

Policies and Procedures Handbook

Illinois Institute of Technology

Procedure No.: T.2

Date of Issue: 5/06

Subject: Driving Privileges

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I. PURPOSE

This policy sets forth requirements applicable to all drivers of IIT-owned or leased vehicles ("IIT Vehicles") and certain other drivers. Its goal is to safeguard people, protect equipment and reduce the frequency and severity of vehicular accidents. Driving an IIT Vehicle or driving another vehicle on IIT business is a privilege. If a driver fails to meet the requirements of this policy, IIT reserves the right to deny or revoke driving privileges.

II. SCOPE AND APPLICATION

This policy applies to all IIT employees, students, contractors and agents (each an "IIT Driver"):

1. Operating an IIT Vehicle as part of their IIT employment;
2. Operating an IIT Vehicle in conjunction with a sponsored research project; and
3. Operating a vehicle other than an IIT Vehicle for IIT-related business at least 20 hours or 200 miles per month on average.

III. DRIVER REQUIREMENTS

An IIT Driver may only drive an IIT Vehicle or drive a non-IIT vehicle for IIT-related business if he or she meets all of the criteria set forth in this policy. IIT may revoke a driver's right to so drive if he or she does not meet the criteria outlined in or fails to follow the requirements of this policy.

- A. Before an IIT Driver may drive an IIT Vehicle or drive a non-IIT vehicle for IIT-related business, he or she must comply with the following:
 1. Have had a valid driver's license for the prior five years for the class of IIT Vehicle or non-IIT vehicle that the he or she drives or seeks to drive;
 2. Immediately notify his or her supervisor if his or her driver's license is suspended, revoked or has any limitations or restrictions, and the supervisor should then notify the General Counsel's Office;
 3. If driving a non-IIT vehicle for IIT-related business, have personal automobile insurance in at least the minimum amounts required by Illinois law; and
 4. Submit a completed Motor Vehicle Record ("MVR") consent form authorizing IIT or its agent to check his or her MVR.
- B. Upon being granted permission to drive an IIT Vehicle or to drive a non-IIT vehicle for IIT-related business, an IIT Driver must adhere to the provisions below. Failure to so adhere may result in the loss of driving privileges.

1. Observe all applicable federal, state and local motor vehicle laws;
 2. Report all incidents and accidents involving IIT Vehicles or a non-IIT vehicle being driven for IIT-related business in accordance with established IIT procedures and cooperate in any investigation of the incident and any subsequent proceedings;
 3. Wear a seat belt at all times and ensure that all passengers do so; and
 4. Maintain a MVR that satisfies the standards for an acceptable MVR as set forth in this policy.
- C. All drivers of IIT Vehicles or driving a non-IIT vehicle for IIT-related business are prohibited from engaging in the following:
1. Knowingly operating an unsafe vehicle;
 2. Consuming or being under the influence of alcohol or any substance that may cause impairment while driving;
 3. Offering rides to unauthorized passengers; and
 4. Driving IIT vehicles for unauthorized personal use.

IV. PROCEDURES

- A. Before IIT grants driving privileges to anyone covered by this policy, IIT will determine whether the proposed IIT Driver meets the requirements of this policy, including having an acceptable MVR. To this end, any new prospective driver must submit a copy of his or her driver's license (and proof of insurance if he or she will be driving a non-IIT vehicle for IIT-related business) along with a completed MVR Consent Form (which is attached) to the General Counsel's Office. Departments are responsible for ensuring that their drivers have submitted the requisite items. For existing drivers, IIT may at any time review a driver's MVR to determine if the driver has an MVR that satisfies IIT criteria. Further, IIT anticipates undertaking a random (sampling) review of existing driver's MVR annually.
- B. MVRs will be evaluated in accordance with the following criteria:

Type	Description of Violation
A	Includes, but is not limited to, DWI or DUI, refusing substance test, reckless driving, manslaughter, hit & run, eluding police, any felony, drag racing, license suspension and driving while license suspended
B	Includes all at fault vehicle accidents and speeding violations of 26 miles per hour in excess of the posted speed limit
C	Includes all moving violations not classified as Type A or Type B, such as speeding 25 miles per hour or less, improper lane change, failure to yield, or running a red light
D	Includes all non-moving violations, such as illegal parking and vehicle defects

C. For new (prospective) drivers of IIT Vehicles, if said driver has been cited for or involved in the violations listed below, then said driver will be deemed not to have an acceptable MVR and will not be granted IIT driving privileges. For IIT Drivers, if the IIT Driver is found to have been cited for or involved in the violations listed below, then said IIT Driver will be deemed to no longer have an acceptable MVR and will have his or her IIT driving privileges revoked. The applicable violations are as follows:

1. One or more Type A violations in the preceding 36 months;
2. Two or more Type B violations in the preceding 36 months;
3. Three or more Type C violations in the preceding 36 months; or
4. One Type B violation and two Type C violations in the preceding 36 months.

Further, if after being granted driving privileges, an IIT Driver is found to have been cited for or involved in the violations listed below, the IIT Driver will no longer be deemed to have a per se acceptable MVR, and IIT may, at its discretion, suspend his or her IIT driving privileges for a period of up to 6 months:

1. One Type B violation in the preceding 24 months;
2. Two Type C violations in the preceding 24 months;
3. Four or more Type D violations in the preceding 24 months.

An IIT Driver may only be suspended twice. A violation of any type during the 12 months following two suspension periods will lead to the immediate revocation of driving privileges.

For purposes of this policy, IIT will assume the accuracy of the MVR, and an IIT Driver will not be able to challenge a decision to deny, suspend or revoke one's driving privileges due to alleged errors in the MVR.

D. In the event an IIT Driver's MVR is found to be unacceptable, the General Counsel's Office will contact the IIT Driver's supervisor, as well as Human Resources, if the IIT Driver is an employee, to notify them of the denial, suspension or revocation of driving privileges. If the IIT Driver disagrees with the determination based upon alleged errors in the MVR, he or she must address these matters with the relevant officials of the Illinois Secretary of State's Office. If in fact the MVR was inaccurate, IIT will review the person's MVR upon notification from him or her that the MVR has been corrected.

V. PROHIBITION ON THE USE OF CELL PHONES AND TEXTING

Consistent with best practices for safe driving as well as federal, state and local laws, no individual covered by this Policy may (i) use a non-hands-free cell phone to make or receive calls or (ii) read, enter or send text messages, e-mails, instant messages or the like while operating a vehicle on an active roadway with the motor running, including while temporarily

stationary because of traffic, a traffic light, stop sign, or otherwise. Such activities are permissible only when the vehicle, with or without the motor running, has been pulled over to the side of, or off, an active roadway and has been halted in a location where it can safely remain stationary. The foregoing prohibition does not preclude glancing at or listening to a navigational device that is secured in a commercially designed holder affixed to the vehicle, provided that the destination and route are programmed into the device either before driving or while stopped in a location off the roadway where it is safe and legal to park.

VI. ENFORCEMENT OF POLICY

Failure to meet the conditions of this policy, including maintaining an acceptable MVR, may result in the denial, suspension or revocation of driving privileges, reassignment to a non-driving position and/or disciplinary action as provided for and in accordance with applicable IIT policies.

**Illinois Institute of Technology
Motor Vehicle Report Consent Form**

I _____ give my consent for IIT to complete a background check on my previous driving record in accordance with IIT's policy on the *Driving Privileges*. As part of this procedure, IIT has my permission to order Motor Vehicle Records (MVRs) from any and all states in which I currently hold and previously held a driver's license. I understand that IIT has established MVR review criteria against which my driving history will be compared to determining my driving eligibility, which such criteria includes, but is not limited to, the requirement that I have had a valid driver's license for the prior five (5) years for the class of IIT Vehicle or non-IIT vehicle that I drive or seek to drive. I further understand that failure to grant consent to IIT to conduct such a background check means, at a minimum, that I forfeit my driving privileges. In the event that I forfeit my driving privileges, I understand that if my job duties include driving, my duties will be reviewed to determine whether I can continue my position without driving IIT vehicles and, if so, which additional non-driving duties IIT will require me to perform.

I agree to release any agent that IIT retains in connection with securing my MVR for all liability arising from its access to or disclosure of information under this form.

_____ (Signature) _____ (Date)

Applicant's Name: _____ Position: _____

Department: _____ Date of Hire: _____

Social Security #: _____ Sex: _____ Date of Birth: _____

Driver's License #: _____ State: _____ Date of Issue: _____

Driver's License #: _____ State: _____ Date of Issue: _____

Driver's License #: _____ State: _____ Date of Issue: _____