

September 4, 2008

TO: Members of the Campus Community

FROM: David Cowan, Facilities Services Director

RE: Driving Standards – More Details

Last July President Richard Davenport wrote to the campus community about the new driving initiatives emanating from the Minnesota Department of Administration's Risk Management Division and its work with state agencies, including MnSCU, to better ensure the safest drivers possible on state business. Since then observations and clarifications have surfaced which should address some – but not all – of the questions that have landed at the Vehicle Operations Desk.

What is written herein should be viewed as operating standards until otherwise superseded by external agency directives or modified by the University's Administration as a result of this campus' commitment to collaborative governance and a full and open exchange on critical matters. I fully expect upcoming "Meet and Confer" agendas will contain a discussion of these travel guidelines.

Excerpts from President's July Letter to the Campus

- Drivers of state vehicles or private vehicles used for state business must sign a Vehicle Use Agreement (VUA). Timeline for completion of agreement:
 - Student Drivers – Summer/Fall 2008
 - Classified Employees – January 1, 2009
 - Faculty and Administrators – July 1, 2009
- The Department of Administration's Risk Management Division will conduct an annual Motor Vehicles Record (MVR) check to verify eligible drivers for state and personal vehicles on state business.
- No one under the age of 21 may drive a state or personal vehicle out-of-state while on MnSCU business.
- Personal vehicle and/or large state vans may not be used to tow state trailers or equipment; only state mini-vans will be eligible for the hook-up of passenger fleet 8' trailers at Minnesota State Mankato. A Trailer Towing Training program is in process, guidelines and timelines will be announced when finalized.
- Drivers of the University's 12 passenger vans are now required to view a training video. A High Occupancy Vehicle (HOV) Training program is in process, guidelines and timelines will be announced when finalized.

Operating Standards

- **Drivers on state business:**
 - Drivers shall use state vehicles only for MnSCU or university business. Drivers include state employees, contract employees (if the authorization to drive a state vehicle is specifically mentioned in the contract with the vendor) and students on university approved business. (Existing practice conforms to Minnesota Statutes Chapter 16B.55.) Students driving to and from an internship or a student teaching practicum do not fall within what is viewed as MnSCU or university business.

- MnSCU Vehicle Use Procedures state that drivers operating vehicles within the state of Minnesota must be at least 18 years of age, have at least two years of driving experience within the US or Canada, and have possessed for at least two years a valid and unrestricted drivers license from a U.S. State or Canadian Province. See http://www.finance.mnscu.edu/facilities/insurance-riskmgmt/docs/Fleet_Programs.pdf
- A student is not allowed to use a state vehicle to go to and from their internship, student teacher practicum, Nursing clinical, etc. (Existing practice.) Students engaged in such activities do not need to complete a Vehicle Use Agreement (VUA).
- **State Business (a.k.a. MnSCU or University Business).** State law requires that public funds, facilities, and equipment not be used for activities other than those clearly supporting the business of the state. Approved travel incorporates business meetings, authorized conventions, conferences and workshops, and as well as employee teaching assignments. Student travel to and from on-campus or off-campus classes, clinics, or a practicum is not considered to fall within the scope of authorized MnSCU or University travel. Field trips which are an integral part of the academic curriculum are authorized.

Vehicle Use Agreement

The Vehicle Use Agreement (VUA) is to be completed by each student or staff driver of a state or private vehicle on MnSCU or university business. Student drivers should do it now; classified employees are looking at January 1, 2009, as the start date for submitting requests, and faculty and administrators have July 1, 2009, as their start date for submitting the VUAs.

- a. You may access the VUA on-line, complete, print, sign and then submit it in a secured envelope to WC358, Helen Walters, the approved contact person for Minnesota State University, Mankato. See this website: www.mnsu.edu/vehicles
 - b. MSU's official contact will submit this data to the dedicated Risk Management personnel who will pull the Motor Vehicle Record (MVR) and verify results with Helen Walters, MSU Vehicle Operations Coordinator. Risk Management has committed to a turnaround of not more than five days.
 - c. Only drivers who have received an *Approved* or *Conditional* rating will be allowed to drive state or private vehicles on state business.
 - d. The driver's supervisor or contact person's name submitted on the VUA form will be notified if a *Conditional* or *Ineligible* driver record has been returned.
 - e. No driving restrictions are now in place for those who receive a *Conditional* rating.
 - f. Vehicle Operations will be unable to release a state vehicle for failure to complete the VUA by the published deadlines.
 - g. The Motor Vehicle Records (MVR) search covers a three year time period. Those receiving a *Conditional* or *Ineligible* rating may resubmit a VUA to Vehicle Operations when they believe sufficient time has past that their driving record would support a ratings upgrade.
- Any negative change in the status of a driving record needs to be communicated to the MnSCU Risk Management Department. Such changes include at-fault accidents, major violations, multiple minor violations or license revocation, restriction or suspension.
 - **Reimbursement.** Existing mileage reimbursement continues at these rates: 58.5¢ if no state vehicle is available and 51.5 ¢ if a state vehicle is available. Effective July 1, 2008, drivers who have an "Ineligible"

rating but still seek reimbursement for personal mileage for a trip related to University business approved by the department, will receive the lower reimbursement rate of 51.5¢.

Insurance Coverage

Minnesota is a **No Fault** state and Personal Injury Protection must be provided by all automobile liability policies. While liability insurance follows the vehicle, **No Fault** coverage follows the individual. Therefore the **No Fault** coverage will be obtained from the employee's or passenger's own personal auto liability policy if for some reason workers compensation coverage would not apply. If workers compensation does not apply and the individual does not have access to Personal Injury Protection (Minnesota Statute Chapter 65 B.47), then the state's policy could be called upon to provide coverage. (Source: Risk Management Policies & Procedures Manual.)

- a. Using a State Vehicle** - Complete collision and personal injury coverage is provided should an accident occur where a state vehicle is involved and the driver is on official MnSCU or university business. For travel outside Minnesota, the State's limit would apply first and then the excess coverage the State has purchased would be triggered. Any funding over the State limit and excess coverage would come from the state agency employing the driver. Should a state employee be injured while on MnSCU or university business they would fall under worker's compensation rules.
- b. Using a Personal Vehicle** – Because insurance follows the vehicle, in an accident, whoever owns the vehicle will be the “primary” (first to respond). State employees subject their vehicle, assets, and insurance to unnecessary exposure when they choose to use their own vehicle on state business. The State limit would apply next and then the excess coverage for out-of-state accidents the Risk Management Fund has purchased would be triggered. Should a state employee be injured while on MnSCU or university business they would fall under worker's compensation rules.
- c. Using Enterprise Rent-a-Car** – MnSCU and the State of Minnesota has a rental contract with Enterprise. Collision damage waiver is included in the rental rate. If use of the Enterprise contract is not practical, then using another vendor requires the employee to purchase the auto liability and collision damage waiver offered through the rental car company. If an accident occurs outside of Minnesota, and if the rental car insurance option is purchased, the rental car company's insurance would be primary, the State's limit would be next, and, last, the State's excess coverage.