Use of Personal Vehicles for University Business Travel

POLICY STATEMENT

Webster University (the “University”) will allow, but will not require, its Employees to use his or her personal vehicle for University Business Travel when availability, convenience or cost would preclude the use of a University vehicle or a University rented vehicle. This Policy works in conjunction with the Webster University Travel and Expense Policy and the University’s Legal Defense and Indemnification Policy.

POLICY RATIONALE

The University recognizes that Employees (including Student Employees) will have occasion to use their personal vehicle for University Business Travel. This Policy will establish the basic requirements and procedures for driving personally owned vehicles in connection with University Business Travel and is communicated to all Employees to ensure:

- The safe operation of personal vehicles used for University Business Travel;
- The safety of drivers, passengers and pedestrians;
- The responsible operation of personal vehicles with respect for other drivers and due consideration for acting as a representative of the University; and
- The minimization of losses, damages and claims against the University.

DEFINITIONS

Commuting
An Employee’s regular travel back and forth from his or her residence to University campus facilities.

Employee
Persons who have completed all prerequisites to University employment and who are currently employed by the University. This includes University faculty, staff and student employees. This definition expressly excludes independent contractors. University Trustees are, for purposes of this policy, treated as employees.

University Business
Any gathering of two or more individuals when the primary purpose of the gathering is the business interest of Webster University. A normal lunch outing is not University Business, even if the University’s business interests are discussed during the outing.
University Business Travel  Any travel by personal vehicle to a University Business destination or University Sponsored Activity including, but not limited to, business errands, transporting students, other employees or campus visitors, University social functions and University Business meal engagements. It is not University Business Travel when University employees travel by personal vehicle for a normal lunch outing when the University’s business interest is not the primary purpose of the outing, even if the University’s business interests are discussed during the meeting.

University Sponsored Activity  All activities sponsored by the University faculty, staff, departments, student government, chartered clubs and University organizations.

Vehicles  Any personally owned or leased automobile, including cars, sport utility vehicles, light passenger trucks, vans or minivans. Personally owned or leased vehicles such as snowmobiles, scooters, golf carts, RVs, airplanes, boats, or vehicles not expressly identified in this definition, are not University approved vehicles and should not be used for University Business Travel.

PROCEDURES

Employees must be aware of and comply with the following rules and procedures. Under the provisions of this Policy, Employees who use their personal vehicles for University Business Travel must:

1. Possess a valid driver’s license issued by the appropriate regulatory body with jurisdiction from the Employee’s State or Country of residence, relevant for the lawful operation of the particular vehicle to be used in the location where the vehicle is being operated, which has not been suspended or revoked within the prior three years;

2. Have no convictions or pending charges on record for driving under the influence of alcohol or drugs or any other major traffic violation within the prior five years;

3. Have not had automobile insurance cancelled, declined or not renewed by an insurance company within the prior three years due to the actions of the Employee;

4. Have no University disciplinary sanctions (as either an Employee or Student) which might reflect negatively on the Employee’s ability to drive safely;
(5) Agree to operate the personal vehicle in a safe, controlled and courteous manner and in accordance with applicable laws and University regulations;

(6) Report any changes in license status (i.e., if the license has been suspended or revoked) to the Office of Public Safety within one working day of any such change and agree not to drive for University Sponsored Activities or University Business until a review and determination of the license status change by the Office of Public Safety;

(7) Disclose any temporary medical conditions or medications being taken that may impair the Employee’s ability to drive safely;

(8) Agree all traffic violations, citations and parking tickets earned by the Employee while operating a personal vehicle under this Policy are the sole responsibility of the Employee;

(9) Agree to not text, email or use a hand-held telephone or communication devices while operating a personal vehicle under this Policy;

(10) Agree to properly maintain the vehicle to ensure safe and responsible operation, with respect for other drivers and due consideration for acting as a representative of the University;

(11) Agree to turn off and lock vehicle when left unattended and to store valuable equipment / items in the trunk

(12) Be aware of weather and road conditions and make prudent decisions regarding travel based on those conditions; and

(13) Not place a vehicle in motion unless all occupants are wearing safety belts and ensure their continued use throughout the trip.

Proof of Liability Insurance:

Employees who use their personal vehicles for University Business or University Sponsored Activities must:

(1) Maintain automobile insurance on personal vehicles used for University Business or University Sponsored Activities with a minimum of $300,000 of liability coverage for each accident; and

(2) In an accident involving a personal vehicle, the owner must use his or her individual automobile insurance coverage as the primary insurance.

Legal Defense and Indemnification for Claims Arising Out of an Employee’s Use of a Personal Vehicle for University Business Travel

If the University determines that the Employee complied with this Policy, the University will provide the Employee with a legal defense and indemnification for claims asserted against the Employee that arise out of his or her use of a personal vehicle for University Business Travel. In order to be eligible for
coverage under this policy, the Employee must also be eligible for a legal defense and indemnification under the University's Legal Defense and Indemnification Policy and the Employee must comply with any other University Policy applicable under the circumstances.

**Reporting Requirements**

To be eligible for coverage under this Policy, any Employee seeking a legal defense, indemnification or other insurance coverage from the University for claims arising out of his or her use of a personal vehicle for University Business Travel must notify the University Secretary of any accident occurring during the Employee’s use of a personal vehicle for University Business Travel within forty-eight (48) hours of the accident. Exceptions to this forty-eight hour rule may be made in the sole discretion of the University in the event that extenuating circumstances prohibit compliance by the Employee. The University reserves the right to decline to reimburse an expense incurred by the Employee prior to notification of the action. In addition, to be eligible for coverage under this Policy, an Employee must comply with the reporting requirements set forth in the University’s Legal Defense and Indemnification Policy.

**Limitations of Coverage**

An Employee who uses his or her personal vehicle for University Business Travel expressly agrees that his or her automobile insurance is primary to the use of the University’s insurance coverage with respect to coverage and personal injury arising from accidents involving his or her use of a personal vehicle for University Business Travel.

In addition, the University’s insurance coverage will not provide coverage for damage to the Employee’s vehicle, either on a primary or excess basis.

**Exclusions**

This Policy does not apply to Employees while commuting to and from the University, nor does it apply to Student Employees while commuting to and from classes or internships that take place off campus.