

<b>College Procedure:</b>	<b>308.2 – Vehicle and Equipment Use</b>
<b>Policy Reference:</b>	<b>308 – Use of College Equipment</b>
<b>Responsible Department:</b>	<b>Facilities &amp; Public Safety</b>
<b>Approval Authority:</b>	<b>Cabinet</b>
<b>Procedure Owner:</b>	<b>Vice President, Facilities &amp; Public Safety</b>
<b>Effective Date:</b>	<b>8/8/2014</b>

**Version Number:** 4  
**Legal Counsel Reviewed (yes/no):** No  
**Legal Reference(s):**  
**Scope:** College-wide

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## Reason for Procedure

Kirkwood Community College owns and operates a wide variety of vehicles and equipment. Safe operation of these vehicles is critical to the well-being of our faculty, staff and students. This policy is to define who is qualified to operate or drive Kirkwood vehicles and equipment on behalf of Kirkwood official business.

## The Procedure

### **Kirkwood Qualified Driver and Passenger Safety Expectations:**

1. Qualified drivers must be Kirkwood full-time, part-time or seasonal faculty, staff or student.
2. Qualified drivers shall observe all rules and regulations for safe driving as defined by the State of Iowa or the state where the vehicle is operated and as outlined in this procedure. Vehicles and equipment shall be used in a safe manner. Failure to do so will result in suspension of driving and operating privileges and could result in disciplinary action.
3. Drivers are personally responsible for any citations issued by law enforcement, with the exception of citations related to vehicle safety.
4. Vehicles and equipment are for business related use only. Personal use of vehicles and equipment is prohibited.
5. Safety belts shall be used by all occupants traveling either in a vehicle owned, leased or rented by Kirkwood or in private vehicles while on College business. Safety belts shall be used in all equipment if so equipped.
6. Occupational Safety and Health Administration (OSHA) regulations shall be followed for the safe operation of all agricultural and construction equipment. Under no circumstances will personnel ride on tractor fenders, truck beds, rails or other unsafe areas per OSHA regulations.
7. Drinking or driving while under the influence of alcohol or drugs is prohibited. Possession of alcohol or drugs in a Kirkwood vehicle or personal vehicle while on College business is prohibited. Refer to 403.1- Drug-Free and Alcohol-Free Workplace procedure.

8. Vehicles are to be Tobacco and smoke free. Refer to 304.1 Tobacco and Smoke Fee procedure.
9. For long distance trips (four or more hours of total driving time), if there is more than one qualified driver, drivers should rotate driving responsibilities 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. Avoid driving past midnight.
10. Avoid conditions that may lead to loss of control: driving while sleepy or inattentive, driving in excess of the posted speed limit or too fast for road conditions.
11. If the weather is inclement, stop and stay overnight in a safe place.
12. Follow the Cell Phones in a Vehicle procedure at all times, which strictly prohibits the following:
  - Holding a cell phone to conduct voice communication.
  - Dialing a cell phone by pressing more than one button.
  - Reaching for a cell phone in an unacceptable and unsafe manner.
  - Iowa law (Section 321.276 Code of Iowa) strictly prohibits “texting” using a cell phone or similar device while driving.

The department to which a College vehicle is assigned is responsible for ensuring the vehicle is operated by authorized individuals and used only for official College business. Vehicles assigned to departments on a permanent basis are to be parked overnight in College parking facilities and are not to be driven to and from work. Exceptions can be made with prior approval by the College President.

Any accidents and claims must be reported to Public Safety immediately. A [Driver Accident Report with Accident Investigation Form](#) must be completed and returned to Risk Management within 48 business hours. Accidents involving injuries must be reported to Public Safety and Human Resources immediately.

Accidents that occur off campus should call local police to obtain an accident report.

### **Vehicle and Equipment Citations:**

Public Safety is responsible for coordinating the citation process. The driver of the vehicle at the time of the citation is responsible for reimbursing Kirkwood the cost of the citation.

1. All citations for Kirkwood vehicles and equipment will be sent to Public Safety for review.
2. Public Safety:
  - a. Public Safety will determine what department is responsible for the vehicle receiving the citation.
  - b. A copy of the citation and driver’s information will be sent to the department director for review.
3. Department:
  - a. The impacted department Director will determine who was driving the vehicle at the time of the citation.
  - b. If a student was driving the vehicle under the direction of an instructor at the time of the citation, the department Director will determine whether the student or the instructor is responsible for reimbursing Kirkwood for the citation.

4. Payment/Appeal:
  - a. Within two weeks, the citation will either be paid or appealed to the City, which issued the citation. The decision to appeal will be made jointly by the department receiving the citation and Public Safety.
  - b. If the decision is to pay the citation, the payment will be handled by Public Safety using a Kirkwood account designated for citation payments.
  - c. The individual driving the vehicle at the time of the citation will reimburse Kirkwood for the cost of the citation. This reimbursement will be credited to the account designated for citation payments.
  - d. If the student, faculty or staff member disagrees with the decision of who is responsible for reimbursement, they may discuss this with the impacted department director and Public Safety.
  - e. If the decision is to appeal the citation, Public Safety will file the appeal. The department receiving the citation is responsible to have a department representative/driver attend the appeal hearing to represent Kirkwood.

**Qualified Drivers:**

All qualified drivers must be on Kirkwood Community College's approved driver list prior to driving a Kirkwood owned or rented vehicle or driving their personal vehicle on College business at any time.

Qualified drivers may operate Kirkwood owned vehicles for the purpose of conducting College business, provided the driver is at least 18 years old (21 for rentals), has an appropriate and valid US driver's license for the type of vehicle being driven and has adequate experience driving that type of vehicle.

**Operating Vehicles as part of Training and Programming:**

Student drivers must be at least 14 years old and possess a valid learner's permit. Students without a valid driver's license or with a permit, shall only operate vehicles under direct faculty/staff supervision and only as part of a course curriculum. Students that drive as part of a credit or non-credit class do not need to be on the approved list as long as they are under the direct supervision of their instructor.

Students with violations will only be allowed to train on a closed course under direct supervision of a Kirkwood faculty or staff member.

**Driving Record Reviews:**

Each department is responsible for providing the name of employee that may operate a College owned vehicle or drive a personal vehicle while conducting College business. A third party vendor is used to check the individuals Motor Vehicle Record (MVR).

Human Resources will review the driving record of current and new employees, who complete the MVR Disclosure Form. If approved, the individual will be added to the list of authorized drivers list and may drive for approved College business.

MVR's will be run every 2 years and the list will be submitted to the insurance carrier for approval. The driver's record will be reviewed to determine compliance with Kirkwood Community College's driving standards. Human Resources will notify the employee, their Manager and Facilities of the decision.

Access to driver's record information is restricted to assigned staff in Human Resources and the third party vendor. This information will be released when necessary to Kirkwood Community College's auto insurance carrier in a secure manner.

**Motor Vehicle Records Check Criteria:**

Employees with an unacceptable driving record may not drive a College owned vehicle, rental vehicle or a personal vehicle while conducting Kirkwood business at any time. An employee in a position where driving is a condition of their employment, may be terminated if their driving record does not comply with policy requirements.

Qualified drivers have a duty to disclose changes to their MVR throughout the year if the new violations would make them ineligible to drive under Kirkwood's criteria. Disclosure of violations must be made to Human Resources and Risk Management within two weeks of the date of the violation.

Human Resources and Risk Management reserve the right to decline driving privileges due to driving records even when meeting the requirements, if the record presents a high risk to the College.

Acceptable driving record is defined as:

- Minimum 3 years driving experience (exception for driver education classes)
- No major violations in the last 3 years.
- Maximum of 3 minor moving violations in the last 3 years.
- Maximum of 2 at fault accidents in the last 3 years.

Major violations include:

- Any drug or alcohol violation in connection with operation of a motor vehicle.
- Homicide, manslaughter or felony involving a vehicle.
- Hit and run accident.
- Reckless driving.
- Speed contests, drag racing or attempting to elude an officer of the law.
- Driving while license is suspended, revoked, barred or denied.
- Moving traffic citation (speed of more than 20 MPH above the posted speed limit).
- Habitual offender of minor violations.
- Fleeing police in a vehicle
- Passing a stopped school bus

Minor violations include:

- Moving traffic citation (speed of less than 20 MPH above the posted speed limit).
- Failure to stop or yield.
- Improper lane changes. Any violation not defined as a major violation.

## References

- Links: [MVR Disclosure](#)  
[Driver's Report](#)
- 403.1 Drug-Free and Alcohol Free Workplace Procedure
- 304.1 Tobacco and Smoke Free Procedure
- 403.4 Cellular Phones in a Vehicle procedure
- Department of Labor Occupational Safety & Health Administration regulations:
  - OSHA Standard Numbers 1928 Subparts C and D for Agricultural Equipment
  - OSHA Standard Numbers 1926.601 for Safety and Health for Construction (motor vehicles)

## Definitions

Term	Definition
Vehicle & Equipment	All self-propelled means of transportation where a person sits and rides. This includes, but is not limited to: trucks, cars, motorcycles, tractors, mowers, skid steers, forklifts, combines, gators and other small maintenance vehicles.
Qualified Driver:	Full-Time, Part-Time and Seasonal Employee of Kirkwood Community College that has a valid US Drivers licenses and has passed the colleges MVR.
Term 3	
Term 4	

## Revision Log

Version Number	Date Approved	Approved by	Brief Description of Change
1	8/8/2014	Tom Kaldenberg, Vice President, Facilities & Security	
2			New template 6/4/2018
3			Procedure template 9/12/2019
4	4/2/2024	Cabinet	