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I. PURPOSE

The purpose of this policy is to set forth the conditions by which faculty, staff, students, and volunteers may operate a College owned, leased or rented vehicle (as defined below), or a personal vehicle for College-Related Travel (as defined below).

All faculty members, staff members, students, and volunteers are responsible for reviewing and complying with this policy, as the same may be amended, changed or replaced from time to time by the College’s sole discretion. Exceptions to this policy must be approved by a College committee composed of a representative from Transportation, Public Safety and Risk Management.

II. DEFINITIONS

“College Related Travel” means any travel (a) that is undertaken in furtherance of College business, including, but not limited to on campus driving, (b) that is paid for, or reimbursed by, the College, or (c) to or from any academic or extracurricular activity, including, but not limited to, field and service trips, intercollegiate, recreational and club sports events, and other events that are not required by the College but are approved by the College; provided, however, that College Related Travel does **not** include driving for personal purposes or commuting to and from the driver’s residence to the College or a College-sponsored event or activity.

“Vehicle” includes any motorized device for land transportation, including, without limitation, automobiles, vans, trucks, utility task vehicles, and golf carts.

III. CERTIFIED DRIVER STATUS

Anyone who will engage in any of the following activities must become a Certified Driver pursuant to Section IV:

- Anyone driving a College-owned vehicle or a vehicle leased by the College or a College department.
- Any faculty member, staff member or volunteer driving any vehicle that is transporting one or more students, whether or not for College-Related Travel.
- Anyone approved to transport one or more minors, consistent with the [Policy for the Protection of Children](#).
- Anyone for whom driving is an assigned component of their job.

NOTE: Faculty, staff, and students may not transport any student under any circumstances in any vehicle unless such faculty, staff, or student is a Certified Driver.

The College does not require an individual to become a Certified Driver in connection with use of a personal vehicle or rental vehicle for College-Related Travel when the driver is the sole occupant.

Once approved, Certified Driving status is valid for **five** years, subject to periodic driving record checks (MVRs) and disciplinary review.

IV. SUMMARY OF REQUIREMENTS FOR CERTIFIED DRIVERS

To become a Certified Driver, an individual must contact Transportation and satisfactorily complete, as determined in the College's sole discretion, all criteria set by Transportation, including, but not limited to:

1. Maintenance of a current driver's license for at least three years. (Note: larger vehicles may require additional years' experience.)
2. Maintenance of a satisfactory driving record.
3. Permit the completion of driver's motor vehicle record (MVR) by the College or a College-hired 3rd Party prior to certification and on a periodic basis.
 - a. This requires review and completion of applicable Disclosure, Authorization and Acknowledgement Forms. Prospective drivers are advised that some state agencies take eight to ten weeks to complete a driver's check and therefore should apply no less than three months in advance. To expedite the process, prospective drivers may submit a Driver's Record which is certified from their state. Prospective drivers should check with their individual states to understand the availability

and time-frame for requesting such records. Uncertified records will not be accepted.

4. Satisfactorily complete driver safety training and, if driving any vehicle that seats 7-12 passengers, a driving assessment, as required by Transportation.
5. Sign the College's [GPS Device Acknowledgement and Agreement Form](#) with respect to the use of College owned and leased vehicles.
 - a. Most College-owned or leased vehicles are installed with GPS tracking units which give the College the ability to view real-time activity such as vehicle location and driver behavior. Route history, vehicle speed, braking actions and other data elements will give a picture of where, when and what happens on the road.
6. Complete any additional training or requirements for employees who are Certified Drivers using golf carts, LSVs, utility vehicles, or AWD or 4-wheel drive vehicles or for commercial drivers hired or engaged by the College.
7. Follow the safety requirements and other applicable requirements found in this policy.

V. SAFETY RULES; REVOCATION OF DRIVING PRIVILEGES AND DISCIPLINARY ACTION.

A. SAFETY RULES.

1. Drivers must follow all applicable local, state, or federal law and regulations at all times.
2. A faculty member, staff member or volunteer may not transport any student(s) in any vehicle for any purpose unless they are qualified as a Certified Driver.
3. A student may not transport any other student(s) in any vehicle in connection with College-Related Travel unless they are qualified as a Certified Driver.
4. The College prohibits the use of 15 passenger vans. The restriction is specific to the type of van, not the number of passengers carried.
5. Drivers may not use College owned or leased vehicles for any personal use unless approved by the Vice President for Administration and Finance.
6. Drivers must not permit any unauthorized or non-certified person to drive a College owned, leased or rented vehicle.
7. Drivers must not permit any unauthorized or non-certified person to drive their personal vehicle for College-Related Travel.
8. While engaged in College Related Travel, drivers may not transport any individual not directly related to the College business, activity or event.
9. Drivers must wear, and require all passengers in the vehicle to wear, their seat belts irrespective of any state law not requiring seat belts to be used. Drivers may not operate a vehicle unless all individuals in the vehicles are wearing seat belts.

10. The driver must set the parking brake, remove the ignition key, close all windows, and lock all doors to the vehicle whenever it is left unattended.
11. No smoking is permitted in any College owned or leased vehicle.
12. In no circumstances shall any driver handle a cell phone or other mobile device to talk, text, access data services or for any other purpose while driving a College owned, leased or rented vehicle, or other vehicle for College Related Travel, irrespective of the jurisdiction's hands free driving laws. Drivers shall not handle cellular devices until they have safely parked the vehicle.
13. Drivers of golf carts, utility vehicles, or other vehicles not registered with the RMV and/or not specifically designed for street use must comply with Section XIII. No motorcycles, motorbikes, mopeds, motorized bicycles or scooters or similar vehicles may be used for College-Related Travel. No towing is permitted without prior approval of the Transportation Department.
14. The passenger capacity of the vehicle may not be exceeded.
15. Drivers must comply with Section XI with respect to transportation of minors.
16. Drivers and passengers are responsible for maintaining the cleanliness of their vehicle while it is in their possession.
17. Drivers of College owned and leased vehicles shall complete [pre](#) and [post trip](#) inspection reports.
18. Certified Drivers must report to Department of Transportation within twenty-four (24) hours of:
 - Becoming aware of any damage to the vehicle.
 - Having their license suspended or revoked.
 - Being cited for any of the following:
 - Operating under the influence
 - Committing a felony with a vehicle
 - Leaving the scene of an accident
 - Any speeding violations
 - Any at-fault accidents
 - Other significant citations
19. Certified Drivers must report any collision, accident, or injury to Public Safety as set forth in Section XII.
20. Driving out of the United States must be approved by Risk Management.

Remember that while in a Holy Cross vehicle, you are a representative of our institution. The public will form an opinion of the College based upon your driver and the behavior of your passengers.

B. REVOCATION OF DRIVING PRIVILEGES AND DISCIPLINARY ACTION

Drivers or passengers who violate or do not meet the requirements of this policy or applicable law or otherwise drive unsafely may be subject to revocation of driving privileges or other disciplinary action, up to and including termination or dismissal, and may be personally liable for any accidents, injuries, or damage that might occur. Without limiting the foregoing, if driving is a condition of employment, revocation of driving privileges may result in reassignment or termination thereof. Any reinstatement of driving privileges shall be determined in the College's sole discretion.

The College reserves the right to monitor any driver at any time, and may take action based on information gathered or obtained by the College, including, but not limited to, information obtained through GPS monitoring or changes to a driver's motor vehicle record. The Transportation Department will review and, when appropriate, address all reports of unsafe driving, collisions, vehicular damage, vehicular vandalism, and other driving behavior.

The College reserves the right to seek reimbursement from a driver in the event that the College determines that a driver misused a vehicle, violated this policy or applicable law or otherwise engaged in unsafe behavior.

VI. PERSONAL VEHICLES USED FOR COLLEGE RELATED TRAVEL.

The College neither encourages or discourages the use of personal vehicles for College-Related Travel. However, the College does discourage employees from transporting other employees in their personal vehicle for College-Related Travel. (See below for information on students.)

Personal vehicles used for College-Related Travel must be insured by the driver as required under the driver's state law. Drivers using their personal vehicles for College-Related Travel are responsible for having appropriate proof of insurance in their vehicles. When driving a personally owned vehicle for College Related Travel, the driver/owner's insurance will be required to provide first coverage in the event of an accident.

This means that the driver's personal insurance policy serves as a "primary" policy for third party liability. In addition, Holy Cross does not provide coverage for physical damage (collision and comprehensive) to an employee's personal vehicle, and this should be purchased at the discretion of the owner. The College does not fund the repair or replacement cost of, or the insurance deductible regarding, personal vehicles. Drivers are responsible for paying any applicable deductible and any increased personal automobile insurance premiums resulting from an accident while driving in connection with College-Related Travel.

Faculty, staff, and students may not transport any student under any circumstances in any vehicle unless such faculty, staff, or student is a Certified Driver.

The College discourages Certified Drivers from transporting students in their personal vehicle. In the event a faculty, staff, student, or volunteer chooses to transport a student in their personal vehicle, they assume, to the maximum extent permitted by law, all responsibility and liability related to any accidents, incidents, and/or claims that arise resulting from or related to such transportation.

VII. REGISTRATION, INSPECTION, MAINTENANCE AND EZ PASS

Procurement and the Motor Pool are responsible for registration of all College-owned or -leased vehicles. The Motor Pool is responsible for compliance with state inspection requirements with respect to College owned and leased vehicles.

In addition, the Motor Pool is responsible for all maintenance of College owned vehicles. No other department or service provider is authorized to service College vehicles. Drivers should contact the Motor Pool with any issues or questions at (508) 793-3021.

Each department is responsible for setting up EZ Pass accounts for College-owned or leased vehicles used by that department.

VIII. RENTAL VEHICLES

The College permits faculty, staff, and students to rent and drive rental vehicles for College-Related Travel. Such rentals must be arranged through the College's preferred vendors. Consult Procurement for a current list of preferred vendors. *Please note that you may not drive any other faculty, staff, or students in a rental vehicle unless you are a Certified Driver.* Certification is required when there are any passengers with the driver.

The College prohibits the use of 15 passenger vans under any circumstances. "15-Passenger" refers to the type of vehicle and its capacity.

Personal use of a rental vehicle is not covered by the College's insurance. An example of personal use would be renting a vehicle for College-Related Travel and then extending a trip for vacation or personal time. Drivers must determine if they wish to purchase the optional collision coverage from the rental car provider for their personal use of the vehicle, and keep all charges separate.

Rentals in foreign countries are discouraged; however, if it is necessary to rent an auto in a foreign country, prior approval must be obtained from the appropriate Dean, Director, or Department Head in consultation with Risk Management.

Zipcar Program

Zipcar offers a number of cars on campus for both personal use and College-Related Travel. When engaged for personal use, drivers assume all costs, responsibility, and liability related to the use of the Zipcar. When engaged for College-Related Travel, the terms of this policy apply. Additional information about the program may be found at <https://www.zipcar.com/universities/holy-cross-university>.

IX. TAXIS AND COLLABORATIVE CONSUMPTION SERVICES (CCS) - UBER, LYFT, ETC.

The College neither encourages nor discourages the use of “Collaborative Consumption Services” (CCS) - the technical term used to describe products and services offered to consumers by other consumers. Companies like Lyft and Uber provide the intermediary service to connect the service provider with the service user (traveler).

Anyone who utilizes these services does so at their own risk. When travelers use these types of services, they should be aware that a passenger’s ability to obtain financial coverage following an accident will be governed by the service and/or the driver’s insurance. The College will reimburse the costs of these services. And the College does not assume any liability or responsibility related to the use of these services.

X. CHARTER TRANSPORTATION

Only College-approved carriers can be used for charter transportation. All transportation providers must complete the College’s Transportation Charter form. Prior to hiring charter transportation, you must contact the Risk Management department for a risk assessment. The College prohibits the use of 15 passenger vans under any circumstances. “15-Passenger” refers to the type of vehicle and its capacity.

Report any safety issues with respect to charter transportation to Risk Management and Procurement.

XI. TRANSPORTATION OF MINORS

A “minor” means any individual under the age of 18 years who is not employed at, or applying to or enrolled a degree-bearing program at the College. Parents and guardians must be informed about, and provide written permission, in advance if their child will be transported in a vehicle or by public transportation in connection with a College-sponsored activity. For more information relating to minors, please see the [Policy for the Protection of Children](#).

Additional requirements:

- Automobile Use:
 - No one may transport a minor unless they are a Certified Driver.

- Authorized drivers may not transport minors in a privately-owned vehicle for College-Related Travel. They must use a College-owned or -leased vehicle.
- No one may have one-on-one contact with any minor in an unmonitored/unobservable area (including a vehicle). There must be two or more Authorized Adults present during activities where minors are present. "One-on-one contact" is defined as personal, unsupervised interaction between any Authorized Adult and a participant without at least one other Authorized Adult, parent or legal guardian being present.
- Buses and Similar Transportation: For minors who are age 12 or under, Authorized Adults should be seated throughout the bus, van, or similar transportation for easier supervision, with at least one Authorized Adult in the middle of the bus and one in the far rear. Adults should sit in an aisle seat so they can get up to supervise minors, as necessary. Minors should be seated by grade or age group. Disruptive minors should be seated next to an Authorized Adult. An Authorized Adult must take a head count or roll call before loading and after unloading a vehicle, and unless safety considerations compel otherwise, should not proceed until all minors are accounted for.
- Public Transportation: Minors under age 12 should be restricted to one area of the bus or train for easier supervision. Authorized Adults should stand or sit on the periphery of the area to which minors on public transportation are restricted. Adults must take a head count or call roll before boarding public transportation and upon leaving public transportation, and unless safety considerations compel otherwise, should not proceed until all minors are accounted for.
- Comply with any camp regulations governing transportation (105 CMR 430) as applicable.

XII. ACCIDENTS, CITATIONS, ETC.

Any on-campus incidents involving vehicles engaged in College-Related Travel must be reported to the Holy Cross Department of Public Safety by calling 508-793-2222. If off-campus, call 911 for police response. Upon return to campus, drivers must contact the Holy Cross Department of Public Safety to report the incident. Copies of all accident-related forms must be submitted to Transportation and Risk Management. Departments will be responsible for deductibles incurred for "at-fault" accidents by department members. An "at-fault" or surcharge-able accident or other violations of this agreement may result in revocation of Certified Driving status and/or other disciplinary action.

In the event of any accident, regardless of where it occurs, the driver must take the following actions:

- **Stop at once in a safe place.** The driver should check for personal injuries and call for an ambulance, if needed. Injured parties should only be moved by emergency personnel. Drivers should not leave the accident scene, but ask for

the assistance of a bystander, as needed, to summon police or medical assistance or if conditions at the scene are unsafe or the driver is injured.

- **Do not discuss fault or liability.** The driver should not make any statement nor sign any document regarding fault, liability, or payment of bills. It is important to remember that accidents must be investigated and that there may be different perspectives or factors that need to be taken into account.
- **Do not argue or discuss the incident.** The driver should speak only with College officials, police, or the College's or their insurance representative.
- **Secure the assistance of police.** The assistance of a police officer should be sought whenever possible, except in the case of a minor accident that does not involve personal injury. If a police officer does arrive at the accident scene, the driver should record the officer's name and badge number.
- **Take pictures.** If the driver has a camera or smartphone, they should take and save pictures of all involved vehicles and related damage to property at the accident scene. This information may be relied upon in a subsequent investigation.
- **Record names and addresses.** The driver should record the name and address of the other driver(s) involved in the incident.
- **Exchange insurance information.** The driver should exchange their insurance information with the driver of each involved vehicle.
- **Complete the [Accident Claim Report](#).** The driver should complete this form while at the accident scene. Transportation and the Motor Pool are responsible for ensuring that copies of the form are stored in the glove box of all College-owned or -leased vehicles. A copy of the completed form should be sent by email immediately to Transportation.

Drivers involved in an accident must immediately notify Risk Management if they are contacted by any insurance company, by attorney, or by any other individual investigating the accident.

Payment of Traffic and Parking Citations

Drivers are personally responsible for the payment of all citations incurred while operating a College-owned or -leased vehicle, a rental vehicle, or a personally-owned vehicle, including any on-campus citations issued by Public Safety. The College does not reimburse traffic and parking citations. The receipt of multiple traffic and parking citations may adversely affect an individual's ability to become or remain a Certified Driver.

XIII. GOLF CART AND UTILITY VEHICLE OPERATION

- Golf carts and utility vehicles may not be operated during the hours of darkness, unless they are outfitted with headlamps and tail lamps.
- When golf carts and utility vehicles are operated on the walkways of the College, pedestrians always have the right of way. Operators should be extremely cautious when on the walkways.

- Golf carts and utility vehicles may not be operated on public ways at any time.
- Persons operating in violation of the rules or operating in any other unsafe manner may be instructed to park the golf cart or utility vehicle and surrender the keys to Public Safety.
- Golf carts and utility vehicles leased by camp programs may only be operated by staff of that program.
- Only employees who have a valid operator's license and are 18 or over may operate golf carts controlled by the College.