



Policy 6.21: University/State Vehicle Use Policy

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I. INTRODUCTION

Alabama Agricultural and Mechanical University (AAMU) is firmly committed to the safety of authorized drivers while operating State owned or leased vehicles (collectively “University vehicle”) when conducting University related activities. AAMU will do everything possible to prevent workplace motor vehicle collisions and is committed to providing a safe work environment for all. To further this goal, AAMU has developed a safety policy for use when operating motor vehicles.

II. PURPOSE

AAMU endorses safe and responsible driving habits. This includes adherence to traffic laws to protect motor vehicle operators, passengers and pedestrians while traveling on the University campus and public roads, but to also limit distractions by cellphones and other hand-held electronic devices. This policy outlines the minimum guidelines for authorized use of University vehicles while conducting work related activities.

III. MINIMUM STANDARDS

Persons authorized to operate University vehicles must meet the following standards:

- a. 21 years of age or older; and
- b. Possess a current valid driver’s license issued by a State or territory of the United States;
and
- c. Have a minimum of three (3) years driving experience
- d. Undergo a motor vehicle record check; and

- e. Meet the University's established criteria for University vehicle use or the minimum standards for operating a commercial vehicle as prescribed by state law.

Compliance with this procedure is a pre-requisite for the employee to be added to the list of approved drivers for insurance coverage by AAMU. Current employees must be approved before they can operate a University vehicle. Applicants for employment must be approved before they can be hired, if driving is a primary or core function of the job responsibilities.

International Drivers are those individuals who are foreign visiting scientists, research associates, and students who are not resident citizens of the United States. International Drivers must possess a valid driver's license from their country of residence or a state issued motor vehicle license from a state or territory in the United States. International drivers must also satisfy the minimum standards for authorized motor vehicle use.

All vehicles are equipped with seat belts. University employees and passengers are to wear seat belts while traveling on official University business. Smoking is prohibited in all Government and State vehicles. All vehicles are to be locked, parked, and stored in a manner that reasonably protects the vehicle from theft or damage. Employees are to remove the key from the ignition (if applicable) and/or vehicle and remove valuables or sensitive documentation from the vehicle when the vehicle is left unattended or undergoing repair services.

IV. OFFICIAL USE OF STATE-OWNED VEHICLES

Official University vehicle use is defined as authorized use of a motor vehicle in furtherance of the University and Departmental mission or objective. The operation of a University vehicle is for official University business determined to be in the institution's best interest. An employee assigned a motor vehicle on a re-occurring basis is permitted to engage in appropriate meal and health breaks at suitable eating establishments and locations in furtherance of their assignment. The employee must also follow the University and State of Alabama Travel Policy.

Official business does not include the following:

- Personal Business, i.e., matters of personal concern
- Personal Errands, i.e., tasks performed to benefit oneself or a personal goal

All University vehicles shall display identification on the vehicle that indicates “For Official Use Only” and the Alabama A&M University “Seal.” The vehicle shall display identification of the agency or service that owns/leases the vehicle using a University seal or tag code.

An AAMU employee can transport co-workers or other University employees while on official University business. The passenger (other university employee[s]) must complete an authorization form. Transporting these persons must be directly related to the operator’s official duties and/or assignment at the University. Transporting private individuals for personal business is strictly prohibited by the University.

A. Department of Public Safety Vehicles

Department of Public Safety (DPS) vehicles shall be operated by DPS law enforcement officers or authorized security officers. The use of said vehicles shall be in furtherance of the officer’s duties and all travel shall be within the scope of his/her employment. DPS law enforcement officers are precluded from transporting 3rd party passengers (students, employees, or others) in DPS vehicles unless the person/persons are in official DPS custody or in the case of an emergency.

V. OFFICIAL USE OF LAND-GRANT VEHICLES

Use of University vehicles are subject to the following conditions in accordance with the land-grant equipment use policy prescribed by the federal code regulation.

1. Use the vehicle for the authorized purpose of the project during the period of performance, or until the vehicle is no longer needed for the purposes of the project.
2. Do not encumber the vehicle without the required approvals.
3. Use and return the vehicle in accordance with the University Vehicle Use Policy and Travel Policy
4. Vehicle must be used by the non-Federal entity in the Program or project for which it was acquired as long as needed, whether or not the project or program continues to be supported by the Federal award, and the non-Federal entity must not encumber the property without prior approval of the Federal awarding agency. The Federal awarding agency may require the submission of the applicable common form for equipment. When no longer needed for the

original program or project, the equipment may be used in other activities supported by the Federal awarding agency, in the following order of priority:

- A. Activities under Federal award from the Federal awarding agency which funded the original program or project, then
- B. Activities under Federal awards from other Federal awarding agencies.

VI. OFFICIAL USE BY NON AAMU EMPLOYEES

Non AAMU employees (**contractors, students, and others**) may be authorized to operate University-owned or leased vehicles if the following conditions are met:

- The use of the vehicle must be documented on the Authorization Form.
- The vehicle must be used for official University business
- The individual was directed and approved by an AAMU employee.

A. Contractors

Contractors are considered vendors who are performing work on behalf of the University on a contractual basis. The contractual relationship must be memorialized in an agreement between the designated individual, their company and the University.

B. Students

Students, for these purposes, are considered any person enrolled at the University with twelve (12) or more credit hours. The student must meet the minimum standards to operate University vehicles. Students are required to adhere to the guidelines for Student Travel as set forth in the Student Code of Conduct. Undergraduate students should not operate University vehicles without an accompanying University employee. Graduate Students are permitted to operate University vehicles provided that said use is for official use.

C. Other Individuals

Spouses, children, or family members of University employees are not authorized to operate University vehicles or ride as passengers. However, the spouse of the University President may ride as passenger in a University vehicle when doing so is within the scope of the President's official duties.

VII. OFFICIAL USE FOR OUT-OF-STATE TRAVEL

University vehicles may be used for out-of-state travel by university employees – faculty and staff, or authorized non AAMU employees in accordance with University Travel Policy and the University Vehicle Use policy. The driver of the vehicle shall adhere to and follow the University rental car policy guidelines regarding the retention and submission of supporting documentation. All required supporting documentation must be submitted to the designated University official for authorized use of the vehicle.

VIII. TRAINING

Training may be required if a driver becomes disqualified due to change in driving record.

IX. PROCEDURES TO BECOME AN AUTHORIZED DRIVER

- A. Complete the Driver’s Authorization Form-Vehicle Use Agreement Form.
- B. Submit the Driver’s Authorization Form-Vehicle Use Agreement Form to the Facilities Department, which gives AAMU consent to conduct a motor vehicle record check.
- C. The Authorized Driver applicant and department will be notified via email when motor vehicle record check is completed.
- D. All Authorized Drivers must agree to notify their department vehicle coordinator if their driver’s license is revoked or suspended for any reason within seven (7) days of notification.

X. REPORTING OF AN ACCIDENT

An employee driving a University vehicle is to be careful to prevent accidents. Driver awareness and caution while driving a University vehicle will help prevent accidents. AAMU employees acting within the scope of their employment are protected against third party claims by Public Law 87-25, Federal Tort Claims Act. AAMU auto insurance coverage pays for any repairs needed as a result of an accident or theft while on official University business and use. AAMU reimburses the contractor if a leased vehicle is totaled in an accident or unrecovered within 30 days after being stolen. Liability for lease payments ceases on the date of the accident or theft, with payment for the final month prorated.

In the case of a motor vehicle collision while in a University vehicle, the proper reporting procedure is to:

1. **Contact law enforcement:** Regardless of how minor the damage to the vehicle or who is at fault, attempt to secure law enforcement by calling 911, to investigate the accident. On-campus collisions should be report to the Department of Public Safety – (256) 372-5555.
2. **Obtain Information:** Obtain names, addresses, phone numbers, and insurance data from all parties involved and record the information. Get witness statements, if available.
3. **Secure Police Report:** Obtain a copy of the police report within 7-14 business days of the accident and provide a copy to the University Human Resources Department.
4. **Notify Risk Manager:** Notify the Risk Manager of the accident and condition of the AAMU within 48 hours of the accident. The phone number is 256-372-8361. Driver and/or supervisor shall also notify the Purchasing Department, Office of General Counsel; and Human Resources.
5. **Complete the AAMU Auto Accident Report Form:** Complete form within 24 hours of returning to campus.
6. **Rental Vehicle (if applicable):** Rental car accidents must be reported to the rental agency as well as the Facilities Department.

Drivers shall refrain from leaving the scene of any accident, unless to seek medical attention, and shall comply with law enforcement during any on-site investigation. Employees are also cautioned to refrain from any admission of guilt during any inquiry. Failing to report an accident to the appropriate Department as set forth in this procedure may result in disciplinary measures.

XI. DEFINITIONS

A. Authorized Driver: A driver who has been approved by the University's insurance and is affiliated with AAMU.

B. Auto Liability Insurance: Insurance that provides coverage for the non-University vehicle that is involved in an auto accident with the University Vehicle.

C. Auto Physical Insurance: Insurance that provides coverage for damage to a University vehicle.

D. Driving Under the Influence (DUI) or Driving While Intoxicated (DWI): The crime of driving a motor vehicle while impaired by alcohol or other drugs (including recreational drugs and those prescribed by physicians), to a level that renders the driver incapable of operating a motor vehicle safely.

E. Hand-Held Electronic Devices: Includes but is not limited to, wireless phones, computers, apple watches, online email, pagers, palm pilots, pda's and any other communication device.

F. Motor Vehicle Record (MVR): A report of driving history, as reported from Department of Motor Vehicles. Information on the report may include driver's license information, point history, violations, convictions, and license status on an individual's driving record. Most states report driving records for the past three years, although some states may report five or more years of history.

G. University/State Vehicle: A vehicle that is owned, leased or rented for University business.

H. United States Department of Transportation (USDOT or DOT): A federal cabinet department of the U.S. government concerned with transportation. It is governed by the United States Secretary of Transportation. The mission is to "Serve the United States by ensuring a fast, safe, efficient, accessible, and convenient transportations system that meets vital national interests and enhances the quality of life of the American people, today and into the future."

X. RESPONSIBILITIES

Department with vehicles and/or drivers:

A. Identify a department vehicle coordinator who will:

- i. Be familiar with the Safety Procedure
- ii. Ensure that the appropriate authorization process takes place for all drivers prior to operating University vehicle.

- iii. Instruct drivers to report any damage or needed repairs.
- iv. Coordinate with the Facilities Department to follow the fuel use card program.
- v. Coordinate with the Facilities Department to follow the University's vehicle maintenance program.
- vi. Ensure that department vehicle rentals follow University Auto Rental Procedures as outlined in Procedure 3.4-Travel.

B. Vehicle Maintenance: University/State vehicles shall be operated and serviced in a safe, efficient, and environmentally sound manner. At a minimum:

- i. Departments with University/State vehicles will follow the manufacturer's recommended maintenance schedule for each vehicle.
- ii. All maintenance and repairs performed on University vehicles must be documented and retained for the life of the vehicle.

C. Specialty vehicles, such as electric cars and low-speed vehicles should be maintained in accordance with their manufacturer's recommendations.

D. Instruct drivers to routinely inspect vehicles before and after trips. Inspections include the following, but is not limited to:

- Brakes
- Oil/fuel levels
- Windshield wipers and fluid
- Tire inflation/tire condition
- Lights
- Horn
- Leaks (coolant or oil on the ground under vehicle)

E. Maintain vehicle use logs for records of maintenance, inspection, and driver use so the department knows who had possession of the vehicle at all times. (Vehicle use logs should include a process for reporting damage and/or service issues to the vehicle coordinator.)

F. Place insurance ID cards, registration, and accident report kits in each vehicle.

G. Remove any unsafe vehicle from service.

H. Work with Purchasing Services to surplus, trade in, or acquire new University vehicles.

University Drivers responsibilities include:

A. All drivers of University/State vehicles are required to become Authorized Drivers prior to driving for University business.

B. If driving is an essential function of a position being filled, selected job candidates will be subject to a motor vehicle check and, when hired, must receive approval from the University's insurance company **prior to** being authorized to drive.

XI. MOTOR VEHICLE RECORDS (MVR)

The University will check University Drivers' motor vehicle record (MVR) on a periodic or as needed basis. Drivers of vehicles that fall under the USDOT regulations are subject to more frequent screenings and a more stringent training program.

Any of the following violations within the last two years on your motor vehicle record may render you ineligible to drive a University vehicle for two years from the date of violation:

- DWI
- Driving under the influence
- Negligent homicide
- Operating with a suspended license
- Using a motor vehicle for commission of a felony
- Aggravated assault with a motor vehicle
- Operating a motor vehicle without the owner's consent
- Permitting an unlicensed driver to drive
- Reckless or careless and negligent driving
- Hit and Run or leaving the scene of an accident with injury or death resulting, or property damage in excess of \$1,000.
- A combined total of three citations in two years of moving violations, at-fault accidents or any other AAMU driving policy violation.

XII. DRIVER AND PASSENGER SAFETY

A. Safety Requirements

- i. Driver must operate vehicles in accordance with applicable local, state and federal laws and University policies.
- ii. Smoking is prohibited in all University vehicles.
- iii. The number of passengers permitted in any vehicle may not exceed the number of seat belts. All occupants of the vehicle are required to wear seatbelts.

B. Cell Phones or Texting While Driving

- i. Text messaging, email or any similar form of electronic communication while operating a motor vehicle on university business or on the campus of AAMU or other university property is prohibited.
- ii. Using a cell phone while operating a motor vehicle on university business or on the campus of AAMU or other university property unless such use is through a hands-free device is prohibited.
- iii. The only exception to the above prohibitions is an emergency call placed to AAMU Department of Public Safety and/or 911 for situations such as fire, traffic accident, road hazard or medical emergency. In such cases, the communication should be as short as reasonably necessary to communicate the nature of the emergency, location, etc.
- iv. Department of Transportation (DOT) prohibits commercial drivers from using a hand-held mobile telephone while operating a commercial truck or bus. Drivers who violate the restriction will face federal civil penalties of up to \$2,750 for each offense and disqualification from operating a commercial motor vehicle for multiple offenses. Additionally, states will suspend a driver's commercial driver's license (CDL) after two or more serious traffic violations. Commercial truck and bus companies that allow their drivers to use hand-held cell phones while driving will face a maximum penalty of \$11,000.
- v. If authorized drivers are provided with radios, drivers should park before making a call.

C. For long distance trips, if there is more than one authorized driver, such drivers should consider rotating every two hours. No driver should drive more than 10 hours during a 24-hour period. If there are not enough drivers to rotate, an overnight stay should be planned.

D. Avoid driving past midnight.

- E. Avoid conditions that leads to loss of control.
- F. Avoid driving while sleepy or inattentive.
- G. Avoid driving too fast for road conditions.
- H. Avoid engaging in any other activities such as cell phone use that can lead to distraction.
- I. For 24-hour roadside assistance, if needed, call the number on the vehicle maintenance card.
- J. If the weather is inclement, stop and stay overnight in a safe place.
- K. Turn off the vehicle, remove the keys, and lock the vehicle when it is left unattended.
- L. Avoid distracted driving.

XIII. 12-15 PASSENGER VAN USE

Please review the information available on the National Highway Traffic Safety Administration (NHTSA) website regarding safe operations and special handling considerations for 12-15 passenger van use. The website is:
<http://www.safercar.gov/Vehicle+Shoppers/Passenger+Van+Safety>

Top Safety Tips for 15-Passenger Vans

- i. Seat Belts: All occupants need to wear seat belts at all times.
- ii. Tire Pressure: Inspect the tires and check tire pressure before each use.
- iii. Driver: A 15-passenger van should only be operated by trained, experienced drivers who operate these vehicles on a regular basis.
- iv. Attention: Driver should be well rested and no use of cell phones, limit conversations with other passengers, and limit drive time to ten hours per 24-hour period.

XIV. COMMERCIAL DRIVER'S LICENSE (CDL) DRUG AND ALCOHOL TESTING

The Omnibus Transportation Employee Testing Act of 1991 requires a use and testing program for controlled substances and alcohol for those employees required to have a commercial driver's license. Covered drivers include employees performing a safety-sensitive function requiring the operation of a commercial motor vehicle:

- A. Having a gross combination weight rating of 26, 001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10, 000 pounds.

B. Having a gross vehicle weight rating of 26, 001 or more pounds.

C. Designed to transport 16 or more passengers, including the driver.

D. Used to transport materials found to be hazardous and required to be placarded under the Hazardous Materials Regulations.

Required tests include pre-employment/pre-duty, reasonable suspicion, random, post-accident, and return to duty.

All applicants for positions covered under this testing program must be notified in writing that passing a drug test is a condition of employment. In addition, the university is required to obtain information on the selected applicant's positive alcohol and drug testing results for the preceding two years. Because this information can be obtained only with the written consent of the applicant, the consent becomes a condition of employment.

An offer of employment must be conditional based upon verification of previous testing results and passing a drug test.

XV. VIOLATIONS

Violations are not considered reimbursable costs. All violations, including parking and speeding tickets, will be the responsibility of the driver, not Alabama A&M University. University employees may also be subject to disciplinary actions.

XVI. INSURANCE

Alabama A&M University (AAMU) provides auto insurance coverage for AAMU vehicles and drivers conducting official University business. However, employee liability action may be taken in cases of damages caused in unofficial use of AAMU vehicles. ***Employee Liability-Action Taken Within the Scope of Employment*** address instances where an employee performing authorized official business may be found to be acting outside the scope of the employee's employment. State law determines what is within the scope of employment, such as the example of an employee commuting between their residence and the actual duty point in an AAMU vehicle. In such cases, an employee could be personally liable for damages resulting from an accident.

For complete protection, government, commercial, state, or POV, an employee using vehicles should assess their insurance coverage; decide whether or not they need extra coverage (such as a new policy or a rider to an existing policy). An employee is not required to purchase additional insurance. AAMU is not authorized to reimburse an employee for the cost of optional insurance.