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NEW MEXICO STATE UNIVERSITY VEHICLE USE PROCEDURES

I. General

The following Vehicle Use Procedures are to provide directives regulating the use of New Mexico State University vehicles, as may be required to meet University needs and requirements, and all applicable laws.

II. Vehicles Defined

University vehicles are defined as any vehicle owned, leased, rented, or loaned to NMSU, which are used to transport people and/or cargo.

III. Driver Qualifications

University vehicles are provided for University related business, and are to be driven only by University employees, students, agents of the University, or volunteers, in the performance of their duties. All drivers shall have an appropriate, current class, license to operate a motor vehicle in the State of New Mexico, and an NMSU Driving Permit as issued by New Mexico State University Environmental Health and Safety.

IV. NMSU Driving Permit

To obtain an NMSU Driving Permit, drivers must show proof of having attended a Nationally Approved Defensive Driving Course. Defensive Driving Certifications can be acquired through the New Mexico State University Environmental Health and Safety Office by attending a (4) four-hour training session. Environmental Health and Safety will maintain a record of all employees, agents of the University, volunteers, and/or students possessing a current Defensive Driving Certificate and an NMSU Driving Permit. Pending the attainment of a Defensive Driving Certification, employees are allowed a (30) thirty-day Temporary Driving Permit, if driving is an essential function of their position. Temporary Driving Permits are available from Environmental Health and Safety. Environmental Health and Safety will allow one, thirty (30) day extension on the Temporary Driving Permit, should the initial (30) thirty-day permit not be sufficient time to acquire a Defensive Driving Certificate.

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V. Authorized Driver and Passengers

Authorized drivers are those who have met the requirements as set forth in Section III. Passengers are limited to University employees, students participating in authorized trips, and invited guests engaged in University related activities. Students which are not University employees, that drive a University vehicle, must be affiliated with a University chartered organization and involved in a University related event.

Some NMSU vehicles, generally Police, Fire or other specified vehicles, because of their nature and intended use, might be used to transport passengers other than those listed above. These vehicle's passengers require the authorization of the Transportation Council, through the appropriate Director or Department Head.

Providing transportation to hitchhikers is prohibited.

Nothing in the section shall be construed to prohibit the use or occupancy of a University vehicle when rendering emergency aid or assistance to any person, or the use or occupancy by private sector mechanics or repair personnel in the course of performing required maintenance or repairs.

VI. Vehicle Use

University vehicles are to be used for official University business and are not to be used for personal use. Exceptions are those vehicles which may be issued to personnel, who are on emergency call, 24 hour/7 day a week basis. These vehicles may be utilized for de minimis use; i.e. incidental stops of a personal nature, when traveling to and from work. There are also vehicles issued to individuals as a condition of employment. Users of both class of vehicles need to be aware that any applicable IRS guidelines apply, and a quarterly report is to be submitted to the NMSU Business Office, giving a breakdown denoting business and personal mileage.

VII. Responsibility

Departments may purchase vehicles for departmental use with funds from contracts, grants, etc., subject to State, University, and contract or grant restrictions. The department by which a vehicle(s) is used, is responsible for the care, maintenance, and safe operation of the vehicle(s). Departments are to retain their service and maintenance records.

An authorized driver shall immediately take steps to report any mechanical or operating problem that occurs while a University vehicle is in operation. An authorized driver shall not continue to operate a University vehicle if continued operation could endanger any person or property.

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VIII. Traffic Laws and Requirements

- A. An employee or student who receives a traffic citation for driving under the influence of intoxicating liquor or drugs, is subject to the revocation or suspension of his or her University driving privileges.
- B. The failure to obey any applicable traffic laws while driving or occupying a state vehicle may result in suspension or revocation of their University driver's privileges.
- C. A University employee or student may be assessed for the loss or damage of a University vehicle if the loss or damage was caused while driving under the influence of alcohol or drugs, or reckless driving.
- D. Drivers of University owned, leased, rented or loaned vehicles are required to observe all City and State traffic regulations, and are personally responsible for any citations or fines. Individual drivers license history reports may be conducted by NMSU Environmental Health and Safety and/or by individual departments, prior to issuance of the NMSU Driving Permit. Departments may also conduct periodic drivers license history reports of all departmental employees to insure compliance with Section III (Drivers Qualifications). NMSU Environmental Health and Safety and/or individual departments may also, with just cause, perform intermittent drivers license history reports. Drivers with excessive or extreme traffic violations may be subject to the revocation or suspension of their University driving privileges.
- E. University owned vehicles are to be licensed in accordance with State law, to include all motorized vehicles, trailers, boats or any other type of vehicle used for over the road applications. All licenses are processed by the University Property Office.
- F. Liability insurance is provided for University employees, students, agents of the University, or volunteers operating University vehicles on official business. However, in accordance with Section 41-4-4.ENMSA 1978, the University reserves the right to recover from an employee the amount expended to provide the defense and/or pay a settlement or final judgement, if it is shown that while acting within the scope of duty, the public employee acted fraudulently or with intentional malice causing bodily injury, wrongful death, or property damage.

IX. Insurance and Accident Reporting

All University vehicles are State owned and as such are insured for liability, comprehensive, and collision under the State Risk Management Pool. All comprehensive and collision coverage is subject to a \$1000 deductible. If a University vehicle is involved in an accident, the local or state police department(s) are to be notified, and an accident report completed. In the event of an accident in a parking lot, the local police may not respond, but when notified that a state vehicle is involved, the state police will normally respond. At the first

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opportunity, the Department Head must be notified, and the Department Head is then to notify the Director of Central Purchasing and Risk Management Administration. The Department using University vehicles are responsible to insure that every vehicle has a Notice of Incident form.

In the event of injuries resulting from an accident, employees of NMSU are covered by workers compensation insurance. Non-employees are not covered by the State workman's compensation plan.

X. Prescribed Usage

No individuals shall abuse or misuse a State vehicle. Personnel are responsible for the safe, careful operation of a University vehicle, and for observing all laws and directives. University vehicles should be used for the purpose for which they are intended, (i.e. no sedans should be used for towing, nor off road purposes).

XI. Out of Country Travel

Any travel out of the country requires additional insurance coverage and a copy of the original vehicle registration. It is the using Departments responsibility to insure that all required paperwork is in order prior to leaving the country.

XII. Administration of Procedures

These procedures will be administered by The New Mexico State University Transportation Council which shall be comprised of one representative each as assigned by the Vice President of Human and Physical Resources, Director of Central Purchasing and Risk Management Administration, Director of Environmental Health and Safety, Dean of the College of Agriculture and Home Economics, and the New Mexico Department of Agriculture. The NMSU Transportation Council shall administer, amend, and make exclusion to these procedures as may be required by State or local laws, or as needed to facilitate the University as a whole. The Council will be responsible to the New Mexico State University President and Administrative Council.

XIII. Exceptions

Any exceptions to these procedures must be approved by the NMSU Transportation Council.