, may be held financially accountable for personal injury and property damage arising from incidents involving that driver.

E. FLEET OPERATIONS:

1. Each University Location Official shall establish a Fleet Operations Unit to manage all University-owned and -operated vehicles at that UC Location.
2. Each Fleet Operations Unit shall establish equipment operating parameters, procedures and rules regarding specific maintenance and regulatory reporting responsibilities for each location. Operating parameters may include requirements to include car-sharing or telematics technology in University vehicles, as practicable.
3. The Fleet Operations Unit shall be responsible for establishing all vehicle rental rates. Such rates shall be established at levels sufficient to recover all allowable costs of operation and may be set at levels sufficient to establish a reserve for vehicle and other equipment acquisition and/or replacement, and facility renovation and/or construction. As appropriate, fees charged to Federal contract accounts must be in accordance with [Business and Finance Bulletin A-47/University Direct Costing Procedures](#).4. The Fleet Operations Unit shall be responsible for the legally mandated emissions testing of all University-owned vehicles, at that UC Location, including those rented/operated by other departments on a long-term basis.

F. INSURANCE: University of California insurance programs provide coverage for the following:

1. [Business and Finance Bulletin BUS-81/Insurance Programs](#) covers personal injury and property damage to others that is caused by University vehicles when they are operated in the course of official University business, including authorized ridesharing programs. This coverage is in effect whether or not the driver is a University employee and covers personal injuries to University employees resulting from vehicle accidents occurring during the course of authorized trips on official University business.
2. [Business and Finance Bulletin BUS-81/Insurance Programs](#) covers employees for injuries sustained during the direct round-trip commute between home and the authorized worksite for all University employees participating in vanpools, bus-pools, guaranteed ride home programs, and other ridesharing programs utilizing University of California vehicles.
3. [Business and Finance Bulletin BUS-81/Insurance Programs](#) covers general purpose, rideshare, and specialized vehicles administered by the Fleet Operations Units or by other University of California departments. Costs for damages due to the careless operation or intentional misuse of vehicles shall not be recovered through this Program.
4. University insurance programs do not provide coverage for the following:
 - a. Personal injuries sustained by non-University of California employees driving University of California vanpools.
 - b. Personal injuries sustained by students and non-University of California employees driving non-University vehicles.

When damage to a University of California vehicle is caused by a third-party, [the University of California](#) will attempt to recover full damage costs from the third party.

Payment/reimbursement of all costs associated with the damage to any University of California vehicle resulting from misuse or careless operation by an authorized driver shall be from the driver, or the departmental budget, contract, or grant of the authorizing official. Such costs shall not be covered by University of California Insurance Programs.

G. TRAFFIC/PARKING CITATIONS:

1. Traffic/parking citations shall not be paid from any source of University of California funds.

2. The driver of a University of California vehicle is responsible for the payment of any traffic/parking citations incurred on or off University property during the time that driver is responsible for the operation of the vehicle. University of California parking citations have the same legal authorization as those issued by municipal or [State](#) law enforcement authorities.
3. Guidelines on preparing reports of moving violations and on disciplining repeated violators can be found in [Letter from President Gardner to Vice Chancellors and Laboratory Directors, University of California Guidelines on Drivers and Drivers' Public Driving Records, July 27, 1989](#).

H. **ALTERNATIVE TRANSPORTATION PROGRAMS:** [The University of California](#) encourages all campuses to offer ridesharing programs (e.g., vanpools, carpools, bus-pools, guaranteed ride home programs) to encourage use of public transit, and to participate in transportation management organizations or other appropriate cooperative arrangements for the purposes of furthering such activities.

IV. COMPLIANCE / RESPONSIBILITIES

A. **UC LOCATION RESPONSIBILITY:** The University Location Official is responsible for:

1. The control and use of University of California vehicles under his or her custody;
2. Local procedures will be implemented to enforce Driver Requirements and Driver Standards.
3. Criminal penalties may be taken against the University if a person with a disqualifying action taken against his/her license or certificate is hired, allowed to continue employment, or permitted to continue operating as a driver.
4. Establishing and maintaining procedures for approving Authorized Drivers;
5. Appropriate campus delegations, directives, and procedures to implement University of California policy;
6. The provision of a supplemental campus policy; and,
7. Forwarding a copy of campus policies and procedures that are implemented as a result of this Bulletin, and any future modifications, to the [Office of the Chief Financial Officer – Capital Asset Strategies & Finance](#), attention Director of the Operating Budget.

B. VEHICLE COLLISION REVIEW COMMITTEE (VCRC):

1. **VCRC Mission:** The mission of the UC Location Vehicle Collision Review Committee (VCRC) is to review most collisions involving authorized drivers operating any vehicle on University business, thereby creating a means to monitor collision frequency and trends and to assist in the development of programs to promote safety, mitigate risk and reduce liability for the University of California.
2. **VCRC Overview:** Each UC Location shall implement and maintain its own Vehicle Collision Review Committee. The charge of the committee is to determine if a collision was a Preventable Collision that the UC driver could have prevented.

A key element of a Safe Driver Program involves establishing a mechanism for actively assessing the preventability of each vehicle collision. The collision review process is based on the premise that, after training in defensive driving, Authorized Drivers are expected to meet a higher standard of safety than the average motorist not so trained. Furthermore, to ensure that all vehicle collisions are reviewed fairly, the University has adopted review procedures established by the NSC, using the NSC reference [*A Guide to Determine Motor Vehicle Accident Preventability.*](#)

Promoting safe driving practices and holding drivers accountable for their driving behavior will contribute to a successful driving and vehicle safety program and provide a method to measure the effectiveness of pre- and post-collision driver safety training programs as well as other safety-related outreach efforts.

3. **VCRC Goals:**
 - a. Promote driver safety awareness;
 - b. Reduce frequency and severity of vehicle collisions;
 - c. Maintain standardized procedures for determining preventability of collisions; and,
 - d. Reduce the financial impact of property and liability losses related to vehicle collisions.
4. **VCRC Membership:** The membership of each committee shall be determined by the UC Location and may include representatives from the following (and other) University departments/groups:
 - a. Risk Management;
 - b. Environmental, Health, and Safety;
 - c. Transportation/Fleet & Transit;
 - d. University Police;
 - e. Human Resources/Labor Relations;

- f. Employees; and,
- g. Students.

The chair shall be elected by majority vote of the VCRC Committee.

5. **VCRC Member Length of Service**: Appointment terms should be for a minimum of 12 months; re-appointments may be approved.
6. **VCRC Training Requirements**: Prior to serving, each committee member should be trained in the following:
 - a. Overview and goals of the collision review process and explanation of local committee procedures;
 - b. Introduction to defensive driving techniques and safe driving practices (including behind-the-wheel instruction and skill evaluation) utilizing a UC-approved driver training program; and,
 - c. Introduction to the preventability determination process as outlined in *A Guide to Determine Motor Vehicle Accident Preventability* by the [National Safety Council](#).
7. **VCRC Meeting Frequency**: The VCRC shall meet as frequently as necessary, and at least quarterly. Emergency meetings shall be convened as necessary. Minutes shall be kept of each meeting.
8. **VCRC Review Process**: All reports of accidents/collisions resulting in any property damage or personal injury will be pre-screened by a designated member of the Vehicle Collision Review Committee (VCRC), for “obvious” preventability prior to submission to the committee. The Committee shall see all such reports and has the option to independently review any pre-screening determination. A driver may request committee review of any collision determined by the pre-screening to be preventable. The VCRC will consider all information pertaining to each collision it reviews and make a determination as to its preventability.
 - a. Preparing the case:
 - i. The name of the driver involved in the case will not be revealed to the committee members. The committee will use a case number or collision number to identify the case.
 - ii. The driver involved should not be called before the committee to discuss the case. The driver’s collision report should represent the driver.

- b. Presenting the case: The committee may consider the following sources of facts related to the case:
 - i. Driver's collision report, which includes description of events, diagrams, etc.
 - ii. Witness statements.
 - iii. Photos of vehicle damage and/or property damage.
 - iv. Known amount in dollars (\$'s) of liability/property loss incurred as a result of the collision.
 - v. Police investigation reports.
 - vi. Collision investigation reports and summaries.
 - vii. Any supplemental reports pertaining to the collision.
 - viii. Driving record summary.
 - c. Reaching a decision:
 - i. The committee shall consider recognized safe driving practices, training the driver has received, and University and UC Location policies and procedures pertaining to vehicle operations when making its decision.
 - ii. The committee shall vote by open ballot with the decision reached by a simple majority vote.
 - iii. The decision shall be entered into the meeting minutes.
 - d. Department notification: The driver and the department manager shall be notified in writing as to whether the collision was determined to be non-preventable or preventable. If the collision was determined to have been preventable, the committee notification shall include the following:
 - i. Reasons for classifying the case as preventable;
 - ii. Amount of liability loss in dollars (\$'s) incurred as a result of the collision;
 - iii. Determination for post-collision training; and,
 - iv. Determination for suspension/revocation of driving privileges consistent with applicable University personnel policies and collective bargaining agreements.
9. **VCRC Periodic Reports**: Periodic summary reports may be completed by the committee to indicate findings such as:
- a. Collision trends;
 - b. Collision frequency by department/driver/vehicle type;
 - c. Outreach program opportunities; and
 - d. Safe driving practices sources.

10. VCRC Guidelines for Authorized Drivers Involved in Preventable Collisions: University of California actions may include but not be limited to the following, based on all the facts and circumstances. These recommended actions may be accompanied by appropriate performance management, consistent with University of California Personnel Policies and Collective Bargaining Agreements, up to and including disciplinary action.

Drivers wishing to appeal the determination that a collision was preventable may submit such appeal to the appropriate department such as UC Location Human Resources.

# of Preventable Collisions Within 36 Months*	Recommended Requirement	Completion Timeline
1	Classroom refresher training	Within 90 days of VCRC Notice of Decision date
2	Refresher training & satisfactory completion of behind the wheel instruction	Within 90 days of VCRC Notice of Decision date
3	Suspend University driving privilege for minimum 30 days & attend refresher training; satisfactory completion of behind the wheel instruction and evaluation	Immediately upon VCRC Notice of Decision
4	Revoke University driving privilege indefinitely	Immediately upon VCRC Notice of Decision

* [The Department Motor Vehicle's](#) criterion for the length of time an accident stays on the driving record is 36 months. The University follows the same criteria when considering the consequences for drivers involved in a preventable collision

- a. The VCRC may recommend immediate suspension of driving privileges following any collision based on the severity and preventability of the collision pending further administrative action.
- b. Drivers involved in another preventable collision, who have previously had their University driving privileges suspended or revoked, and then reinstated, may be subject to permanent revocation of driving privileges as well as disciplinary actions consistent with University personnel policies and collective bargaining agreements.

Reinstatement: A driver whose driving privilege has been revoked may apply to the Committee for reinstatement, one year from the date of revocation. The driver's overall driving record, the department manager's feedback, improvement efforts and any mitigating circumstances shall be taken into consideration. The request must be submitted in writing by the driver's department manager. Any such driver must complete approved refresher training that includes satisfactory completion of behind-the-wheel instruction and evaluation before his/her driving privilege may be reinstated. Additionally, the driver must successfully complete an approved online defensive driving

course and be enrolled in the university's DMV driving record monitoring Program. The cost of any driver training shall be recharged to the driver's department.

V. REQUIRED PROCEDURES

A. FLEET OPERATIONS:

1. The Fleet Operations Unit shall be responsible for the acquisition, inspection, and record keeping for all vehicles, equipment registered with the Department of Motor Vehicles, and specialized vehicles and equipment. The Fleet Operations may delegate these responsibilities concerning specialized equipment to the user department, as appropriate.
2. The Fleet Operations Unit shall assign general purpose vehicles to most users on a trip-by-trip basis. Departments may be assigned a vehicle on a long-term rental basis if such assignment serves the department needs more efficiently and economically than any alternative. Each exceptional assignment must be approved by the University Location Official and renewed on an annual basis. A copy of the department's request for assignment and the appropriate approval will be maintained by the Fleet Operation's Unit.
3. The Fleet Operations Unit shall be responsible for the maintenance and service of all vehicles and specialized equipment including those assigned to a department on a long-term basis. Long-term user departments shall be required to adhere to maintenance schedules established by the Fleet Operations Unit unless different arrangements are approved in writing by the University Location Official.
Responsibility for the regular maintenance and servicing of specialized vehicles and equipment may be delegated to the user department by the University Location Official.
4. Specialized vehicles (e.g., mobile clinics, fire apparatus, waste collection vehicles, forklifts and farm tractors), that are used by a single department, may be designated by the University Location Official for permanent assignment to that department.

B. PROCEDURES FOR VEHICLE USE:

1. Each UC Location shall establish procedures to enforce Driver Requirements, Driving Standards and to approve drivers. In developing campus policies and procedures, the following items should be considered:
 - a. Delegations of authority to appropriate department officials;
 - b. Procedures for authorizing and controlling vehicle use;

- c. Provisions regarding certain types of use (e.g., out-of-state, foreign travel, various rideshare programs) or certain types of users (e.g., students or non-University employees);
 - d. Requirements for reporting vehicle accidents and moving violations;
 - e. Requirements of the DMV's Employer's Pull Notice (EPN) System; and,
 - f. Programs to foster traffic safety consciousness.
2. Departments with assigned vehicles and departments responsible for rideshare vehicles shall maintain records that document vehicle users and uses and that demonstrate compliance with [State](#) and [Federal](#) laws and University policies and procedures. Usage reports shall be prepared periodically, and at least annually, and sent to the Fleet Operations Unit and to other appropriate campus administrative officials, and shall be reviewed to verify both the proper use and the continued need for the assignment of such vehicles.
 3. Each UC Location shall establish methods to inform vehicle users of their responsibilities and of the limits of appropriate use.
 4. Each UC Location shall establish procedures for reviewing instances of possible misuse of a vehicle by drivers and/or responsible authorizing officials, and shall take appropriate action up to and including termination of employment. Such action may include a requirement for reimbursement of costs incurred by the University of California through misuse; withdrawing or limiting permission to use a University fleet vehicle; and/or canceling authority to authorize use of vehicles. Reimbursement of any associated costs may be obtained from the driver, the authorizing official, and/or the budget of the using/responsible department.

C. ALTERNATIVE TRANSPORTATION PROGRAMS:

1. To ensure growth in ridesharing programs and use of public transit, specific incentives may be developed. Such incentives may include, but are not limited to, the following: discounted rates for riders, discounted rates for drivers, personal use mileage for drivers, guaranteed ride-home programs, transit pass subsidies, and use of University-owned vehicles (those assigned to a department on a long-term basis) as authorized carpool vehicles in conjunction with ridesharing programs.
2. Participation in University of California ridesharing programs by non-University employees is permitted provided the University Location maintains signed, annually updated participant and employer agreements outlining program elements, requirements, and responsibilities.

The University of California supports UC Locations' development of various guaranteed ride home programs. Such programs may include limited use of University-owned vehicles by public transit riders, or participants in authorized ridesharing programs (including non-University employees) who need to leave the workplace for emergency reasons in advance of normally scheduled departures, or who must work late.

VI. RELATED INFORMATION

Policy on Use of University Vehicles, February 28, 1978.

University Policy Concerning Executive Automobiles, 1988.

[Business and Finance Bulletin A-47/University Direct Costing Procedures.](#)

[Business and Finance Bulletin BUS-8/Acquisition and Disposition of University Vehicles.](#)

[Business and Finance Bulletin BUS-19/Registration and Licensing of University-Owned Vehicles.](#)

Business and Finance Bulletin BUS-74/Business Travel Accident Insurance. (Rescinded 6/2013). Information incorporated into Business and Finance Bulletin BUS-81/Insurance Programs.

[Business and Finance Bulletin BUS-81/Insurance Programs.](#)

[Business and Finance Bulletin G-28/Travel Regulations.](#)

[Business and Finance Bulletin G-46: Guidelines for the Purchase and Use of Cellular Phones and Other Portable Electronic Resources.](#)

[Letter from President Dynes to Chancellors and Laboratory Directors, January 29, 2007, Revised University Policy Concerning Senior Management Automobiles.](#)

[Letter from President Gardner to Vice Chancellors and Laboratory Directors, University of California Guidelines on Drivers and Drivers' Public Driving Records, July 27, 1989.](#)

University Accounting Manual Policy, Chapter E-821/ Senior Management Automobile Policy and Procedures. (Rescinded 2013).

[Facilities Manual, Volume 6 - Energy and Water Conservation and Management.](#)

[University of California Sustainable Practices Policy.](#)

[Regents Policy 7709/Senior Management Group Automobile Allowance.](#)

[Letter from President Gardner to Vice Chancellors and Laboratory Directors, University of California Guidelines on Drivers and Drivers' Public Driving Records, July 27, 1989.](#)

[Delegation of Authority DA 1064--Third Party Agreements, University Vanpool Programs from the President to the Chancellors, Senior Vice President-Business and Finance, and Directors of Lawrence Livermore National Laboratory and Lawrence Berkeley Laboratory, March 31, 1992.](#)

Letter from President Gardner to Chancellors and Laboratory Directors, August 8, 1985.

Delegation of Authority DA 0878--Execution of Purchase Contracts, Subcontracts, and Standard Purchase Orders for Goods and Services to be Supplied to the University. (Rescinded June 19, 1995 and Replaced with [DA 2045 Delegation of Authority—Execution of Purchase Contracts, Subcontracts, and Standard Purchase Orders for Materials, Goods, and Services to be Supplied to the University.](#))

Letter from President Atkinson to Chancellors and Laboratory Directors, June 19, 1995, Delegation of Authority DA 2045--Execution of Purchase Contracts, Subcontracts, and Standard Purchase Orders for Goods and Services to be Supplied to the University. (Rescinded June 11, 1998 and replaced with [DA 2100—Execution of Purchase Contracts, Subcontracts, and Standard Purchase Orders for Goods and Services to be Supplied to the University.](#))

[Letter from President Atkinson to Chancellors and Laboratory Directors, June 11, 1998; Delegation of Authority DA 2100—Execution of Purchase Contracts, Subcontracts, and Standard Purchase Orders for Goods and Services to be Supplied to the University.](#)

[State of California Vehicle Code, Section 15200/California Commercial Motor Vehicles Safety Act of 1988.](#)

[Federal Motor Carrier Safety Administration, United States Department of Transportation, Federal Motor Vehicle Safety Improvement Act of 1999, Public Law 106-159, December 9, 1999.](#)

[Federal Commercial Motor Vehicle Safety Act of 1986.](#)

[Americans with Disabilities Act of 1990.](#)

[Americans with Disabilities Act of 1990 Amended, January 1, 2009.](#)

Appendix A: THE EMPLOYER PULLNOTICE (EPN) PROGRAM/California Vehicle Code Section 1808.1. (See attached).

VII. FREQUENTLY ASKED QUESTIONS

Not Applicable

VIII. REVISION HISTORY

This policy was revised to incorporate information on the Vehicle Collisions Review Committee (VCRC) process and add the elements of the Driver Selection and Vehicle Use Guidelines on October 1, 2015.

This policy was reformatted into the standard University of California policy template effective July 1, 2012.

Revision to BUS-46/Use of University Vehicles, August 1, 1994.

Issuance of BUS-46/ Use of University Vehicles, February 28, 1978.

BUS-46/USE OF UNIVERSITY VEHICLES
APPENDIX A
THE EMPLOYER PULL NOTICE (EPN) PROGRAM
California Vehicle Code Section 1808.1

[The Employer Pull Notice \(EPN\) Program](#) was established to provide employers and regulatory agencies with a means of promoting driver safety through the ongoing review of driver records. The following is a brief history of the EPN program and when legislation was enacted:

1. 1982 – Law enforcement and government employers began to enroll their drivers into the program voluntarily.
2. 1989 – all Class A (formerly known as Class 1), Class B (formerly known as Class 2), transit authority, certified, and [The Public Utilities Commission \(PUC\)](#) regulated drivers (limousine drivers, charter party carriers, etc.) were enrolled pursuant to California Vehicle Code (CVC) Section 1808.1.
3. 1990 – [The Public Utilities Commission \(PUC\)](#) began enrolling owner operators.
4. 1998 – [California DMV, Motor Carrier Branch](#), began enrolling owner operators who transport property. PUC continued to regulate owner operators who transport passengers and household goods.

The EPN program allows your organization to monitor DL records of employees who drive on your organization's behalf. This monitoring accomplishes the following:

1. Improves public safety.
2. Determines if each driver has a valid DL.
3. Reveals problem drivers or driving behavior.
4. Helps to minimize your liability.

When an employer enrolls in the EPN program, they are assigned a requester code. The requester code is added to an employee's driver license (DL) record. When an employee's DL is updated to record an action/activity, a check is made electronically to determine if a pull notice is on file. If the action/activity is one that is specified to be reported under the EPN program, a driver record is generated and mailed to that employer.

The EPN program automatically generates a driver record when any of the following actions/activities occurs:

1. Upon enrollment of driver in the EPN program.
2. Annually from the date of enrollment or 12 months from the last action/activity printout.
3. When a driver has any of the following actions/activities added to his/her driver record:
 - a. Convictions of a violation
 - b. Failures to Appear
 - c. Accidents
 - d. Driver License Suspensions or Revocations
 - e. Any other actions taken against the driving privilege

For additional information refer to:

https://www.dmv.ca.gov/portal/dmv/?1dmy&urile=wcm:path/dmv_content_en/dmv/vehindustry/epn/epngeninfo

MODEL COMMUNICATION

The Office of the President invites comments on a proposed revision to Presidential Policy BFB-BUS-46. The key issues addressed by the proposed revisions to the Policy include:

- The inclusion of the California Department of Motor Vehicles (DMV) Negligent Operator Treatment System (NOTS) as a standard for eligibility to drive on behalf of the University.
- Implementation will apply to all drivers on University business – not solely employees.
- Establishment of Vehicle Collision Review Committees to review collisions, determine preventability, and promote driver safety awareness.
- Establishment of guidelines for drivers involved in preventable collisions including training, suspension, and potential revocation of driving privileges.

If you have any questions or if you wish to comment, please contact Ken Smith at 510-882-3499 or ehs@ucop.edu no later than December 17, 2018.