

35-4 Use of ENMU System Motor Vehicles

35-4-1 Purpose • 35-4-2 Policy • 35-4-3 Administration • 35-4-4 Definitions • 35-4-5 Regulations

1. **Purpose.** The purpose of these policies and procedures is to establish guidelines for use, care and maintenance of vehicles owned, rented, leased or otherwise used by Eastern New Mexico University System (the System).
2. **Policy.** The general polices established in furtherance of the foregoing purpose are as follows:
 - A. Only authorized drivers are permitted to operate equipment or drive a state vehicle owned, rented or leased or used by the System (see definition 4A).
 - B. Only authorized passengers will be transported in a state vehicle.
 - C. The use or unlawful possession of alcoholic beverages or drugs is prohibited in state vehicles.
 - D. The use of any tobacco products, e-cigarettes or vaping machines is prohibited in state vehicles.
 - E. Authorized drivers shall abide by all applicable traffic laws and licensing requirements as outlined in the most current version of the New Mexico Criminal and Traffic Law Manual or the traffic laws of any state they are operating the vehicle in. If any authorized driver receives a traffic citation while operating a vehicle owned or leased by the ENMU System, that individual will be held financially responsible for any and all costs associated with the violation of the state traffic laws they receive the citation in.
 - F. System employees and supervisors shall not allow anyone other than an authorized driver or passenger to drive or be transported in a state vehicle.
 - G. System employees who may operate a state vehicle in the official performance of their duties for the System are required to notify the Office of Human Resources (OHR) and their supervisor immediately of any known changes in their driver's license status to include expiration, suspension or revocation.
 - H. State vehicles used to support the mission of the ENMU System are allowed to be driven out of state and out of country in accordance with the provisions of this policy and as mandated in NMAC 1.5.3.27 (A) (B).

The foregoing purposes and policies are implemented by the following:

Procedures

3. **Administration.** These polices, regulations and procedures shall be administered by the ENMU System chief financial officer (CFO), with assistance and coordination of the Physical Plant, Purchasing and Department of Public Safety (DPS) or closest departmental equivalents as designated by the President at each branch community college.

4. Definitions. The following definitions specifically apply to these policies and are consistent with state laws, New Mexico Administrative Code and applicable insurance policies of the System.

- A. **State Vehicle.** Means an aircraft, watercraft, automobile, van, sport utility truck, pickup truck, utility vehicle, golf cart, electric car, or any other type of equipment, machinery maintenance vehicles owned, rented or leased by the System
- B. **Authorized Driver.** Means a current member of the System Board of Regents, Community College Board, students, faculty or staff who are currently employed by the System and hold a valid and current New Mexico or out of state driver's license and possess an approved defensive driving certification.
- C. **Authorized Passenger.** Means an individual who is permitted to occupy a state vehicle and who has received prior authorization from the dean, director or area executive administrator.

5. Regulations.

- A. **Training and Certifications.** Those supervising personnel within the System will assure their employees have proper training, certifications and licensing necessary to operate state vehicles and associated trailers, machinery or apparatus attached to such vehicles.
- B. **Care and Maintenance.** Supervisors and employees of the System shall adhere to the following:
 - (1) State vehicles will be cared for and maintained in a safe operational condition when such vehicles are regularly used or in service to the System. This provision does not apply to state vehicles that are out of commission or those pending public auction.
 - (2) State vehicles will be properly equipped with necessary life safety equipment and surrounding safety perimeters when applicable.
 - (3) Those responsible for state vehicles will assure that proper reporting and notifications are made to applicable law enforcement agencies or departments on campus when the vehicle is involved in any damage to System property (including the vehicle), injury of a person to any degree, involved in a vehicle crash or is missing.
- C. **Waiver of Defensive Driving Certificate.** In special circumstances, the Defensive Driving Certificate requirement may be temporarily waived with a written request by the employee's supervisor stating that the employee needs to drive a state vehicle and that the employee will take the defensive driving course at the earliest opportunity.
- D. **Suspension of Driving Privileges.** An employee's driving privileges will be suspended if, for any reason, his/her driver's license is revoked or suspended or the employee allows the license to expire.
- E. **Driving Under the Influence.** Any employee who receives a citation for driving a state-owned, leased or rented vehicle while under the influence of alcohol or drugs will have his/her System driving privileges suspended or revoked by the CFO.

- (1) Any passengers who are authorized System drivers may also have their driving privileges revoked or suspended.
 - (2) Any employee convicted of a DWI while driving a state vehicle may be terminated from employment at the ENMU System.
 - (3) Any System employee who was a passenger at the time of the DWI citation resulting in a conviction may also be terminated from employment if the employee knew or should have known that the driver was under the influence of alcohol or drugs and did not take reasonable action to prevent the driver from operating the vehicle.
- F. Penalty for Negligence. The employee's driving privileges may be suspended or revoked by the CFO if a state owned, leased or rented vehicle is damaged or destroyed due to negligence on the part of the employee. Other disciplinary action, including termination, may be taken at the discretion of the CFO.
- G. Accidents. If involved in an accident resulting in property damage or bodily injury, an employee must notify the Physical Plant by telephone as soon as reasonably possible and submit an accident report within 24 hours of returning to campus. Failure to comply may result in loss of System driving privileges and financial liability.

Approved by Board of Regents, March 14, 2008.

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