


AUSTIN PEAY STATE UNIVERSITY
POLICIES AND PROCEDURES MANUAL

Policy Number: 4:025	Supersedes Policy Number: II:05:03
Date: August 1, 1986	Dated: March 15, 1982
Subject: Use and Care of University-Owned Automobiles	
Initiating Authority: Vice President for Finance and Administration	SBR Policy/Guideline Reference: 4:03:02:00
Approved:  President	

Neither the State nor the University carries an automobile liability insurance policy for the protection of faculty, staff, and students who may be driving University-owned vehicles.

The State agency established to function in lieu of liability insurance is the Board of Claims, located in Nashville. This Board, which utilizes its own staff of attorneys, investigates and adjudicates all claims against the State arising from the negligence of State employees as well as other types of claims. Decisions as to the award of damages, and the amount thereof, are made by the Board. Generally, it can be said that the Board tries to award damages consistent with what it believes would be awarded in a civil court of law.

As far as accidents involving automobiles are concerned, there are two criteria which must be met before the Board will consider a claim. (1) The vehicle must be owned by the State, and (2) the driver must be a State employee. Assuming these conditions exist, then the claimant must establish that he/she was damaged, and that the damage was the result of negligence of a State employee while driving a State vehicle. This means that students are afforded no protection by the State or the University from damage claims which might be filed against them pursuant to the authorized use of a University-owned vehicle; any faculty or staff member authorizing a student to drive a University vehicle, places himself and others in a position of vulnerability to lawsuit stemming from the negligent action of the student.

EXCEPTION: As a general rule, students should not be permitted to drive state motor vehicles; however, a particular student can be permitted to drive a state motor vehicle provided that he/she

is an employee of the institution, would be acting within the scope of his/her employment in driving the state vehicle, and would be actually paid by the institution for the services rendered. Thus, a student who is employed part-time in the athletic department, who is given a paycheck for the work he performs, and who is specifically given the responsibility of transporting student athletes and/or cheerleaders to and from institution athletic events, could be permitted to drive a state vehicle subject to the rules and regulations set forth in the Board Policy on Motor Vehicles (SBR Policy No. 4:03:02:00). It makes no difference whether the student is paid out of institutional funds or Work-Study funds as long as payment is actually made to the Student. The State Board of Regents advises that students should be permitted to drive under these circumstances only when it becomes absolutely necessary.

Student Government Association presidents and vice presidents are not considered employees even though they may receive a stipend. Therefore such individuals should not be permitted to drive state motor vehicles even though their travel may be in connection with SGA business.

Policies Governing Usage of University Vehicles

1. The vehicles are to be used only in connection with an approved University activity.
2. Drivers of vehicles are required to have valid Tennessee drivers license and may be required to present their license prior to obtaining vehicle keys.
3. Vehicles will be assigned by the Physical Plant Department (648-7456).
4. The person to whom the vehicle is assigned is responsible for following approved policies and procedures and for the prudent care of the vehicle during the period of assignment. Regular full-time or part-time employees shall be the only persons driving University vehicles.
5. Vehicles will be available on a first requested - first served basis.
6. Once a reservation has been confirmed, the Physical Plant Department will not cancel the reservation except for a reason beyond the control of the department, such as a breakdown of the scheduled vehicles, etc. Prompt notice of a cancellation by the person having a confirmed reservation is also required.
7. Except for scheduled professional meetings, conferences, institutes, athletic events (not including athletic recruiting) and field trips associated with class activities (for which motor pool vehicles may be reserved as far ahead

as desired) the maximum amount of time a vehicle reservation can be made before the vehicle is used is three weeks.

Procedures Governing Reservation and Use of University Vehicles

1. Vehicles will be assigned by the Physical Plant Department in accordance with the following procedures:
 - a. Prepare PPM Form 4:025:a in duplicate, obtain appropriate signatures and forward to the Physical Plant Department. Applications should state the exact time the vehicle will be picked up. Except for use of a vehicle outside regular office hours of the Physical Plant Department (7:30 a.m. - 4:00 p.m. Monday through Friday, except on holidays), keys will not be issued earlier than the state time of departure. Keys to vehicles to be used on Saturday, Sunday, or holidays should be secured from the Physical Plant Department before 4:00 p.m. on the previous day the department is open. However, the vehicle is not to be moved until the stated time of departure, unless otherwise specified on the application form.
 - b. Physical Plant personnel will check current reservations and either confirm the reservation by sending a confirmation form or issuing an exemption certificate if no vehicle is available. (Attach certificate to travel claim form.)

Note: It will not be necessary to obtain an exemption number if transportation is by air and a personal vehicle is to be used for travel to the airport.
 - c. On the completion of the trip, the vehicle should be parked on the lot of the Physical Plant Department. If the vehicle is returned during regular office hours, the keys and user's copy of the application (containing mileage and other information) should be returned to the office. If the trip is completed outside office hours of the department, the vehicle should be parked on the lot, locked, and the keys and user's copy of the application returned to the container provided in the Public Safety side of the Shasteen Maintenance and General Services Building.
 - d. A breakdown or accident should be reported immediately to the Austin Peay State University Physical Plant Department (648-7456).
2. Unanticipated need for vehicle (need identified less than three working days prior to intended use):

Call Physical Plant (648-7456) to ascertain availability of a vehicle. If a vehicle is available, a tentative

confirmation will be issued. The employee will then be required to complete all paperwork, obtain its proper approval, and ensure that it is received within forty-eight hours by the Physical Plant Department. If the request is made on the day before a holiday or weekend, the Physical Plant Department must receive the paperwork by 4:00 p.m. on the day immediately following the holiday or weekend. Otherwise, the reservation will be canceled.

Accidents

State Employee Accident Report Guide

The purpose of this guide is to inform State employees of the proper procedures to be followed in the event of an accident involving a State-owned vehicle. The following steps should be taken by the State employee to whom the vehicle is assigned, should an accident occur.

1. STOP IMMEDIATELY - Aid any injured persons. Do not move injured party if movement may add to injury (unless it is to avoid further injury). If necessary or in doubt, call an ambulance immediately.
2. NOTIFY POLICE - (State, City, or County) It is required to have an accident investigated by the police for any accident involving a State vehicle. Do not move vehicle until the proper investigating authority has arrived.
3. RESPONSIBILITY - Do not admit responsibility - make no statement regarding accident except to police. The law requires that name, address, and license number be given.
4. INSURANCE COVERAGE - Secure the name of the agent or company with which the other party carries their liability insurance.

Inform the other party that you are a State employee operating a State-owned vehicle. The agency of State Government that can adjudicate/or pay for damages and injuries incurred is the State Board of Claims, 1206 Andrew Jackson Building, Nashville, Tennessee, 37219.

After the Accident

State employees should notify their supervisor or department head as soon as possible, providing the essential facts. The individual along with his supervisor should then prepare a Departmental Incident Report (APSU/FA/PA/010) and send to the Personnel Office and Physical Plant Department. The supervisor or department head should immediately notify the Personnel Office. If the parties involved require assistance in filing a claim, the Personnel Office should be contacted.

AUSTIN PEAY STATE UNIVERSITY

Application for Use of University Vehicle
Date of Application _____

Request is made for use of University Vehicle and explanation follows:

1. Destination: _____
2. Date Leaving: _____ Time Leaving: _____
3. Do you plan to move the vehicle before the state hour of departure: Yes _____ No _____
If yes: A. What date and time _____
B. Vehicle location until time of departure _____
4. Time returning _____ Hour of Return _____
5. Purpose of Trip _____
6. Request is for Car _____ Van _____
7. Number of persons traveling _____ Estimated Mileage _____
8. Number of Account to be Charged _____

Signed by _____
Vehicle Driver

Approved by _____
Administrative Officer

If a student will drive the vehicle, complete questions 9 and 10.

9. Does student's job description include driving University vehicles? Yes _____ No _____
10. Does student have valid Tennessee driver's license? Yes _____ No _____

Signed by _____
Supervisor of Student Driver

DRIVER'S REPORT

Vehicle Assigned _____ License No. _____

Mileage of Trip: Beginning _____ Ending _____ Total Mileage _____

Vehicle performance: Excellent _____ Good _____ Poor _____

Report of Poor Operation and Needed Repairs: _____

Note: Prepare in duplicate (preferably typed). If trip is for after office hours (7:30-4:00), make arrangements with Physical Plant prior to that time and date. Complete Driver's Report after trip and turn in with keys to Physical Plant.

DEPARTMENTAL
INCIDENT REPORT

1. Name(s) of Potential Claimant(s) _____
Address(es) _____
Date and Time of Incident _____
2. Weather Conditions _____
3. Location of Incident/Names/Addresses and Details of Parties and Witnesses (Attach sketch if necessary) _____

4. Direction of Travel _____
5. If APSU Employee, State Duties and whether Incident is Job Related _____

6. Was State Vehicle/Equipment Involved (Yes or No). Make, Model, Year, Color, Tag Number _____
Activities at Time of Incident _____
7. Nature of Injuries _____

(If available, provide medical record/physician and/or hospital cost)
8. Factors Contributing to Incident or Accident (Give details on condition of equipment/property) _____
State Whether State/State Employees were aware of Condition and for how long _____
9. Notes on Conversation relating to Incident/Claimant with any actions taken by APSU (Give dates, times, names) _____

10. Line of duty evaluation by supervisor (yes or no)

11. Signature of Supervisor Typed Name of Supervisor Date
Investigators Report _____

Investigators Recommended Action _____

Investigators Signature Typed Name of Investigator Date

The departmental report should be detailed and thorough. Names and addresses of all parties and witnesses should be included in the report. Whenever possible, statements of parties and witnesses should be included. Copies of any written correspondence, notes, etc. from the claimant or regarding the claim should also be included. Depending on the specific nature of the incident, the statements and the reports should cover the following points of information:

1. Date and time of incident;
2. Weather conditions at the time incident;
3. Exact location of the incident (include the location of each party at incident and the location of witnesses);
4. Direction in which parties or witnesses travelled before and during the incident;
5. If, in any way, the incident involves a state employee, give the nature of his or her regular duties and also the nature of his or her activity immediately before and during the incident, i.e., Was the activity connected in any way to the employee's duties?;
6. Whether the incident involved state-owned vehicles or equipment or machinery. Give make, model, year, and color and tag number of vehicles involved. Specify type and function of machine or equipment involved. Note: Include a copy of the operating manual if available. Give the exact description of the activities of the injured party immediately and prior to and during the incident.
7. Exact nature of the injuries. Include medical records and a record of hospital and physicians cost incurred, if immediately available;
8. If the incident occurred in connection to an existing condition on state-owned or controlled property, give the exact condition of the property (pavement, post, guardrails, chains, etc.) as it related to the incident. Specify whether and for how long the state employees were aware of the condition and/or defect in the property or fixtures; and
9. Notes of all conversations, including phone conversations, with the claimant regarding the claim and the action taken by the institution pursuant thereto.