

MOTOR VEHICLE OPERATING POLICY

This policy is adopted in accordance with the National Youth Science Foundation's (NYSF) desire to provide a safe and healthy environment for students, employees, and guests. This policy and included procedures are intended to safeguard people, protect equipment, reduce operating costs, and reduce the frequency and severity of accidents involving NYSF Vehicles. Driving a NYSF Vehicle is a privilege. The NYSF reserves the right to deny or revoke driving privileges in the event that the NYSF determines that the individual's use of the NYSF Vehicle poses a risk to the NYSF or the public.

I. Policy Scope

This policy applies to every NYSF employee and any person to whom the NYSF grants the privilege of operating a NYSF Vehicle.

II. Definitions

NYSF Vehicle - any vehicle that is owned, borrowed, rented, or leased by the NYSF; used for NYSF business; and intended to be insured by the NYSF's automobile insurance policy.

Motor Vehicle Record (MVR)

- *At-Fault Accident* - Accident that is deemed chargeable or is recorded on the driver's license record as at-fault.
- *Violation* - Any motor vehicle driving violation other than a parking ticket.

Eligible Driver - A person who:

- Is at least 21 years of age,
- Possesses a valid United States driver's license for the class of NYSF Vehicle that the individual drives or seeks to drive, and
- Has an Acceptable Motor Vehicle Record (defined below).

Acceptable Motor Vehicle Record - A Motor Vehicle Record that does not have any of the following within the last five years:

- Reckless Driving or Driving to Endanger
- Driving under a suspended or revoked license
- Any Hit and Run, eluding a police officer or fleeing the scene of an accident
- Vehicular homicide or assault with a motor vehicle
- Use of a motor vehicle in the commission of a felony
- Driving Under the Influence (DUI), Driving While Intoxicated (DWI) or operating a vehicle while impaired
- Filing a false accident report.
- More than 4 Violations.
- Two (2) or more At-Fault Accidents
- A combination of Violations or At-Fault Accidents so that the total number of Violations and At-Fault Accidents is more than four (4).

Authorized Driver - The NYSF may authorize an eligible driver to operate a NYSF vehicle if the eligible driver completes the required training and maintains the criteria set forth below. The NYSF may revoke this authorization at any time especially if the driver is determined to not meet the

criteria set forth below, violates any provision below, or fails to follow the requirements of this Policy.

A. Authorized drivers must:

1. Immediately notify the program director if driver's license has been restricted, suspended, or revoked, or has any action that affects their Motor Vehicle Record.
2. Meet the insurability standards set by the NYSF's automobile insurance carrier.
3. Observe all applicable federal, state and local motor vehicle laws, ordinances, and regulations.
4. Report all incidents in accordance with procedures outlined in Section V. (Accident Reporting and Analysis) and cooperate in any investigation of the incident and any subsequent proceedings.
5. Wear a seat belt at all times and ensure that all passengers do so as well.
6. Operate the vehicle in a courteous and safe manner.
7. Maintain a motor vehicle record that meets the NYSF standards set forth in this policy ("Acceptable Motor Vehicle Record").

IV. Procedures

- A. Before the NYSF shall authorize a driver to operate a NYSF Vehicle, the NYSF must determine that the individual has met the requirements of this Policy, including having an Acceptable Motor Vehicle Record.
- B. In order to make a determination that a driver has an Acceptable Motor Vehicle Record, the driver must submit a copy of his/her Driver's License and a completed MVR release form to the program director authorizing the NYSF to obtain the driver's MVR.
- C. The NYSF may at any time review a driver's MVR to determine if the driver still has an Acceptable Motor Vehicle Record. The NYSF expects to review the driver's MVR at the time of hire, annually or at a more frequent interval.
- D. If a new employee's position requires that the new employee operate a NYSF Vehicle, employment will be contingent upon the Foundation determining that the new hire has an Acceptable Motor Vehicle Record and meets the requirements of this Policy.
- E. The NYSF may at any time review the activities or MVR of a driver to determine whether the driver meets the requirements of this Policy and is still permitted to drive a NYSF Vehicle.
- F. Drivers receiving traffic citations or violations while operating a NYSF Vehicle shall be responsible for paying in full any outstanding fines in accordance with all applicable federal, state, and local laws.

V. Accident Reporting and Analysis

The purpose of the accident investigation is to determine what factors, conditions, and/or practices contributed to the accident involving a NYSF Vehicle, so that proper action can be taken to prevent recurrence. A complete accident investigation includes gathering pertinent data and making objective evaluations of facts, statements, and related information, which should lead to

recommendations for preventive measures. An insurance identification card and accident information kit, located in the glove compartment of each NYSF Vehicle, lists the procedures to follow when involved in an accident.

A. Reporting

1. In the event of an accident:

- a. Stay at the scene of the accident, check for personal injury, and seek medical attention if necessary.
- b. Set emergency signals to prevent further damage or injury.
- c. Call the local police and notify the NYSF's program director immediately
- d. Stay calm. Be courteous. Avoid arguments. Secure assistance of police and request that an accident report be completed. Make no statement concerning the accident to anyone except the police. Obtain the police officer's name and badge number. Do not admit fault, make no promises, settlement, or excuses.
- e. Record the names, addresses, and phone numbers of the occupants of involved vehicles and all witnesses.
- f. Obtain the names, addresses, and phone numbers of all persons injured, regardless of how minor the injury. Try to learn where the injured were sent.
- g. Record the insurance carrier of the other party, policy number, agent's name, address and phone number.
- h. Drive vehicle only if it has been determined by law enforcement authorities to be safe to do so.
- i. Before leaving the accident scene, verify that all the facts have been obtained.

2. The NYSF's executive director must be notified within 24 hours of the accident. A completed Driver Accident Report form must be submitted to the NYSF's executive director no later than two (2) business days of the accident. A police report must be submitted to the NYSF's executive director no later than seven (7) business days of the accident.

B. Investigation - the NYSF's executive director in consultation with the chairman of the NYSF's Board of Trustees will determine if further investigation is necessary.

C. At-Fault Accidents and Violations - The NYSF's executive committee shall serve as an Accident Review Committee ("ARC") whose role will be to determine whether it is still in the best interests of the Foundation to permit the driver to continue to drive a NYSF Vehicle after an accident or a Violation has occurred.

1. The ARC will review the facts relating to the accident or violation to:

- a. In the event of an accident:
 - Determine if the accident was chargeable or non-chargeable.

- If it is determined the accident was chargeable, then the accident will be deemed an At-Fault Accident and used to evaluate whether the driver continues to have an Acceptable Motor Vehicle Record.
- In the event of a Violation:
 - The driver's MVR will be reviewed in conjunction with the new Violation to determine whether the driver continues to have an Acceptable Motor Vehicle Record.
 - The ARC will notify the driver and his/her supervisor of the ARC findings and required actions. Required actions may include training, suspension and/or revocation of driving privileges.
- b. In the event that driver refuses to cooperate in the reporting and investigation of the accident or provides false information, the accident shall be deemed an At-Fault Accident.

VI. Training

The NYSF reserves the right to require training for all drivers. If the NYSF determines that such training is necessary and the driver fails to complete the training, the NYSF shall revoke the driver's privilege to drive a NYSF Vehicle. Training will cover the following topics:

- A. Safe loading guidelines: load from front to back in a manner that maintains the lowest possible center of gravity.
- B. Passenger safety guidelines: the driver and all passengers must wear safety belts.
- C. Driving safety guidelines: obey all laws, back carefully, be aware of vehicle limitations, including the impact of vehicle weight, braking capacity, and road conditions.
- D. Vehicle maintenance guidelines: maintain fluid and fuel levels and correct tire pressure.

VII. Vehicle Inspection

- A. Drivers must check their vehicle for obvious body damage prior to each use and immediately report any signs of new body damage to the program director.
- B. Drivers who suspect that their vehicles are unsafe must report it to the program director. The vehicle is not to be driven until the safety issue has been addressed.

VIII. Maintenance

The program director shall verify that each vehicle under his/her control receives appropriate scheduled preventive maintenance and West Virginia State Inspections if required.

IX. Fifteen (15) Passenger Vans

No one is permitted to purchase, lease, or rent fifteen (15) passenger vans for NYSF activities or business.

X. Operating Guidelines

- A. Use headlights at least 30 minutes before sunset and after sunrise and during reduced visibility (i.e. rain, fog, snow) and whenever required by law.

- B. Use headlights whenever the windshield wipers are in use.
- C. Acquaint yourself thoroughly with routing/road map prior to departure when traveling on unfamiliar roads.
- D. Reduce speed according to weather and road conditions, especially on icy, wet, dirt, or gravel roadways (braking is more difficult under these conditions).
- E. Use engine-braking techniques when appropriate (down shifting) to preserve the life of braking system components.
- F. Use turn signals to indicate changing lanes or making turns at intersections.
- G. Exercise caution when backing up a NYSF Vehicle; deploy a spotter and use the side and rear view mirrors.
- H. Turn off ignition switch, remove key, and lock vehicle when unattended.
- I. Allow sufficient time for contingencies when planning the time to arrive at your destination.
- J. Do not allow the number of passengers to exceed the number of seat belts.
- K. Load the vehicle from front to back and maintain a low and central center of gravity.
- L. Do not place any objects on the roof unless supported and secured by an appropriate roof rack designed for the purpose.
- M. Verify that the driver and all passengers are properly wearing their safety belts before moving.
- N. Maintain an adequate fuel supply. Refill the tank whenever the gauge indicates $\frac{1}{4}$ tank or less.
- O. The information contained in this Policy is subject to change by the NYSF at any time. Users of this Policy should consult with the NYSF office to verify the current text or status of the policies, procedures, or information contained in this Policy and to determine whether information in this Policy or other publications has been superseded or changed.
- P. Do not:
 - Knowingly operate an unsafe vehicle.
 - Offer rides to hitchhikers or person unknown to the driver.
 - Unauthorized personal use of the NYSF Vehicles.
 - Permit unauthorized persons to ride in NYSF Vehicles.
 - Smoke in NYSF Vehicles.
 - Consume or be under the influence of alcohol or any substance that may cause impairment while operating a NYSF Vehicle.
 - Engage in any activity that exposes a risk to the NYSF or the public.

XI. Vehicle Inventory

Each NYSF vehicle should be equipped with the following:

- A. The current vehicle registration certificate
- B. A facsimile of the current insurance certificate
- C. A copy of the current NYSF Motor Vehicle Operating Policy
- D. A West Virginia Department of Highways road map
- E. A fueling packet including a Voyager Fleet Systems credit card and receipt folder
- F. A first aid kit
- G. Emergency contact card
- H. Flashlight
- I. Driver Accident Report form

Approved and Adopted.

Date: _____

Signed: _____
Ronald G. Pearson
Chairman