



EAST TENNESSEE STATE UNIVERSITY

Facilities Management

Policy Number: 100.4

Title: Vehicle Use Policy

Implementation Date: July 25th, 2016

Audit Date: June, 2026

Revised Date: June, 2026

Purpose

To establish standards regarding the safe use, operation, and maintenance of university owned or leased vehicles. including utility vehicles, golf carts, and all-terrain vehicles.

Scope

This policy applies to all employees in Facilities Management, including temporary employees.

Procedures

The following requirements apply to any type of university owned or leased vehicle, including utility vehicles, golf carts, and all-terrain vehicles:

1. All employees will use safety belts, if so equipped.
2. All employees must possess a valid driver's license before operating.
3. Employees must have their license on their person while operating.
4. All employees must immediately contact ETSU Police or police services having jurisdiction if they are involved in an accident and property damage occurs to the public (e.g. privately-owned vehicles or private property). If injuries are involved, immediately contact 911 for emergency services. ETSU Police will notify the appropriate Associate Vice President of all accidents involving Facilities Management personnel.
5. All employees involved in an accident (where only university property is damaged) must report the accident immediately to their supervisor. The supervisor will complete a *Facilities Property Damage Report Appendix A* and submit to the Director of Environmental Health & Safety.
6. Operators and passengers will keep all appendages (arms, legs, feet, etc.) in the vehicle during operation.
7. Employees are prohibited from riding in trailers or other pulled equipment not designed for passenger occupancy.

Note: All utility vehicles are prohibited to drive on College Heights Road (to access the golf course or access campus from the golf course) when wet/icy/snowy road conditions exist. Only service trucks/cars will be used on College Heights Road when these conditions exist.

Post-Accident Drug and Alcohol Testing

Employees must submit to post accident drug and alcohol testing, if requested by the appropriate Associate Vice President. Post-accident drug and alcohol testing will be coordinated by the ETSU Chief of Police or his/her designee. Testing will commence as soon as practical after the incident. See attachment B entitled "Reasonable Suspicion and Post-Accident Drug and Alcohol Testing" regarding specific guidelines for post-accident drug and alcohol testing.

Special Assignments and Personal Use

In general, employees will leave university owned vehicles parked on campus when not in use to perform job duties. On a case-by-case basis, the appropriate Associate Vice President may approve an employee to drive the vehicle to their residence if travel to or from a destination will occur before or after normal working hours.

A vehicle may be assigned to a specific employee to perform their official duties and personal use if their job regularly requires travel after normal work hours. This situation is normally limited to vice presidents, executive staff, and professional staff. The Chief Operating Officer must approve any specialty assignments. In general, this provision of a university vehicle is considered a taxable fringe benefit to the extent the vehicle is used by the employee for personal purposes. Employees who are assigned a vehicle on a 24-hour, 7 day-a-week basis should notify their insurance carrier to properly insure any personal exposure.

Responsibilities

All Facility Management employees, managers, and supervisors are responsible for reading and reviewing this policy. All Facilities Management employees using university vehicles are responsible for adhering to this policy. All Facilities Management directors, associate directors, and supervisors will ensure that their subordinates adhere to this policy. Facilities Management employees who fail to comply with this policy may be subject to progressive disciplinary action for non-compliance with university policies.

References

Tenn. Code Ann. § 55-9-603 (2016) - **Use of safety belts in passenger vehicles**

Contact Persons

Associate Vice President of Capital Planning and Facilities Services
Associate Vice President for Administration
Director of Facilities Management Operations

Director of Environmental Health and Safety
Associate Director of Environmental Health and Safety

Approved by: _____
Laura Bailey, Associate Vice President, Capital Planning and
Facilities Services

Date approved: _____

Approved by: _____
Jeffery S. Blanton, Associate Vice President for Administration

Date approved: _____

Audited: March, 2017
February 2022
June 2026

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February 2022
June 2026

Facilities Property Damage Report Form (Appendix A)

Employee Name(s): _____

Incident Date: _____

Shop: _____ Supervisor: _____

Exact Location of Incident (**take photos if necessary to identify location and hazards, if present**):

Description of Incident:

Weather Conditions (if outside): _____

Lighting Condition:

Description of Property Damage (**take photos**):

(Appendix B) Reasonable Suspicion and Post-Accident Drug and Alcohol Testing

All East Tennessee State University (ETSU or University) employees are subject to testing when they cause or contribute to accidents that seriously damage an ETSU vehicle, machinery, equipment or property, or that results in an injury to themselves or another employee requiring offsite medical attention.

***Reasonable Suspicion** will be presumed to arise in any instance involving a work-related accident or injury in which an employee who was operating any ETSU-owned or leased motorized vehicle (including utility carts, construction/heavy equipment, etc.), is found to be responsible for causing the accident.

- In any of these instances, the investigation and subsequent testing must take place within two hours of the accident.
- Refusal by an employee will be treated as a positive drug test result and will result in immediate termination of employment.
- Under no circumstances will the employee be allowed to drive himself or herself to the testing facility. A member of management must transport the employee or arrange for transportation (e.g. a cab or Uber) and arrange for the employee to be transported home.

Collection and Testing Procedures

Employees subject to alcohol testing will be transported to an ETSU-designated facility and directed to provide breath specimens. Alcohol tests may consist of a breath, blood, or saliva test, at the company's discretion. For purposes of this policy, test results generated by sworn law enforcement or medical providers may be considered by the University as evidence of work rule violations.

Employees subject to drug testing will be transported to an ETSU-designated testing facility and directed to provide urine specimens. The laboratory will screen all specimens and confirm all positive screens. There must be a chain of custody from the time specimens are collected through testing and storage.

ETSU Sanctions for Employees

Consequences

Employees who refuse to cooperate in required tests or who use, possess, buy, sell, manufacture, or dispense an illegal drug in violation of this policy will be terminated. If the employee refuses to be tested, yet the University believes he or she is impaired, under no circumstances will the employee be allowed to drive himself or herself home.

Employees who test positive or otherwise violate this policy, will be subject to discipline, up to and including termination, and may forfeit eligibility for any and all workers' compensation benefits.

Employees will be paid for time spent in alcohol or drug testing and then suspended pending the results of the drug or alcohol test. After the results of the test are received, a date and time will be scheduled to discuss the results of the test; this meeting will include a member of management, a union representative (if requested), and HR. If the test results are negative, the employee will receive back pay for the times/days of suspension.

****Reasonable-Suspicion*** means testing based on a belief that an employee is using or has used drugs or alcohol in violation of ETSU policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. Among other things, such facts and inferences may be based upon:

- (1) Observable phenomena while at work, such as direct observation of drug or alcohol use or of the physical symptoms or manifestations of being under the influence of a drug or alcohol;
- (2) Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
- (3) A report of drug or alcohol use in the workplace, provided by a reliable and credible source;

(4) Evidence that an individual has tampered with a drug or alcohol test during his employment with his/her current covered employer;

(5) Information that an employee has caused, contributed to, or been involved in an accident or injury involving anyone at work; or

(6) Evidence that an employee has used, possessed, sold, solicited, or transferred drugs or alcohol while working or while on the covered employer's premises or while operating the covered employer's vehicle, machinery, or equipment.

(7) An accident which results in an injury to another individual or in property damage exceeding Five Thousand Dollars (\$5,000.00), or such minimum amount as set by U.S. DOT Guidelines, if less, shall be presumed to constitute reasonable suspicion for purposes of these rules.

Authority: T.C.A. § 49-8-203, et seq; T.C.A. §§ 50-6-110(c), 50-6-418, and 50-9-101; Tenn. Comp. R. & Regs. 0800-02-12-.02; Drug-Free Campus Policy; Campus Alcohol Policy