

AP 6530 Use of Vehicles for District Business

Reference:

California Education Code Section 39800.5

Public Contract Code Section 10326.1

Title 13, California Code of Regulations, Division 1, Chapter 1

A. District-owned, Rented, or Leased Vehicles

All District vehicles and drivers must comply with the California Vehicle Code and Title 13 (Motor Carrier Safety).

All drivers of District-owned, rented, or leased vehicles both on and off campus must have a current license appropriate for the vehicle to be driven.

All drivers of District-owned, rented, or leased vehicles that carry 15 or more persons including the driver must have a current Class B license, a current physician's medical report, a current First Aid Certificate, and an endorsement for operating a passenger transportation vehicle issued by the Department of Motor Vehicles. A 15-passenger van is a van manufactured to accommodate 15 passengers, including the driver, **or** a van "designed" to carry 15 passengers, including the driver, even if seats have been removed to accommodate fewer than 15 passengers. The District encourages staff to identify options in lieu of renting 15-passenger vans. Please refer to AB 626, a legislative bulletin that documents the safety hazards associated with 15- passenger vans. Arrangements can be made for use of the District's 15 passenger van provided the driver complies with the above requirements for licensing.

All District facilities employees maintaining vehicles defined as buses must keep records of driver's hours, vehicle maintenance, and vehicle inspection records. All of these records must be made available to the California Highway Patrol (CHP). The CHP is required to inspect the records at least once every 13 months.

All District vehicles with equipment for transporting the disabled must comply with all applicable laws and regulations regarding such vehicles.

Vehicles made available to the District personnel are for use in the conduct and operation of District business.

Automobiles owned by the District and operated by District personnel may be replaced at the discretion of the District.

Regular or occasional garaging of District-owned vehicles at any location other than the one assigned is permitted only with prior written approval. Home garaging shall meet any one of the criteria listed below:

- Employees whose duties require regular or frequent reporting to locations other than their regular headquarters before or after regular working hours.
- Employees who are regularly or frequently subject to call before or after regular working hours.
- Employees with assigned vehicles who are headquartered at locations lacking secured overnight garaging facilities.

The respective Vice President providing oversight for a department is responsible for controlling access to and use of all District vehicles assigned to that location.

The name, home address, employee number, California driver's license number and social security number of any employee to be authorized to drive District vehicles must be submitted to the Human Resources department prior to final granting of authorization.

B. Privately-Owned Vehicles

1. If an employee or authorized volunteer uses a privately-owned vehicle on authorized activities within the scope of his/her assigned duties, he/she:
 - a. Must abide the rules listed above.
 - b. Must not transport third party individuals such as guest speakers or performers. The campus department should contract with a reputable professional transportation vendor to provide transportation services.
 - c. Must only transport authorized passengers and must be in the passenger compartment and wear a seat belt. An authorized passenger is an individual who is representing the District in an official capacity.
 - d. Must not allow students to drive.

2. Insurance (Privately-Owned Vehicle)

- a. Vehicle owner must maintain, in full force and effect, not less than the California-required minimum insurance on the vehicle being driven and will abide by all federal, state and local laws governing the use of motor vehicles.
- b. Liability Coverage - Liability coverage for a District employee or authorized volunteer driving a private vehicle is as follows:
 - 1) **Primary Coverage** – Employee/Volunteer’s Personal insurance.
 - California Insurance Code, Section 11580.9, specifies that the party who owns a vehicle is responsible for primary coverage and that another party, including an employer, cannot provide primary coverage for a vehicle owned by another individual or business.
 - 2) **Secondary Coverage** – District’s liability coverage can be excess, subject to the applicable District coverage documents, sublimits and exclusions.

- Employees or authorized volunteers using their privately-owned vehicle outside the normal work assignment shall not be covered by District's excess liability coverage.
- If an employee or authorized volunteer is found to be grossly negligent, certain damages can be levied against the individual directly and would be uninsurable.

Approved: October 28, 2020

Next Review Date: Fall 2026