

SOUTHWEST TENNESSEE COMMUNITY COLLEGE**SUBJECT: Motor Vehicles****EFFECTIVE DATE: July 1, 2000; Revised October 1, 2009; July 1, 2024; Revised September 1, 2026****Purpose**

The purpose of this policy is to establish the minimum regulations and procedures concerning the maintenance and operation of motor vehicles by employees of Southwest Tennessee Community College (“Southwest” or “the College”).

Definitions

State Vehicle- for purposes of this policy, a motor vehicle owned by the College.

Employee- any person employed full or part-time by Southwest or any person serving as a volunteer for Southwest. A volunteer is a person who meets the criteria set forth in Tenn. Code Ann. § 8-42-101(3)(B). Southwest is responsible for timely and properly registering volunteers with the division of claims and risk management within the State of Tennessee Department of Treasury

Authorized Driver - An employee or properly registered official volunteer who has received required departmental authorization, holds a valid driver’s license appropriate for the vehicle, and satisfies the College’s driver eligibility requirements.

College Vehicle - A State of Tennessee vehicle or any other motor vehicle owned, leased, rented, or otherwise placed under the control of the College for official business.

Policy

Vehicle use, assignment, checkout, inspection, fueling, maintenance, and incident records may be created, approved, transmitted, and retained electronically through College-approved systems, subject to applicable records-retention, privacy, and information-security requirements.

General Provisions

- A. Motor vehicles are maintained to facilitate the official business of the College. It is the responsibility of all employees to use Southwest vehicles efficiently and economically.
- B. All Southwest vehicles shall be used in accordance with the provisions of this policy.
- C. Before authorizing a driver, the College may verify licensure and driving eligibility. Authorized drivers must promptly report any suspension, revocation, restriction, or other change that may affect their legal or safe operation of a College vehicle.
- D. Authorized drivers shall comply with applicable seatbelt, distracted-driving, and mobile-device laws and shall not operate a College vehicle while impaired, fatigued, or otherwise unable to drive safely.

President

The Southwest President may be provided with an assigned motor vehicle for use or receive an automobile allowance. The terms of such use shall be set forth in the President's employment agreement or letter of appointment.

Motor Pools

- A. Southwest is authorized to maintain a central motor pool from which vehicles may be dispatched for official business. Pursuant to Tennessee Board of Regents (TBR) policy 4.03.02.00, Motor Vehicles, Southwest may establish policy provisions in addition to those stated in TBR's policy but, the Southwest policy may not conflict with TBR's policy. Southwest added the following provisions to its policy:
1. Out-of-State use of Southwest vehicles will be limited to athletic events and other College-sponsored activities. Other requirements should be met using commercial fleets.
 2. Southwest vehicles must be operated in accordance with city, county, and state traffic codes. Vehicle operators must pay for traffic citations written while the vehicles were assigned to them.
 3. When motor pool vehicles are maintained, an employee who needs to use a motor pool vehicle on Southwest business shall use a pool dispatched vehicle if one is available, unless the employee elects and obtains authorization to use a personally owned vehicle as provided in the TBR General Travel policy, 4.03.03.00 and Southwest General Travel policy, 4:03:03:01/21.
 4. In recognition of the evidence that smoking is a health risk to non-smokers and smokers alike, smoking is prohibited in College-owned vehicles, just as it is prohibited in the workplace.
 5. When feasible, all employees who are on official travel for the College should purchase gasoline or oil for College-owned vehicles at approved service stations. See the Physical Plant department for approved providers. Expenditures incurred at other service stations must be justified in writing and attached to the invoice from the gas and oil vendor. The College vehicle tag number must be indicated on all receipts for gasoline or oil purchases at other service stations. All employees are subject to this policy except for the President.
- B. Motor pool vehicles may be available for either trip assignments or special assignments.
1. Motor pool vehicles available for trip assignments will be centrally controlled by the College and made available for specific trips, returned to the motor pool upon completion of trips and shall be used only for official business and not for personal use.
 2. With the approval of the Chief of Administrative Services or designee, special assignment of motor pool vehicles may be made to a division or a person when necessary for use on a regular basis.
 3. Motor pool vehicles, including those used for trip assignments and special assignments may not be used for commuting purposes unless the employee:
 - a. Is departing upon or returning from an official trip away from their official station or the employee needs the vehicle to conduct College business after regular working hours or before usual working hours on the next day; or
 - b. Has been recommended by the President and approved by the Chancellor to be authorized to use the vehicle for commuting purposes.

Authorized Operators and Passengers

- A. Only Southwest employees with proper authorization may operate a College vehicle. Authorization to use a College vehicle shall be limited to official use within the scope of employment.
- B. All employees must have a valid driver's license, appropriate for the size of the vehicle to be driven, prior to being authorized to operate a College vehicle, and proof of the same is required. Verification and authorization records may be maintained electronically in a College-approved system.
- C. An authorized driver shall complete any vehicle-specific orientation, safety training, or other review

required by the College before operating a passenger van, commercial vehicle, specialty vehicle, or other vehicle for which additional preparation is appropriate.

- D. Passengers in College vehicles shall be limited to the following:
1. Employees of a TBR institution or the TBR system office;
 2. Students of the College engaged in College-sponsored activities; and
 3. Others when it is necessary or appropriate for them to accompany an employee on official business or as guests of the College. The spouse and children of employees generally are not considered guests of the College unless their attendance is required at the event and they are listed on approved travel authorizations. This provision does not apply to the College President.

Penalties for Misuse of Vehicles

- A. Employees who misuse vehicles will be subject to disciplinary sanctions, depending upon the magnitude of the misuse and the frequency with which it has occurred. Misuse includes any of the following:
1. Utilization of radar detection devices.
 2. Violations of traffic laws, including, but not limited to, exceeding posted speed limits, reckless driving, and illegal parking;
 3. Careless operation that results in damage to the vehicle or injury to persons or property;
 4. Use of a vehicle for personal business or unauthorized commuting purposes;
 5. Use of a vehicle contrary to the provisions of this policy; or
 6. Use of a handheld mobile device or other conduct that constitutes distracted driving in violation of applicable law or College requirements.
- B. An employee may be required to pay for damages to the vehicle caused by reckless, willful, or malicious misuse.

Notice of Liability and Penalties for Misuse

A notice of liability and penalties for misuse of motor vehicles (Attachment A) shall be posted at the site where vehicles are usually checked out and is to be placed in each vehicle in a place visible to the drivers. The notice may also be distributed or acknowledged electronically through a College-approved system.

Exceptions

Any exception to this policy must be approved in writing by the President who must consult the Chancellor if the exception will vary from the provisions of TBR policy 4.03.02.00, Motor Vehicles. Exceptions must be in stated writing, which can be by approved electronic means.

Accidents Involving College Vehicles

All accidents involving a Southwest vehicle must be reported to the following entities in this order:

- A. Call 911 immediately if an accident involves injuries to any passengers.
- B. Call Southwest Police (901-333-5555 or 901-333-4242) immediately to report all traffic accidents.
1. Southwest Police will respond to vehicle accidents when they are on College property, when they are on private property and an accident report is needed, or when the Tennessee Highway Patrol (THP) does not respond.
 2. Call Southwest Police for assistance in contacting local law enforcement if the accident occurs

outside of Tennessee.

- C. Call the THP at (731) 421-5035 immediately for all off-campus accidents in Tennessee. The THP is required to respond to auto accidents involving State of Tennessee vehicles.
- D. Call your Southwest supervisor immediately because it might be necessary to submit a Worker's Compensation claim. The Southwest supervisor will call the Tennessee Auto Accident Call Center if the employee is incapacitated due to the accident.
- E. Call the Southwest Physical Plant office at (901) 333-4240 and report the accident.
- F. Follow the Auto Accident Reporting instructions located inside the Southwest vehicle.
- G. Call the Tennessee Auto Accident Call Center at 855-253-0629 to create a liability insurance record. It is important that all accidents must be reported to the Auto Accident Call Center within 24 hours.

In case of an accident while operating a Southwest vehicle, DO NOT ADMIT FAULT, PROMISE COVERAGE, OR GUARANTEE REIMBURSEMENT to anyone. To file a claim for damages related to a Southwest vehicle, complete a Claim for Damages Form. This form is available by calling 615-741-2734 or online at <https://treasury.tn.gov/Services/Claims-and-Risk-Management/TORT-Liability>.

Records and Administration

The Physical Plant department and the Risk Manager shall maintain records of vehicle assignments, driver authorizations, inspections, maintenance, accidents, and related actions in accordance with applicable law, TBR requirements, and the College's records-retention schedule. Access to records containing personal or sensitive information shall be limited to authorized personnel.

Source of Policy: <u>Business & Finance</u>	Responsible Administrator: <u>Chief of Administrative Services</u>
Related Policy: <u>4:03:03:01/21</u>	TBR Policy Reference: <u>4:03:02:00</u>
Approved: <u></u> President	Date: <u>September 1, 2026</u>

Attachment A

Notice of Liability and Penalties for Misuse of Motor Vehicles

1. In the case of accidents involving employees of the College operating a College-owned vehicle, claims may be made against the College only through the Tennessee Board of Claims pursuant to Tenn. Code Ann. § 8-42-101(3)(B). In the alternative, injured persons may elect to initiate a civil action against the employee individually, in which case neither the College nor the state provides any protection against personal liability. Any employee who operates a College vehicle should obtain appropriate liability insurance for personal protection.
2. If an employee misuses a College vehicle, the employee will be subject to one or more of the following penalties:
 - A. Written reprimand or warning
 - B. Suspension without pay
 - C. Dismissal
 - D. Payment for damages to the vehicle
3. Electronic acknowledgement of this notice may be used when authorized by Chief of Administrative Services and retained with the applicable driver or vehicle records.