



Driving and Traffic Safety Program

October 2014

DRIVING AND TRAFFIC SAFETY PROGRAM

Table of Contents

Introduction	1
Authorization	1
Use of System Owned and Leased Vehicles	1
General Policy Requirements	3
Operation of Motor Vehicles in Connection with Employment	5
Vehicle Operation Requirements	8
Policy for Use of Vehicles Rented or Leased by the Employees for University Business	11
Policy for Use of Vehicles Rented or Personal Vehicle	12
Insurance Coverage for Authorized Drivers	12
Responsibilities in the Event of a Motor Vehicle Accident Involving an Employee While on University Business	13
Accident Investigation and Reports	17
Theft and Vandalism of Fleet Vehicles	19
References	19

APPENDICES

Appendix A – Pre-Trip Vehicle Inspection Checklist	21
Appendix B – Vehicle Accident Report	22
Appendix C – Driving Record Point System	23
Appendix D – Transportation Code, Title 7, Subtitle C, Chapter 550	23

The University of Houston-Downtown’s Risk Management Department wishes to acknowledge the use of the University of Houston – Clear Lake Driving and Traffic Safety Policy Manual.

INTRODUCTION

This document outlines the policies covering the use of motor vehicles owned, leased, or rented by the University of Houston Downtown for business purposes. Motor vehicle means any motor vehicle, including highway vehicles, forklifts and boom lifts driven by a University of Houston Downtown (*hereafter, the University*) employee while conducting authorized business regardless of whether the motor vehicle is owned by the University, privately owned by a university employee or third party or a rental vehicle.

AUTHORIZATION

This program complies with the State Office of Risk Management (SORM) guidelines for Texas State Agencies, otherwise known as RMTSA. The RMTSA requires a [Traffic Safety Program](#) per Volume III, Sect. 2, Ch. 6.13. This plan serves to merge the Traffic Safety Program with associated University of Houston Systems Administrative Memorandums, associated University of Houston Downtown Policy Statements and Accident Prevention and Safety aspects of the [Fleet Safety Program](#) contained in Vol. II, Sect. 2 of the RMTSA that the University of Houston-Downtown falls under authority of.

The management and upkeep of fleet vehicles is addressed separately by UH SAM [03.E.07 - Fleet Management Plan](#) (PDF), which is managed by the Director of University Business Services. A separate policy also describes the requirements of Travel by Students to university funded activities, as required by [UH SAM 03.E.08](#) (PDF).

[Back to Table of Contents](#)

USE OF SYSTEM OWNED AND LEASED VEHICLES

- A. Only persons authorized by the University may drive vehicles owned or leased by the University of Houston System. Vehicles may be used for component university business only, except if specifically authorized otherwise. In accordance with statute and the University's fleet management program, no employee shall use any state-owned vehicle

except on official university business. Authorized persons are responsible for complying with the policies set forth in this document.

- B.** Where vehicles are allowed for personal use, costs associated with personal use shall be reported as income, in accordance with Internal Revenue Service regulations and System Administrative Memorandum [03.D.06, Taxable Fringe Benefits](#) (PDF).
- C.** Authorization of drivers shall, in most cases, be restricted to component university employees, except in those cases where students or spouses may be authorized for limited use of certain vehicles.
- D.** Motor vehicle records (MVR) shall be checked prior to extending an offer of employment to anyone required to operate a component university owned or leased vehicle and annually thereafter for anyone authorized to operate a vehicle that is owned or leased by the component university.
- E.** Completion of a three hour Defensive Driving Course (DDC) at least once every two years is required for Facilities Management, Police Department and University Business Services employees who regularly drive on university business. The course will be offered at no cost to the employee on pre-scheduled dates by the University. Employees may also take the course with any other Texas Education Agency (TEA) constituent to satisfy the course requirement, but must do so at their own expense if they do not attend one offered by the University.
- F.** Authorized employees shall have a Blanket Travel Authorization approved for the fiscal year for their vehicle allowance so they may be reimbursed for vehicle costs and/or mileage incurred while on university business. Mileage for each day and/or event must be recorded.
- G.** Forli lift and boom lift drivers must complete an approved training program and pass the written test in order to be certified to drive a fork lift or boom lift. Recertification is required every three years. Scissor lift drivers also must attend an approved training program to be a competent operator. Retraining is mandatory if there is any accident involving a forklift or scissor lift. The training is offered by Facilities

Management through the Environmental Health & Safety Department at no cost to the employee.

[Back to Table of Contents](#)

GENERAL POLICY REQUIREMENTS

- A. APPROVED DRIVERS** - Employees who operate university owned, leased or rented motor vehicles while conducting university authorized business shall be on the University's Approved Drivers List.

To avoid non-compliance, Department Managers are expected to:

1. Identify employees reasonably expected to drive a university motor vehicle on university business one or more times per year.
2. Provide a list of those employees to Employment Services and Operations.
3. Ensure only those employees on the approved drivers list drive a university motor vehicle.

No new employee of the University, subject to the provisions of 02.A.16 - Motor Vehicle Record Evaluation Policy shall operate a university vehicle in the conduct of university business until a Motor Vehicle Report (MVR) has been completed and authorization has been obtained.

All job vacancies involving authorized university driving will be posted to note that a valid driver's license and a satisfactory driving record are a condition of employment.

- B. AUTHORIZED BUSINESS** - Activities directly connected with university business as well as personal activities, such as meals, and maintenance of university vehicles, so long as those activities are directly associated with university business. **Authorized business** also includes those situations where it is necessary to use a motor vehicle for emergency purposes, e.g., unexpected injury or illness. It may include the use of motor vehicles for reasonable personal activities while on authorized business, such as for evening activities while out of town on university business.

The use of a university-owned or university-rented motor vehicle for purposes other than performing or carrying out authorized business is not allowed.

C. DEFENSIVE DRIVING COURSE –

1. Of the Approved Driver's list, Facilities Management, Police Department and University Business Services employees who regularly drive on university business are required to attend a three hour Safe Driving course, which will be offered by the University at least once every two years.
2. The course(s) offered by the University may be used for university insurance purposes only, and cannot be used for off-campus ticket dismissal, as UHD courses are not TEA accredited. However, the course(s) offered by the University may be able to be used for discounts on employee's personal automobile insurance (confirm with your insurance agent). Employee's electing to take the class offered by the University, when not required by this driving policy, must do so on personal time (vacation hours).

D. CONDITIONS OF DRIVING - Employees of the University shall exercise the normally prudent care in operating a motor vehicle while performing authorized business.

Employees who operate motor vehicles while conducting authorized business are required to follow the [Vehicle Operation Requirements](#) set forth in this document and follow all state traffic safety laws.

Employees shall report, within one business day, to their Department Manager any moving vehicle mishaps while on authorized business (see [Operation of Motor Vehicles in Connection with Employment](#)). Likewise, any revocation or suspension of a driver's license shall be reported no later than the next business day.

Employees who are authorized drivers must be knowledgeable regarding the requirements and guidelines set forth in this policy.

Violation of this policy, including improper use of a motor vehicle or failure to maintain a satisfactory driving record as determined by the University, shall result in the removal of the employee from the approved drivers list and may subject the employee to disciplinary action, which may include termination. **Nothing in this policy changes or limits the employment at-will status of an employee and the University's right to terminate an employee at any time.**

[Back to Table of Contents](#)

OPERATION OF MOTOR VEHICLES IN CONNECTION WITH EMPLOYMENT

A. POLICY

No employee, potential employee, student or volunteer is allowed to operate a university-owned or leased vehicle until a Motor Vehicle Report (MVR) has been completed and authorization has been obtained.

Motor Vehicle Record (MVR) checks are to be conducted annually by Employment Services and Operations (ESO) on those employees whose jobs require driving a university-owned or leased vehicle as an essential part of their job, and on those employees who have used fleet vehicles during the previous year.

MVR's may be requested more frequently on employees with accidents or moving violations reported on their MVR.

[Motor Vehicle Record Evaluation Request](#) (PDF)

The standards for determining whether a person can be granted driving privileges are as follows:

Acceptable Driver

- Valid Texas Driver's license
- No at-fault accidents within the past three (3) years
- Fewer than two moving violation convictions within the past three years

Probationary Driver

- Valid Texas Driver's license
- No more than one at-fault accident within the past three years
- No more than two moving violation convictions within the past three years

Drivers classified as "Probationary" are required to complete a defensive driving course within 60 days of receiving notice from ESO of such probationary status, and prior to being authorized to operate a university-owned or leased vehicle.

- The cost of the defensive driving course must be paid by the employee.
- The defensive driving course must be taken on the employee's own time.
- Employees may not operate a university-owned or leased vehicle until proof of successfully completing a defensive driving course is submitted to ESO.
- MVR's will be conducted on Probationary drivers every six months for a period of two years

Unacceptable Driver

- Any conviction for driving while intoxicated (DWI), driving under the influence of drugs (DUI), driving under revocation, involuntary manslaughter, hit and run, felony with a vehicle, or vehicular homicide
- Three (3) or more moving violations within the past three years or; two or more at fault accidents within the past three years
- No valid driver's license

B. PROCEDURES

The employee, potential employee, student or volunteer completes the [Motor Vehicle Record Evaluation Request form](#) (PDF) at least 48 hours before needing to drive a university-owned or leased vehicle.

The Motor Vehicle Record Evaluation Request form is forwarded to ESO. ESO is responsible for processing the background check.

Following the guidelines specified on paragraph 3.3 above, the VPESO and Chief of Police will evaluate MVR reports and determine an employee, potential employee, student or volunteer as:

- Acceptable Driver
- Probationary Driver
- Unacceptable Driver

ESO contacts the supervisor with the results of the MVR verification and files the original MVR for one year.

ESO is responsible for running MVR's every six months for a period of two years on those drivers classified as "Probationary".

Supervisors are responsible for assuring that "Probationary" drivers have successfully completed a defensive driving course and forwarding proof to ESO.

Current employees transferring to a position which requires operation of a university-owned or leased vehicle are required to complete an MVR.

The cost for running an MVR is charged to the department for which the employee, potential employee, student or volunteer will be driving.

ESO is responsible for requesting MVR's every August for those employees whose jobs require driving a university-owned or leased vehicle as an essential part of their job and on those employees who have used fleet vehicles during the fiscal year.

ESO is responsible for processing requests from department managers for exceptions to the UHD MVR Evaluation Policy acceptability criteria and reporting all exceptions granted, along with the rationale for each such granted exception, to the UH System Director of Risk Management on a quarterly basis, in compliance with SAM 01.C.13.

[Back to Table of Contents](#)

VEHICLE OPERATION REQUIREMENTS

- A. An employee is required to exercise the normally prudent care demanded by the road, weather, light, and all other prevailing driving conditions.
- B. Drivers of motor vehicles are responsible for knowing and complying with Texas motor vehicle and driver licensing laws and rules, and operate in compliance with the common “rules of the road”, regardless of whether vehicles are operated on sidewalks or roadways.
- C. Drivers should conduct a pre-trip inspection on the vehicle for conditions that could cause hazardous driving, including the exterior, interior, and mechanical system. For extensive trips or out of town destinations, an inspection form is included in **Appendix A** to help conduct with a more thorough inspection, including items the driver should inspect versus those that the loaning department or rental car company should inspect. Items recommended for an Emergency Kit are also included.
- D. Vehicles shall be operated in a manner that does not interfere with normal pedestrian or vehicular traffic flow on roadways, sidewalks, and ramps. Pedestrians shall be afforded the right-of-way and utmost courtesy at all times.
- E. No employee shall operate a motor vehicle who does not have a valid Texas driver’s license and who is not on the approved drivers list. An employee must carry a valid Texas driver’s license while operating a motor vehicle.
- F. Commercial Driver’s Licenses will be required according to the Texas Department of Public Safety for the following vehicles:
 - 1. Has a gross combination weight or a gross combination weight rating of 26,001 or more pounds, including a towed unit with a gross vehicle weight or a gross vehicle weight rating of more than 10,000 pounds
 - 2. Has a gross vehicle weight or a gross vehicle weight rating of 26,001 or more pounds

3. Is designed to transport 16 or more passengers, including the driver
 4. Is transporting hazardous materials and is required to be placarded under 49 C.F.R. Part 172, Subpart F
- G.** The driver and all passengers shall wear safety belts whenever operating/traveling in a motor vehicle.
- H.** University-owned or rented vehicles are to be used for authorized university business only.
- I.** Rental of 15 passenger vans are not allowed due to USDOT rollover reports and tendencies for rollovers. Alternative rental vehicles include 15 passenger (including the driver) buses which are more stable, some of which may be available without a commercial driver's license.
- J.** The carrying of firearms is prohibited, with the exception of peace officers.
- K.** Carrying or consumption of alcoholic beverages or illegal drugs is prohibited, with the exception of peace officers transporting alcoholic beverages or illegal drugs for official business. Employees shall adhere to Texas Department of Public Safety laws regarding alcohol consumption.
- L.** No employee shall operate a motor vehicle while under the influence of any drug or medication which may tend to degrade a person's ability to operate a motor vehicle in a safe and prudent manner.
- M.** Non-university personnel shall not ride in a university-owned or rented vehicle unless the person's presence is directly related to the immediate conduct of university business or has been specifically approved by the appropriate vice president.
- N.** All privately-owned motor vehicles used by employees to conduct university business shall have a current motor vehicle inspection sticker, a valid license plate and shall have

liability insurance in effect that meets or exceeds the minimum coverage required by state law. It is the responsibility of the vehicle owner to meet these state requirements.

- O.** The University will not pay any citations incurred by an employee.
- P.** Employees are responsible for the security of the vehicle while the vehicle is provided to them.
- Q. Pedestrians** (includes those utilizing wheelchairs or other mobility assistance)
 - 1. Vehicles shall be operated with the utmost courtesy, care, and consideration for the safety and convenience of pedestrians.
 - 2. Pedestrians shall be afforded the right-of-way at all times.
 - 3. Operators must account for the fact that a pedestrian may be physically impaired and unable to hear or see the motor vehicle, or unable to move quickly.
 - 4. Operators must reduce speeds in heavy pedestrian traffic or stop until the traffic has lessened.
 - 5. Operators must never attempt to get pedestrians out of their way by intimidating them to step off the sidewalk or by use of the vehicle horn.
 - 6. Whenever an operator feels he/she cannot predict the actions of a pedestrian or other vehicle operator, he/she must come to a complete stop before proceeding.
- R.** Employees shall provide timely notification of safety and maintenance concerns to the Fleet Manager.
- S. Cargo**
 - 1. Vehicles equipped with a cargo bed or ladder rack shall not be overloaded. Overloading decreases maneuverability and safe operation.

2. Materials and equipment shall be loaded so they will not cause a hazard by shifting or falling off.
3. Top heavy equipment is especially dangerous and should be secured near the center of the Vehicle to avoid tipping. Be extremely careful during turning maneuvers.
4. Loads must not extend beyond the front or sides of the body of the vehicle.
5. Loads that extend more than three feet from the rear of the vehicle must be flagged with a brightly colored material, usually red or orange.

[Back to Table of Contents](#)

POLICY FOR USE OF VEHICLES RENTED OR LEASED BY THE EMPLOYEE FOR UNIVERSITY BUSINESS

- A. The State Comptroller's Office contracts with car rental agents for use by employees conducting business away from their primary business location. Most rates include unlimited free mileage within the state of rental, free Loss Damage Waiver and free primary liability coverage. Component university employees are required to use a state-contracted car rental agent if that vendor can provide the type vehicle required in the needed location. An exception may be allowed when a less expensive rate for the same vehicle and coverage can be obtained from a non-state contracted vendor (the Loss Damage Waiver and primary liability coverage must be purchased).
- B. A vehicle shall be rented or leased in the name of any component of the University of Houston System only if its use is for component university business.

[Back to Table of Contents](#)

POLICY FOR USE OF PERSONAL VEHICLES

- A.** An employee may be reimbursed for mileage at the official state rate when a personal vehicle is used for component university business whether local or outside the component university area. Mileage reimbursement for local, intercity mileage or mileage to/from a local airport is not available for those employees receiving automobile allowances. However, mileage reimbursement is available to employees who receive an automobile allowance when they drive their personal vehicle to destinations that are more than 100 miles from their component university office to conduct component university-related business. The state mileage reimbursement rate takes into account gasoline costs, wear and tear on the vehicle, maintenance and insurance.
- B.** The employee’s personal insurance is expected to cover driver liability, comprehensive and collision damage to the vehicle. Because of this exposure, component university employees are encouraged to use vehicles that are owned, leased or rented by the component university, rather than personal vehicles for component university business.

 - 1. Should the employee’s insurance carrier deny coverage or should any legal actions by a third party exceed the primary liability limit, the component university’s automobile coverage will provide excess liability protection.
 - 2. The component university’s automobile insurance does not provide comprehensive or collision coverage for an employee’s personal vehicle.

[Back to Table of Contents](#)

INSURANCE COVERAGE FOR AUTHORIZED DRIVERS

- A.** Automobile liability coverage is provided for authorized drivers of component university-owned or leased vehicles. Details on coverage and limits may be obtained from the UHD Director of Risk Management and Compliance.
- B.** When a System employee rents a vehicle or uses his/her personal vehicle while traveling in the course and scope of employment and the proper Travel Request (or other documentation that substantiates business purpose) is provided, component university

coverage includes component university liability and workers' compensation. When renting vehicles while traveling on component university business, the employee should purchase the optional liability and physical damage coverage offered by the rental car company if this coverage is not already included in the base rate. Vehicles rented from state-contracted vendors usually include liability and physical damage coverage in the base rate, so it is normally not necessary to purchase this coverage when using state-contracted rental car companies. Information about state-contracted rental car companies is available on the Comptroller's web site:

<http://comptroller.texas.gov/procurement/prog/stmp/stmp-rental-car-contract/>

- C. Component university employees while on official component university business are covered for bodily injuries by Workers' Compensation insurance, administered through the State Office of Risk Management.
- D. The component university is not responsible for damage or loss of personal property in rental vehicles or component university-owned or leased vehicles.

[Back to Table of Contents](#)

RESPONSIBILITIES IN THE EVENT OF A MOTOR VEHICLE ACCIDENT INVOLVING AN EMPLOYEE WHILE ON UNIVERSITY BUSINESS

A. Employee's Responsibilities at the Scene

1. Stop the vehicle immediately, avoiding obstruction to normal flow of traffic. Place appropriate warning signs or lights, if available, to prevent additional accidents or damage.
2. If you can do so safely, render aid and assistance to any injured persons. Request medical assistance from police, firemen, or EMS technicians. The driver of any vehicle involved in an accident resulting in injury or death is required by law to

render reasonable assistance to an injured person, which includes making arrangements for or carrying the injured person to treatment facility.

3. Notify the proper law enforcement agency having jurisdiction at the place of the accident. If the accident or loss occurs on university property, the component university campus police should be contacted immediately.
 - a) City Police Department within an incorporated city
 - b) County Sheriff Department outside city limits
 - c) Texas Department of Public Safety on highways or rural areas
4. Comply with all state laws regarding motor vehicle accident reporting and investigation. (See **Appendix E.**)
5. Make no statements concerning fault or responsibility for the accident and engage in no arguments. Do not sign any waiver concerning the accident. Assist law enforcement personnel in their investigation, but do not speculate about what happened. If you do not know or are unsure of the answer to any question, state you do not know. State the facts clearly and objectively, with no false, subjective or misleading statements.
6. Obtain the names, telephone numbers, and addresses of the drivers of all other vehicles involved in the accident. Also obtain their driver's license number, license plate number and the name, address and phone number for their insurance carrier.
7. Obtain the names, addresses and telephone numbers of witnesses, if possible.
8. If a camera is available, obtain photographs of all vehicles, showing the condition and damage of each vehicle.
9. If not injured, remain at the scene until the investigation is completed or until released by law enforcement personnel at the scene.

B. Employee's Responsibilities after an Accident

Texas Department of Transportation [Driver's Crash Report: CR-2](#) (PDF)

Texas Department of Transportation – [Texas Peace Officer's Crash Report](#) (for Peace Officers' conduct of a crash investigation): [CR-3](#) (PDF)

For Employee Injury reference: [Employee Accident, Incident or Near Miss Reporting](#)

For Workers' Compensation information reference: [Workers' Compensation Program](#)

For UHS owned vehicle damage reference: [Vehicle Accidents](#)

1. Notify your Department Manager, Risk Management & Compliance and Employment Services & Operations' (ESO) Workers' Compensation Claims Coordinator as soon as possible after the accident or after any other unusual circumstances, but not later than one business day.
2. An employee needs to be prepared to provide the following information to the Risk Management & Compliance Department during notification:
 - a) Time and location of the accident.
 - b) Other occupants in employee's motor vehicle.
 - c) License plate/serial number of employee's motor vehicle.
 - d) Nature of injuries, and/or property damage.
3. An employee involved in a motor vehicle accident shall complete a [UHD Vehicle Accident Report Form](#). These forms can be obtained from the [Environmental Health & Safety](#) website:

The employee must submit the motor vehicle accident report, along with any photographs or film to the UHD Risk Management & Compliance Department within 24 hours after a motor vehicle accident has occurred.

4. ESO's Workers' Compensation Claims Coordinator will complete the Employer's First Report of Injury or Illness (Form TWCC-1S) according to the applicable rules and instructions contained in the Claims Coordinator Handbook for all motor vehicle accidents which occur during the course and scope of employment and result in an employee injury.
5. The employee is also responsible for filing the accident report with the appropriate law enforcement authority, as applicable, and for complying with any other requirements of state law relating to drivers involved in a motor vehicle accident. If an accident is not investigated by a law enforcement officer and the accident resulted in injury or death or an extent of at least \$1,000, the driver of the vehicle must forward a written report of the accident to the Texas DPS within ten days after the accident. (Reference [TX DOT form CR-2](#) (PDF))

The employee shall provide any other information relating to the accident as requested by the Risk Management & Compliance Department.

C. Department Manager and/or Risk Management & Compliance Department Responsibilities - Upon notification that an employee is involved in an accident, the Department Manager of the employee and/or the Risk Management & Compliance Department shall:

1. Take all necessary action to protect the health and welfare of the University personnel involved in the accident.
2. Take necessary steps to protect university property involved in the accident.
3. Ensure that a complete investigation of the accident has been made. Assist the employee in meeting all of his/her responsibilities regarding the accident.

4. Inform ESO of the accident for record keeping purposes and ensure the completed accident report is given to ESO/UHS Risk Management as appropriate. Third party claims information is included below in [Accident Investigation and Reports – Section B](#).

[Back to Table of Contents](#)

ACCIDENT INVESTIGATION AND REPORTS

This section applies to motor vehicle accidents involving employees while on university business whether involving university owned or leased vehicles, personal vehicles or rental cars.

A. Risk Management & Compliance Department Responsibilities

1. The UH Risk Management & Compliance Department shall inform the UH System's Risk Management Department as soon as possible after the accident.
2. Upon receipt of a completed vehicle accident report, the Risk Management & Compliance Department shall review Accident form and other documents for completeness of information and accident review.
3. Accident review shall be conducted by the Police Department to determine the cause of the accident and whether there was anything the driver could have reasonably done or anticipated that would have prevented the occurrence.
4. Accident review may generate one or more of the following recommendations:
 - a) A cautionary letter
 - b) Enrollment in a defensive driving course
 - c) Restricted use of a component university vehicle
 - d) Attendance in traffic court with written report of proceedings
 - e) Assessment of part or all damage cost to university property

- f) Transfer to a non-driving assignment
- g) Other disciplinary action, up to and including dismissal

If the accident review recommendations result in any personnel disciplinary action, university officials will follow established policies and procedures pertaining to that type of personnel action.

B. Coordination of Accident Investigation of Third Party Claims

1. The UHD Risk Manager shall coordinate information regarding third party claims and provide the information to the University of Houston System Risk Management Department (UHSRM), who in turn will work with the Office of General Counsel to investigate and process the claim. The Risk Manager shall be responsible for receiving accident reports from the Department Manager of an employee involved in a motor vehicle accident and forwarding all accident-related information to UHSRM.
2. Requests for payment of damages by third parties involved in an accident with a motor vehicle shall be filed with the UHD Risk Manager. A Department Manager receiving such a request shall forward it to the UHD Risk Manager. The UHD Risk Manager will then provide information on requirements and procedures for filing a claim.
3. Accident investigation information should be compiled and maintained by the Risk Management & Compliance Department. This information should be analyzed to determine frequency and severity of various types of accidents and other statistical information that may be beneficial to agency management.

[Back to Table of Contents](#)

THEFT AND VANDALISM OF FLEET VEHICLES

In the event a fleet or leased vehicle is stolen, damaged or destroyed, contact the Risk Management & Compliance Department, and the rental car company if applicable.

- A.** The Risk Management & Compliance Department will then notify the Police Department who will need the following information:
- Vehicle make, model and color
 - Vehicle registration license plate number
 - Vehicle identification number (VIN)
 - Name of driver
 - Name of any witnesses
 - Last known location of vehicle
- B.** If an agency vehicle is destroyed, Fleet Management will report to the Texas Building and Procurement Commission, the Comptroller's Office and UHD Risk Management.

[Back to Table of Contents](#)

REFERENCES

University of Houston System Administrative Manual (SAM)

- [01.C.13 - Business Use of Vehicles](#) (PDF)
- [03.E.07 - Fleet Management Plan](#)(PDF)
- [03.A.03 - Business Travel](#) (PDF)
- [01.C.15 - Pedestrian Safety](#) (PDF)
- [03.E.08 Travel by Students to Component University Funded Activity](#) (PDF)
- [01.F.01 – Public Safety Standards](#) (PDF)

Police Vehicle Fleet: All component universities will comply with the following:

- Texas Penal Code, Title 7 Offenses Against Property, Chapter 31 Theft, Traffic Safety Program

[Section 31.07 - Unauthorized Use of a Vehicle](#)

- 2.6.3. Texas Transportation Code, Title 7 Vehicles and Traffic, Chapter 545
Operation and Movement of Vehicles, [Section 413 - Safety Belts; Offense](#)
- [01.C.11 – Property Loss Claims](#) (PDF)

University of Houston-Downtown Policy Statement:

- [02.A.16 - Motor Vehicle Record Evaluation Policy](#) (PDF)

State Office of Risk Management (SORM) - Risk Management for Texas State Agencies (RMTSA)
Guidelines

- Vol. III, Sect. Two, Chapter 6.13, [Traffic Safety Program](#)
- Vol. II, Sect. Two: [Fleet Safety Program](#)

[Back to Table of Contents](#)



FLEET MANAGEMENT DAILY VEHICLE CHECKLIST

Driver's Name _____ Date: ___/___/___

Vehicle License Plate No: _____

Beginning Odometer Reading: _____ /Ending Odometer Reading: _____

Destination/Purpose of trip & # of Passengers: _____

DAILY VEHICLE CHECKLIST/REPAIRS (checks to be conducted before use of the vehicle)

Indicate with X	Satisfactorily	Defective	N/A
Seat Belts			
Air conditioner; Heater; Defroster			
Warning devices – oil, temperature, battery, etc.			
Windshield, wipers, fluids			
Mirrors			
Horn			
Head lights & Tail lights			
Brakes – adequate stopping power			
Tires – tread, pressure, inflation			
Engine/Transmission/Alternator			
Body condition – scratches, damage, etc.			
Cleanliness			
Texas Liability Insurance Card & Automobile Loss Report Procedure			

COMMENTS/SUGGESTIONS

VEHICLE ACCIDENT REPORT

The UHD Vehicle Accident Report form may vary from year to year based upon the insurance provider. Reference [Vehicle Accidents](#) (PDF) to access the current form.

Timing for form:	Report to UHD Risk Management for forwarding to UH Risk Management within 24 hours of the incident.
Timing for additional information:	As the information becomes available, also include the police report, any official reports or records, photos, videos and any additional information that will assist in the accident investigation.
Report needed if:	There is a vehicle accident, whether the vehicle was damaged or not
Who is responsible for the additional report(s)/information?	<ul style="list-style-type: none">• Initial Form - The employee involved in the report. If no employees involved, the Officer responding to the call/incident• Photos – Environmental Health and Safety• Video - Electronic Security Systems Manager• Follow Up Reports/Records – Department receiving the reports/information
Deductible:	<ul style="list-style-type: none">• First \$1,000 for collision or comprehensive claims• Department pays deductible on any funds paid for resulting claims
Policy Reference:	SAM 01.C.02 - Risk Management - Allocation of Insurance Premium and Claim Reimbursement and SAM 01.C.13 - Risk Management - Business Use of Vehicles

[Back to Table of Contents](#)

DRIVING RECORD POINT SYSTEM

(Point values given by the Texas Department of Safety for Motor Vehicle Record Checks)

Points are assessed for traffic convictions. Once the conviction has been added to the driver record, points are assigned and remain on the driver record for three years from the date of conviction.

1. Two points are assessed for a Texas or out-of-state traffic conviction.
2. Three points are assessed for a Texas or out-of-state traffic conviction that resulted in a crash.

NOTE: Points are not assessed for individuals who take defensive driving.

TRANSPORTATION CODE

CHAPTER 550. ACCIDENTS AND ACCIDENT REPORTS

SUBCHAPTER A. GENERAL PROVISIONS

§ 550.001. APPLICABILITY OF CHAPTER. This chapter applies only to:

- (1) a road owned and controlled by a water control and improvement district;
- (2) a private access way or parking area provided for a client or patron by a business, other than a private residential property, or the property of a garage or parking lot for which a charge is made for storing or parking a motor vehicle; and
- (3) a highway or other public place.

Acts 1995, 74th Leg., ch. 165, § 1, eff. Sept. 1, 1995.

SUBCHAPTER B. DUTIES FOLLOWING ACCIDENT

§ 550.021. ACCIDENT INVOLVING PERSONAL INJURY OR DEATH.

(a) The operator of a vehicle involved in an accident that results or is reasonably likely to result in injury to or death of a person shall:

(1) immediately stop the vehicle at the scene of the accident or as close to the scene as possible;

(2) immediately return to the scene of the accident if the vehicle is not stopped at the scene of the accident.

(3) immediately determine whether a person is involved in the accident, and if a person is involved in the accident, whether that person requires aid; and

(4) remain at the scene of the accident until the operator complies with the requirements of Section [550.023](#).

(b) An operator of a vehicle required to stop the vehicle by Subsection (a) shall do so without obstructing traffic more than is necessary.

(c) A person commits an offense if the person does not stop or does not comply with the requirements of this section. An offense under this section:

(1) involving an accident resulting in:

(A) death of a person is a felony of the second degree; or

(B) serious bodily injury, as defined by Section [1.07](#), Penal Code, to a person is a felony of the third degree; and

(2) involving an accident resulting in injury to which Subdivision (one) does not apply is punishable by:

(A) imprisonment in the Texas Department of Criminal Justice for not more than five years or confinement in the county jail for not more than one year;

(B) a fine not to exceed \$5,000; or

(C) both the fine and the imprisonment or confinement.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 97 (H.B. [1840](#)), Sec. 2, eff. September 1, 2007.

Acts 2013, 83rd Leg., R.S., Ch. 70 (S.B. [275](#)), Sec. 1, eff. September 1, 2013.

Acts 2013, 83rd Leg., R.S., Ch. 1099 (H.B. [3668](#)), Sec. 1, eff. September 1, 2013.

§ 550.022. ACCIDENT INVOLVING DAMAGE TO VEHICLE.

(a) Except as provided by Subsection (b), the operator of a vehicle involved in an accident resulting only in damage to a vehicle that is driven or attended by a person shall:

(1) immediately stop the vehicle at the scene of the accident or as close as possible to the scene of the accident without obstructing traffic more than is necessary;

(2) immediately return to the scene of the accident if the vehicle is not stopped at the scene of the accident; and

(3) remain at the scene of the accident until the operator complies with the requirements of Section [550.023](#).

(b) If an accident occurs on a main lane, ramp, shoulder, median, or adjacent area of a freeway in a metropolitan area and each vehicle involved can be normally and safely driven, each operator shall move the operator's vehicle as soon as possible to a designated accident investigation site; if available, a location on the frontage road, the nearest suitable cross street, or other suitable location to complete the requirements of Section [550.023](#) and minimize interference with freeway traffic.

(c) A person commits an offense if the person does not stop or does not comply with the requirements of Subsection (a). An offense under this subsection is:

(1) a Class C misdemeanor, if the damage to all vehicles is less than \$200; or

(2) a Class B misdemeanor, if the damage to all vehicles is \$200 or more.

APPENDIX D (cont.)

(c-1) A person commits an offense if the person does not comply with the requirements of Subsection (b). An offense under this subsection is a Class C misdemeanor.

(d) In this section, a vehicle can be normally and safely driven only if the vehicle:

(1) does not require towing; and

(2) can be operated under its own power and in its usual manner, without additional damage or hazard to the vehicle, other traffic, or the roadway.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Amended by:

Acts 2005, 79th Leg., Ch. 1066 (H.B. [1484](#)), Sec. 1, eff. September 1, 2005.

§ 550.023. DUTY TO GIVE INFORMATION AND RENDER AID. The operator of a vehicle involved in an accident resulting in the injury or death of a person or damage to a vehicle that is driven or attended by a person shall:

(1) give the operator's name and address, the registration number of the vehicle the operator was driving, and the name of the operator's motor vehicle liability insurer to any person injured or the operator or occupant of or person attending a vehicle involved in the collision;

(2) if requested and available, show the operator's driver's license to a person described by Subdivision (1); and

(3) provide any person injured in the accident reasonable assistance, including transporting or making arrangements for transporting the person to a physician or hospital for medical treatment if it is apparent that treatment is necessary, or if the injured person requests the transportation.

Acts 1995, 74th Leg., ch. 165, § 1, eff. Sept. 1, 1995.

§ 550.024. DUTY ON STRIKING UNATTENDED VEHICLE.

(a) The operator of a vehicle that collides with and damages an unattended vehicle shall immediately stop and:

(1) locate the operator or owner of the unattended vehicle and give that person the name and address of the operator and the owner of the vehicle that struck the unattended vehicle; or

(2) leave in a conspicuous place in, or securely attach in a plainly visible way to, the unattended vehicle a written notice giving the name and address of the operator and the owner of the vehicle that struck the unattended vehicle and a statement of the circumstances of the collision.

(b) A person commits an offense if the person violates Subsection (a). An offense under this section is:

(1) a Class C misdemeanor, if the damage to all vehicles involved is less than \$200; or

(2) a Class B misdemeanor, if the damage to all vehicles involved is \$200 or more.

Acts 1995, 74th Leg., ch. 165, § 1, eff. Sept. 1, 1995.

§ 550.025. DUTY ON STRIKING STRUCTURE, FIXTURE, OR HIGHWAY LANDSCAPING.

(a) The operator of a vehicle involved in an accident resulting only in damage to a structure adjacent to a highway or a fixture or landscaping legally on or adjacent to a highway shall:

(1) take reasonable steps to locate and notify the owner or person in charge of the property of the accident and of the operator's name and address and the registration number of the vehicle the operator was driving;

(2) if requested and available, show the operator's driver's license to the owner or person in charge of the property; and

(3) report the accident if required by Section [550.061](#).

(b) A person commits an offense if the person violates Subsection (a). An offense under this section is:

(1) a Class C misdemeanor, if the damage to all fixtures and landscaping is less than \$200; or

(2) a Class B misdemeanor, if the damage to all fixtures and landscaping is \$200 or more.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 680 (H.B. [42](#)), Sec. 1, eff. September 1, 2011.

Acts 2011, 82nd Leg., R.S., Ch. 680 (H.B. [42](#)), Sec. 2, eff. September 1, 2011.

§ 550.026. IMMEDIATE REPORT OF ACCIDENT.

(a) The operator of a vehicle involved in an accident resulting in injury to or death of a person or damage to a vehicle to the extent that it cannot be normally and safely driven shall immediately by the quickest means of communication give notice of the accident to the:

(1) local police department if the accident occurred in a municipality

(2) local police department or the sheriff's office if the accident occurred not more than 100 feet outside the limits of a municipality

(3) sheriff's office or the nearest office of the department if the accident is not required to be reported under Subdivision (1) or (2)

(b) If a section of road is within 100 feet of the limits of more than one municipality, the municipalities may agree regarding the maintenance of reports made under Subsection (a)(2). A county may agree with municipalities in the county regarding the maintenance of reports made under Subsection (a)(2). An agreement under this subsection does not affect the duty to report an accident under Subsection (a).

Acts 1995, 74th Leg., ch. 165, § 1, eff. Sept. 1, 1995.

SUBCHAPTER C. INVESTIGATION OF ACCIDENT

§ 550.041. INVESTIGATION BY PEACE OFFICER.

(a) A peace officer who is notified of a motor vehicle accident resulting in injury to or death of a person or property damage to an apparent extent of at least \$1,000 may investigate the accident and file justifiable charges relating to the accident without regard to whether the accident occurred on property to which this chapter applies.

(b) This section does not apply to:

(1) privately owned residential parking area

(2) privately owned parking lot where a fee is charged for parking or storing a vehicle

Acts 1995, 74th Leg., ch. 165, § 1, eff. Sept. 1, 1995. Amended by Acts 2001, 77th Leg., ch. 531, § 1, eff. Sept. 1, 2001.

SUBCHAPTER D. WRITTEN ACCIDENT REPORT

§ 550.061. OPERATOR'S ACCIDENT REPORT.

(a) The operator of a vehicle involved in an accident shall make a written report of the accident if the accident is not investigated by a law enforcement officer and the accident resulted in injury to or the death of a person or damage to the property of any one person to an apparent extent of \$1,000 or more.

(b) The report required by Subsection (a) must be filed with the department not later than the 10th day after the date of the accident.

(c) A person commits an offense if the person does not file the report with the department as required by this section.

(d) Venue for the prosecution of an offense under this section is in the county in which the accident occurred.

(e) The department may require:

(1) the operator of a vehicle involved in an accident in which a report is required by this section to file a supplemental report if the department considers the original report insufficient; and

(2) a witness of an accident to make a report with the department.

Acts 1995, 74th Leg., ch. 165, § 1, eff. Sept. 1, 1995. Amended by Acts 2001, 77th Leg., ch. 531, § 2, eff. Sept. 1, 2001.

§ 550.062. OFFICER'S ACCIDENT REPORT.

(a) A law enforcement officer who in the regular course of duty investigates a motor vehicle accident shall make a written report of the accident if the accident resulted in injury to or the death of a person or damage to the property of any one person to the apparent extent of \$1,000 or more.

(b) The report required by Subsection (a) must be filed with the department not later than the 10th day after the date of the accident.

(c) This section applies without regard to whether the officer investigates the accident at the location of the accident and immediately after the accident or afterwards by interviewing those involved in the accident or witnesses to the accident.

Acts 1995, 74th Leg., ch. 165, § 1, eff. Sept. 1, 1995. Amended by Acts 2001, 77th Leg., ch. 531, § 3, eff. Sept. 1, 2001.

§ 550.063. REPORT ON APPROPRIATE FORM.

The form of all written accident reports must be approved by the department and the Department of Public Safety. A person who is required to file a written accident report shall report on the appropriate form and shall disclose all information required by the form unless the information is not available.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 1407 (S.B. [766](#)), Sec. 3, eff. September 1, 2007.

§ 550.064. ACCIDENT REPORT FORMS.

(a) The department shall prepare and when requested supply to police departments, coroners, sheriffs, garages, and other suitable agencies or individuals the accident report forms appropriate for the persons required to make a report and appropriate for the purposes to be served by those reports.

(b) An accident report form prepared by the department must include:

(1) sufficiently detailed information to disclose the cause and conditions of and the persons and vehicles involved in an accident if the form is for the report to be made by a person involved in or investigating the accident

(2) a way to designate and identify a peace officer, firefighter, or emergency medical services employee who is involved in an accident while driving a law enforcement vehicle, fire department vehicle, or emergency medical services vehicle while performing the person's duties

(3) a statement by a person described by Subdivision (2) as to the nature of the accident

(4) a way to designate whether an individual involved in an accident wants to be contacted by a person seeking to obtain employment as a professional described by Section [38.01](#)(12), Penal Code

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 1997, 75th Leg., ch. 750, Sec. 3, eff. Sept. 1, 1997.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 689 (H.B. [343](#)), Sec. 2, eff. September 1, 2011.

§ 550.065. RELEASE OF CERTAIN INFORMATION RELATING TO ACCIDENTS.

(a) This section applies only to information that is held by the department or another governmental entity and relates to a motor vehicle accident reported under this chapter or Section [601.004](#), including accident report information compiled under Section [201.805](#), as added by Chapter 1407 (S.B. 766), Acts of the 80th Legislature, Regular Session, 2007.

(b) Except as provided by Subsection (c) or (e), the information is privileged and for the confidential use of:

(1) the department; and

(2) an agency of the United States, this state, or a local government of this state that has use for the information for accident prevention purposes

(c) On written request and payment of any required fee, the department or the governmental entity shall release the information to:

(1) an entity described by Subsection (b)

(2) the law enforcement agency that employs the peace officer who investigated the accident and sent the information to the department

(3) the court in which a case involving a person involved in the accident is pending if the report is subpoenaed; or

(4) a person who provides the department or governmental entity with two or more of the following:

(A) the date of the accident;

(B) the specific address or the highway or street where the accident occurred; or

(C) the name of any person involved in the accident.

(d) The fee for a copy of the accident report is \$6. The copy may be certified by the department or the governmental entity for an additional fee of \$2. The department or the governmental entity may issue a certification that no report or information is on file for a fee of \$6.

APPENDIX D (cont.)

(e) In addition to the information required to be released under Subsection (c), the department may release:

(1) information relating to motor vehicle accidents that the department compiles under Section [201.805](#), as added by Chapter 1407 (S.B. 766), Acts of the 80th Legislature, Regular Session, 2007; or

(2) a vehicle identification number and specific accident information relating to that vehicle.

(f) The department:

(1) may not release under Subsection (e) information that:

(A) is personal information, as defined by Section [730.003](#); or

(B) would allow a person to satisfy the requirements of Subsection (c)(4) for the release of information for a specific motor vehicle accident; and

(2) shall withhold or redact the following items of information:

(A) the first, middle, and last name of any person listed in an accident report, including a vehicle driver, occupant, owner, or lessee, a bicyclist, a pedestrian, or a property owner;

(B) the number of any driver's license, commercial driver's license, or personal identification certificate issued to any person listed in an accident report;

(C) the date of birth, other than the year, of any person listed in an accident report;

(D) the address, other than zip code, and telephone number of any person listed in an accident report;

(E) the license plate number of any vehicle listed in an accident report;

(F) the date of any accident, other than the year;

(G) the name of any insurance company listed as a provider of financial responsibility for a vehicle listed in an accident report;

APPENDIX D (cont.)

(H) the number of any insurance policy issued by an insurance company listed as a provider of financial responsibility;

(I) the date the peace officer who investigated the accident was notified of the accident;

(J) the date the investigating peace officer arrived at the accident site;

(K) the date the investigating officer's report was prepared;

(L) the badge number or identification number of the investigating officer;

(M) the date on which any person who died as a result of the accident died;

(N) the date of any commercial motor vehicle report; and

(O) the place where any person injured or killed in an accident was taken and the person or entity that provided the transportation.

(g) The amount that may be charged for information provided under Subsection (e) shall be calculated in the manner specified by Chapter 552, Government Code, for public information provided by a governmental body under that chapter.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995. Amended by Acts 1997, 75th Leg., ch. 165, Sec. 30.125(a), eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 1187, Sec. 13, eff. Sept. 1, 1997; Acts 2001, 77th Leg., ch. 1032, Sec. 5, eff. Sept. 1, 2001.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 470 (S.B. [375](#)), Sec. 1, eff. June 19, 2009.

§ 550.066. ADMISSIBILITY OF CERTAIN ACCIDENT REPORT INFORMATION. An individual's response to the information requested on an accident report form as provided by Section 550.064(b)(4) is not admissible evidence in a civil trial.

Acts 1995, 74th Leg., ch. 165, § 1, eff. Sept. 1, 1995.

§ 550.067. MUNICIPAL AUTHORITY TO REQUIRE ACCIDENT REPORTS.

(a) A municipality by ordinance may require the operator of a vehicle involved in an accident to file with a designated municipal department:

- (1) a report of the accident, if the accident results in injury to or the death of a person or the apparent total property damage is \$25 or more; or
- (2) a copy of a report required by this chapter to be filed with the department.

(b) A report filed under Subsection (a) is for the confidential use of the municipal department and subject to the provisions of Section 550.065.

(c) A municipality by ordinance may require the person in charge of a garage or repair shop where a motor vehicle is brought if the vehicle shows evidence of having been involved in an accident requiring a report to be filed under Section 550.061 or 550.062 or shows evidence of having been struck by a bullet to report to a department of the municipality within 24 hours after the garage or repair shop receives the motor vehicle, giving the engine number, registration number, and the name and address of the owner or operator of the vehicle.

Acts 1995, 74th Leg., ch. 165, § 1, eff. Sept. 1, 1995.

§ 550.068. CHANGING ACCIDENT REPORT.

(a) Except as provided by Subsection (b), a change in or a modification of a written report of a motor vehicle accident prepared by a peace officer or the operator of a vehicle involved in an accident that alters a material fact in the report may be made only by the peace officer or person who prepared the report.

(b) A change in or a modification of the written report of the accident may be made by a person other than the peace officer or The operator of the vehicle if:

- (1) the change is made by a written supplement to the report; and
- (2) the written supplement clearly indicates the name of the person who originated the change.

Added by Acts 1997, 75th Leg., ch. 214, § 1, eff. Sept. 1, 1997.

SUBCHAPTER E. OTHER REPORTS

§ 550.081.

REPORT OF MEDICAL EXAMINER OR JUSTICE OF THE PEACE. (a) In this section:

(1) "Department" means the Texas Department of Transportation.

(2) "Bridge collapse" means the abrupt failure of the basic structure of a bridge that impairs the ability of the bridge to serve its intended purpose and that damages a highway located on or under the structure.

(b) A medical examiner or justice of the peace acting as coroner in a county that does not have a medical examiner's office or that is not part of a medical examiner's district shall submit a report in writing to the department of the death of a person that was the result of a traffic accident or bridge collapse:

(1) to which this chapter applies; and

(2) that occurred within the jurisdiction of the medical examiner or justice of the peace in the preceding calendar quarter.

(c) The report must be submitted before the 11th day of each calendar month and include:

(1) the name of the deceased and a statement as to whether the deceased was:

(A) the operator of or a passenger in a vehicle involved in the accident;
or

(B) a pedestrian or other nonoccupant of a vehicle;

(2) the date of the accident and the name of the county in which the accident occurred, and, if a bridge collapse, the location of the bridge in that county;

(3) the name of any laboratory, medical examiner's office, or other facility that conducted toxicological testing relative to the deceased; and

(4) the results of any toxicological testing that was conducted.

(d) A report required by this section shall be sent to:

APPENDIX D (cont.)

(1) the crash records bureau of the department at its headquarters in Austin;
or

(2) any other office or bureau of the department that the department designates.

(e) If toxicological test results are not available to the medical examiner or justice of the peace on the date a report must be submitted, the medical examiner or justice shall:

(1) submit a report that includes the statement "toxicological test results unavailable"; and

(2) submit a supplement to the report that contains the information required by Subsections (c)(3) and (4) as soon as practicable after the toxicological test results become available.

(f) The department shall prepare and when requested supply to medical examiners' offices and justices of the peace the forms necessary to make the reports required by this section.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 74 (H.B. [423](#)), Sec. 1, eff. September 1, 2007.

Acts 2007, 80th Leg., R.S., Ch. 1407 (S.B. [766](#)), Sec. 4, eff. September 1, 2007.

Reenacted and amended by Acts 2009, 81st Leg., R.S., Ch. 522 (S.B. [1218](#)), Sec. 2, eff. September 1, 2009.

[Back to Table of Contents](#)