

**MONTANA BOARD OF REGENTS OF HIGHER EDUCATION**  
**Policy and Procedures Manual**

SUBJECT: MISCELLANEOUS

Policy ~~4940-1002.2~~ – Vehicle Policy and Procedures

*Effective: July 1, 2007; Issued: November 27, 2006*

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**I. Board Policy:**

A. This policy applies to all vehicles operated by any Montana University System (MUS) employee, student, or other authorized person for MUS/State business. This includes all rented, MUS/State owned, leased, courtesy, motor pool or any other vehicle operated for MUS/State business. Failure to comply with the policy and procedures may result in disciplinary action.

B. Campuses and agencies of the MUS have the authority to establish and implement more stringent policies and procedures at the local level.

C. The MUS adheres to the State Vehicle Use Policy (Administrative Rules Manual Title 2 Chapter 6) with the following additions:

1. Professional Behavior: All drivers are expected to conduct themselves in an appropriate, professional and safe manner when operating a vehicle on MUS/State business.
2. Driver's License: All drivers must be in possession of a valid and insurable driver license, per State Vehicle Use Policy.
3. Motor Vehicle Records: All drivers must promptly report driving infractions in accordance with the State Vehicle Use Policy. All operators are subject to periodic driver record checks.
4. Revocation of Driving Privileges: Any unit, campus or agency of the MUS may restrict or revoke driving privileges for reasonable reasons, including but not limited to unacceptable driving records or evidence of an unsafe condition or circumstance.
5. Seat Belts: Seat belts and other occupant restraint devices must be worn at all times by all occupants. Any malfunctioning seat belts must be repaired or replaced as soon as reasonably possible, but before subsequent use. It is the driver's responsibility to ensure that seat belts are worn at all times while the vehicle is in motion.
6. Vehicle Operation: The vehicle must be operated in accordance with all traffic laws, ordinances, and regulations, and in accordance with all State, MUS, and institutional policies. Drivers must not drive if drowsy or under the influence of any substance which may negatively impact a driver's abilities. All drivers should take breaks.
7. Limit On Driving Time: Driving should generally not occur between the hours of 1:00 a.m. and 5:00 a.m. Additional qualified drivers should be available for long trips.
8. Limit On Driving Speed: Drivers must abide by the posted speed limit in the jurisdiction in which it is being driven. In the event of adverse weather or other factors that affect the ability to drive safely, drivers are expected to use good judgment and take appropriate safety measures based on weather and road conditions and in observance of travel warnings issued by the Highway Patrol or highway safety authorities.
9. Smoking: Smoking is not allowed in State-owned vehicles.
10. Distracted Driving: While operating a vehicle, inattentiveness is considered a hazardous activity. Inattentiveness includes but is not limited to: talking on a cell phone, using hand held devices, eating, reading, reaching for items that have fallen to the floor, etc. A driver's attention should be fully directed to the task of driving the vehicle. Drivers are strongly encouraged not to use cell phones or other electronic communications devices or objects while operating vehicles on State business.
11. Cell Phones: Drivers are encouraged to safely stop and park the vehicle to use a cell phone to conduct a conversation. Keep in mind that cell phone use rules may change from state to state and drivers are expected to observe the cell phone use laws of the jurisdiction.

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12. Routine Maintenance: All vehicles in service shall receive routine service on a regularly scheduled basis. Such service must be documented in writing by the service provider at the time it is provided and shall be retained for the length of ownership/use. Documentation and maintenance of departmentally-owned vehicles is the responsibility of the department. Routine maintenance shall include, but is not limited to service of: brakes, including parking brake; horn; lights, including head, tail and brake lights; oil and filter changes; mirrors; tire rotation, pressure and replacement; speedometer; odometer; steering inspection; turn signals; windshield wipers.
13. Pre-Trip Inspection: A pre-trip inspection shall be performed at the beginning of each trip and every twelve (12) hours of travel. Items to inspect include but are not limited to lights, horn, wiper blades, tires, glass, and fluid leaks.
14. Repair: All defects and broken components that pose a safety risk shall be reported to the appropriate personnel. A vehicle shall be taken out of service when the defect or broken components poses a safety risk and returned to service after the appropriate repairs.
15. Accidents: All accidents involving any vehicle used in the course of MUS/State business shall be reported immediately to the local law enforcement authority and the immediate supervisor. In addition, the accident report form must be completed and turned into the supervisor who will review it with the employee and forward it to the department responsible for the vehicle. The form will be forwarded to the campus or MUS agency claims manager.
16. Personal Vehicle Use: Personal vehicles may be used for MUS/State business in accordance with the rules and regulations included in this policy and any rules or regulations established at the campus level and by the State Department of Administration ((MCA 2-18-503(1)(b)) and MOM 1-0310.30, Employee Travel Policy. An individual using a personal vehicle for MUS/State business must have the mandatory liability protection on such vehicle.

D. To drive a vehicle with a capacity of more than seven (7) occupants, a driver must have completed campus or State approved defensive driver training to operate a vehicle on public roads. For vehicles with a capacity of more than seven (7) occupants, the BOR strongly encourages the use of drivers who are at least age 21 and have significant driving experience operating large vehicles.

E. ~~45~~-Full-size Passenger Vans: (Larger than 10 passengers, including driver)

1. Number of Occupants. The number of occupants in a ~~45~~-passenger van should not exceed the manufacturer's rated maximum occupancy capacity. Seats may be removed to reduce occupancy capacity and assist in load distribution. Every passenger must have a seat and a separate seat belt.
2. Van Safety Training. All drivers of ~~45~~-passenger vans must attend a Van Safety Training Class or possess a commercial driver license (CDL) with passenger endorsement. All drivers must successfully complete this training program before operating any ~~45~~-passenger van. Motor Pools and departments will only authorize drivers to operate ~~45~~ passenger vans who have successfully completed this training.
3. Manufacturer Safety Information. Applicable Manufacturer Safety Material should be available and reviewed by all ~~45~~-passenger van drivers. Special attention should be paid to proper loading of the van to include passengers and cargo according to manufacturer recommendations.
4. Limit Driving Speed. Under no circumstances are ~~45~~-passenger vans to be driven in excess of the posted speed limit or 65 MPH, whichever is less. In the event of adverse

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weather or other factors that affect the ability to drive safely, drivers are expected to use good judgment and take appropriate safety measures in observance of travel warnings issued by the Highway Patrol or highway safety authorities.

5. Cargo:
  - (a) No roof racks are allowed without written authorization and permission by the campus risk management and safety department.
  - (b) Cargo must be dispersed throughout the van in accordance with the manufacturer's specifications and van safety training. Also, it must not be loaded above the bottom level of the van windows.
  - (c) Cargo will not be placed in a manner that in any way impairs the ability of the driver to observe road and traffic conditions to the front, side or rear. Clear visibility must be maintained.
6. Trailers. No towing is allowed with any 15-passenger van without written authorization of the campus risk management and safety department.

7. Van Phase-Out. Effective with the adoption of this policy, the purchase, lease or rental of full-size passenger vans (those larger than 10 passengers, including the driver) is prohibited. Effective with the adoption of this policy, all existing campus full-size vans shall be eliminated from the campus fleets with all possible speed. A phase-out plan shall be presented to and approved by the Commissioner of Higher Education. During the phase-out, the operation of the full-size passenger vans shall be in compliance with the requirements set forth in Section E above. [Section E has been revised to apply to all full-size passenger vans].

~~78.~~ Van Acquisitions. Campuses, agencies, and departments are required to consult with the campus risk management and safety department for alternatives or recommendations to acquiring multi-passenger vans.

History:

Item 133-106-R1106, New Policy on Vehicle Use by MUS Employees, approved by the Board of Regents on November 17, 2006. Policy effective date changes by Board of Regents January 19, 2007.