



General Liability

Use of Vehicles Policy

This policy statement is intended to establish and implement uniform standards to maximize the safety of those using vehicles owned by the Diocese of San Jose. The following requirements apply.

A. VEHICLES OWNED BY THE DIOCESE

Vehicles owned by the Diocese may only be driven by Diocesan employees and for business use only.

1. Employees who drive Diocesan vehicles must have a current valid Driver's License and a safe (*see: MVR standards below*) driving record.
2. Each Diocesan vehicle must be equipped with a Vehicle Insurance Identification Card and Vehicle Incident Report form.
3. Drivers must be over 21 years of age to transport children.
4. Volunteers are not permitted to drive Diocesan vehicles.
5. All drivers must have a Motor Vehicle Report (MVR), 65% clear based on a predetermined point system, and must be checked on an annual basis. The individual location is responsible for obtaining the report.

An acceptable MVR includes the following minimum standards:

- At least 65 percent of an individual's MVRs is "clear;"
- No MVRs with a major conviction; and
- No new driver is hired with a "borderline" or "poor" MVR.

To assist you in evaluating individual MVRs, we have developed the following table and definitions:

Acceptable "MVR"- No more than 2 minor violations; OR 1 at-fault accident in the last 3 years; OR no more than a combination of 1 minor violation and 1 at-fault accident in the last 3 years.

Borderline "MVR"- 3 minor violations; OR 2 at-fault accidents in the last three years; OR any combination of minor violations and at-fault accidents in the last 3 years totaling 3 occurrences.

Poor "MVR"- 1 or more major convictions in the last 5 years; OR 4 or more

minor violations; OR 3 or more at-fault accidents in the last 3 years; OR any combination of minor violations and at fault accidents totaling 4 or more occurrences.

Major Violations:

- Driving under the influence of alcohol/drugs
- Failure to stop/report an accident
- Reckless driving/speeding contest
- Driving while impaired
- Making a false accident report
- Homicide, manslaughter or assault arising out of the use of a vehicle
- Driving while license is suspended/revoked
- Careless driving
- Attempting to elude a peace officer

Minor Violations - Any moving violation other than a major except:

- Motor vehicle equipment, load or size requirement
- Improper/failure to display license plates (if they exist)
- Failure to sign or display registration
- Failure to have Driver's License in possession (if valid license exists)

6. All drivers should be trained in the areas of speed and road conditions. Refer to Section F **“TRAINING”**
7. No one may ride in the bed of pick-up trucks.
8. In the interest of the safety of Diocesan employees, volunteers and other drivers, cell phone use is prohibited while driving a vehicle owned by the Diocese or while driving a vehicle used for Diocesan business.

B. SPECIALIZED VEHICLES

In some instances passenger vans and buses will often be the most effective means of transportation for certain activities and events involving Diocesan employees, members, students, etc. Accordingly, **in addition to the above requirements**, the following policies apply to specialized vehicles such as 15-Passenger Vans and Buses.

Vans and Buses

The Diocese maintains the following standards for the safe operation of passenger vans and buses used for the transportation of the Diocesan employees, members, students, etc.:

Note: Schools - In addition to this policy, when transporting students, please refer to the **INSTRUCTIONAL PROGRAM, OPERATIONAL MATERIALS AND SERVICES** (Section 6000) of the Department of Education Policies & Procedures Manual.

1. All van/bus usage must be in compliance with municipal, state, and federal requirements.
2. All van/bus drivers must be a minimum of 21 years of age.
3. All vans/buses should not be overloaded with passengers and/or luggage.
4. All van/bus drivers must have an acceptable Motor Vehicle Report (MVR) based on a predetermined point system, and must be checked on a biannual basis. The reports must be updated twice a year and kept on file at each location. The individual location is responsible for obtaining the reports.
5. All van/bus tire pressure is checked on a weekly basis, at a minimum, by the assigned responsible individual at their location. Tire pressure should be maintained at manufacturers' specifications.
6. It is the individual location's responsibility to assure that appropriate child restraints are provided in accordance with minimum State requirements.
7. All van/bus drivers must have completed the training on the placement of passengers and cargo. Refer to Section F "TRAINING"
8. All van/bus drivers must be trained in the areas of speed and road conditions. Refer to Section F "TRAINING"

C. VEHICLES OWNED BY EMPLOYEES OR VOLUNTEERS USED ON PARISH BUSINESS

When personally owned vehicles are used for church or school business, the following policies must be followed:

1. Drivers must be over 21 years of age to transport children.
2. The driver must have a current Drivers License for the class of vehicle being used.
3. The driver must carry Liability Insurance (minimum 100,000/300,000) as required by state law.
4. The driver must complete a Driver Verification form.
5. Each occupant must have and use a seat belt. Child seat State requirements apply.
6. In the interest of the safety of Diocesan employees, volunteers and other drivers, cell phone use is prohibited while driving a vehicle owned by the Diocese or while driving your personal vehicle for Diocesan business.
7. No one may ride in the bed of pick-up trucks.

8. It is recommended, the use of chartered transportation for field trips whenever possible.

Note: Schools - In addition to this policy, please refer to the **INSTRUCTIONAL PROGRAM, OPERATIONAL MATERIALS AND SERVICES** (Section 6000) of the Department of Education Policies & Procedures Manual.

D. OPERATION OF VEHICLES THAT BELONG TO MEMBERS OF THE PUBLIC

In the event that a Diocesan event is planned, where an employee of the Diocese or volunteer is required to drive motor vehicles that belong to others, written approval from the authorized individual (Pastor or Administrator or their designee) of their location, is required.

E. OPERATION OF DIOCESAN VEHICLES BY PRIESTS FROM ANOTHER DIOCESE OR COUNTRY

Many pastors, as well as associates, invite and house priests from another diocese or country during their vacation time. In these situations, the pastor is responsible to see that the priest (guest) is qualified to operate any of the parish vehicles.

Due to state laws regarding drivers, it is imperative that these priests have an understanding of our basic driving laws. It is required that these individuals have a current valid license with a photocopy of their current State or International Driver's License and a copy be kept on file.

Proof of current vehicle insurance is required by all visiting priest and a copy be kept on file.

F. TRAINING

The department of Risk Management will be the resource center for all vehicle forms, safety training information, training requirements, and assistance in scheduling of trainings for all locations. It is the individual location's responsibility however, to comply with this policy and the requirements. Any questions pertaining to this policy can be addressed to the Director of Risk Management.

G. KEEPING TRAINING RECORDS

The record keeping and retention is the responsibility of the authorized individual (Pastor or Administrator or their designee) of each location. Records of all vehicle training and vehicle safety of all personnel that operates a Diocesan vehicle must be 'housed' at the individual location. The authorized individual (Pastor or Administrator or their designee) in charge of their location is responsible for checking and maintaining all records retention on all activities related to this policy.

H. KEEPING MAINTENANCE RECORDS

The record keeping and retention is the responsibility of the authorized individual (Pastor or Administrator or their designee) of their location. Records of all maintenance and repairs on Diocesan vehicles must be maintained for the life of the vehicle.

I. REPORT MOTOR VEHICLE ACCIDENTS

Whenever there is a motor vehicle accident, when a vehicle owned by the Diocese is involved, the authorized individual (Pastor or Administrator *or their designee*) of their location should report it immediately to the Diocese Risk Management Department and contact Arthur J. Gallagher Risk Management Services. This should include any police report (if applicable) along with the 'Incident Report' form. The Incident Report form must include all detailed information pertaining to the accident along with any photos (if applicable).

J. REPORTING MOTOR VEHICLE CHANGES

Whenever there are additions or deletions of motor vehicles at a Diocesan location, the authorized individual (Pastor or Administrator *or their designee*) of their location, should immediately provide detailed information to the Diocese Risk Management Department and contact Arthur J. Gallagher Risk Management Services. This information should include the year, make, model, vehicle identification, license number, and where garaged.