Introduction

These regulations are intended to ensure the safety of District students, the general public, and drivers of District vehicles. Vehicle accidents are costly to the District, but more importantly, they may result in injury. It is the driver’s responsibility to operate the vehicle in a safe manner and to drive defensively to prevent injuries and property damage. As such, the District endorses all applicable state motor vehicle regulations relating to driver responsibility. The District requires each operator of a District vehicle to drive in a safe and courteous manner in accordance with the guidelines and safety rules outlined in these regulations. The driver’s attitude behind the wheel is the single most important factor in driving safety.

Definitions

The following definitions will apply to this regulation:

- “District vehicle”—A vehicle that is owned, leased, or rented by the District or any employee conducting District business.
- “Yellow fleet”—All vehicles within the District transportation department (i.e., school buses). All yellow fleet vehicles fall under the authority of the executive director of transportation.
- “White fleet”—All other District vehicles excluding those in the transportation department. All white fleet vehicles fall under the authority of the executive director of transportation.
- “Responsible manager or department”—The supervisor or manager of a defined work area who has the authority to initiate corrective action or implement a procedural change.

Driver Eligibility

The District’s human resources classified employees office will confirm eligibility for District vehicle driving privileges at time of hire, based upon job requirements. Meeting eligibility requirements includes, but may not be limited to:

- Personal driving record review,
- Possession of a valid driver’s license,
- Consent to a medical exam for driver fitness,
- Consent to previous employer reference,
- Knowledge of the District’s policy pertaining to search and drug/alcohol testing, and
- Additional commercial driver’s license (CDL) requirements, if necessary.

Any physical impairment that impacts safe vehicle operation or that would prevent an applicant from obtaining a driver’s license may be grounds for rejecting the applicant for a position requiring use of
a District vehicle as part of his or her normal duties, subject to the provisions of the Americans with Disabilities Act (ADA).

District vehicles are to be driven by authorized employees only, or in case of repair testing, by a mechanic.

Any employee who has his or her driver’s license revoked or suspended will notify his or her immediate supervisor without delay and will discontinue operation of the District vehicle. The notified supervisor will contact the human resources (HR) department. Failure of the employee or supervisor to comply as required may result in disciplinary action up to, and including, termination.

All accidents, regardless of severity, must be reported to the local police department and to the immediate supervisor. Failure to stop after an accident and/or failure to report an accident may result in disciplinary action up to, and including, termination.

Drivers must immediately report all tickets received for moving violations during the operation of a District vehicle to their immediate supervisor. In the event a driver of a District vehicle is determined to have incurred serious violations, a written advisory will be issued stating he or she is in jeopardy of forfeiting his or her rights under this regulation, pending investigation. The lone exception to this rule is if the violation is of such magnitude to be the sole cause for termination of employment or driving rights.

All CDL drivers must comply with all applicable and ongoing Department of Transportation (DOT) regulations, including successful completion of medical, drug, and alcohol evaluations.

Motor vehicle records will be ordered periodically by the HR department to assess employees’ driving records. An unfavorable record will result in a loss of the privilege of driving a District vehicle, which may impact employability. Any traffic violations or license suspension identified by this assessment that was not reported to the District may result in disciplinary action, up to and including, termination.

For driver job applicants and current District drivers, the following criteria, as defined by the Texas Department of Public Safety, will be used to determine eligibility to operate a District vehicle:

- All Type “A” violations (as defined below) will result in termination of driving privileges for employees and will disqualify any potential driver employees (this may impact eligibility for employment or current job status).
- School bus drivers will follow Department of Public Safety and internal point system procedures and regulations.
Any other drivers (employees or applicants) showing one of
the following on their personal driving record will be restricted from driving District vehicles:

- One or more Type “A” violations in the last three years;
- Three or more accidents (preventable accidents) in the last three years;
- Three or more Type “B” violations in the last three years; or
- Any combination of accidents and Type “B” violations that equal four or more in the last three years.

**Type “A” Violations**

Type “A” violations include:

- Driving While Intoxicated;
- Driving While Under the Influence of Drugs;
- Negligent Homicide Arising Out of the Use of a Motor Vehicle (gross negligence);
- Operating During a Period of Suspension or Revocation;
- Using a Motor Vehicle for the Commission of a Felony;
- Aggravated Assault with a Motor Vehicle;
- Operating a Motor Vehicle Without the Owner’s Authority (grand theft);
- Permitting an Unlicensed Person to Drive;
- Reckless Driving;
- Speed Contest (racing); and
- Hit and Run (Bodily Injury or Property Damage).

**Type “B” Violations**

Type “B” violations include all moving violations not listed as Type “A” violations.

**List of Eligible Drivers**

Each department, campus, or responsible manager will maintain a current list of approved drivers. This list should include the types of vehicles each approved driver is authorized to operate.

**General Guidelines for Operation of District Vehicles**

Adherence to all traffic laws is mandatory. The driver is also expected to take reasonable defensive action, including reducing speed when confronted with unfavorable driving, road, or weather conditions.
All accidents involving District-owned vehicles, whether preventable or non-preventable, will be thoroughly investigated by the appropriate department (or designee), and an Austin ISD Motor Vehicle Accident Report will be prepared and submitted to the District vehicle insurance agent/carrier (Texas Association of School Boards) and the immediate supervisor of the employee. [See CNB(EXHIBIT)]

All accidents are subject to review through investigations conducted by the responsible manager or department accident review board.

District vehicles are to be driven only by the operator(s) to whom the vehicles have been assigned. Under no circumstances will non-approved drivers be allowed to operate District-owned vehicles.

Any District employee asked to drive a District vehicle must first be authorized to do so by the human resources department.

District-owned, -leased, or -rented vehicles are to be used only for District business, for emergencies, and for transportation to and from the driver’s usual place of employment, when it is a convenience to the District. Personal use, in excess of the de minimis use standards previously defined by the District, is not permitted without prior written approval from the responsible manager or department.

With limited and specifically noted exceptions, only students actively participating in a District-designated activity, e.g., UIL athletic and academic events, field trips, and the like, will be permitted to ride as passengers in District vehicles. Excluded passengers include parents of students, unless acting as a chaperone for an event, siblings who are not competitors or registered participants in the activity, families of District employees, or the general public.

Specific instances in which passenger restrictions will not apply are:

1. The use of District-owned vehicles to transport contractors, consultants, employees of other school districts, architects, and suppliers to job sites.

2. Any use of a District police vehicle while being used for law enforcement purposes.

Other appropriate exceptions will be considered upon written request to the responsible manager or department.
It is imperative that the District’s legal obligations, and those of the insurance company, be met whenever an accident occurs while driving on District business in a District vehicle.

**Accidents Involving District Vehicles**

It is the responsibility of the employee who was involved in an accident (no limit on dollar value) to complete any report required by law enforcement authorities and to assist in preparing an Austin ISD Motor Vehicle Accident Report or its equivalent.

Reports are to be completed within 24 hours of the time of the accident and submitted to the responsible manager or department.

In the event that the employee is physically unable to complete the report, it will be the responsibility of the immediate supervisor to provide whatever details of the accident are known, with the expectation that additional information will follow when available.

All accidents are to be reported immediately, or as soon as practicable, by telephone or radio to the driver’s supervisor, the District transportation department, the District police department, and/or the risk manager.

A thorough investigation is important to identify action necessary to prevent recurrence. Included in the investigation will be a written report, photographs, and a written statement from the employee involved in the accident.

Information regarding the accident is to be given only to law enforcement officials, the responsible manager or department, other applicable District officials, or the designated District insurance carrier and legal representatives. Employees are required to cooperate with an investigation by any of these parties.

**Drug Testing**

In the event of an accident involving a District vehicle, drivers who are required to meet the Department of Transportation CDL regulations must agree to submit to mandatory alcohol and drug testing at a facility designated by the District. [Refer to the District’s Drug-Free Workplace policy, DHE(LEGAL) and DHE(LOCAL), for complete definitions, requirements, procedures, and disciplinary actions.] This includes random testing in accordance with federal DOT regulations.

In no event will the testing be delayed more than two hours after the employee is released by investigating authorities.

Positive test results for alcohol and/or drugs will result in disciplinary action, including termination of employment. Positive test results for drug(s) and/or alcohol prescribed by a physician will result
in disciplinary action if medical instructions/warnings were not followed properly, and prior notification was not provided to the appropriate supervisor.

**Accident Review Board**

The responsible manager or designee reviews all accidents and determines preventability/nonpreventability status of each. Drivers will be notified in writing by their supervisor on preventability/nonpreventability and possible re-training.

An employee may appeal a decision of preventability to the accident review board in writing within 15 working days of receipt of the ruling. The members of the accident review board will be determined by the responsible department manager and, under special circumstances, the risk manager, the District police department, or other qualified local or state government parties may be asked to assist.

The accident review board will hold a conference within ten workdays after receipt of a written request by the employee. A written decision will be made within five workdays of the conference date. Accident review board decisions are final.

Violations of District or state motor vehicle rules and procedures will result in corrective action, up to and including, termination of employment, based upon recommendations from the District accident review board to the human resources department. This determination will be made after consideration of the severity and frequency of violations for all drivers and based on the point system for school bus drivers maintained in the District transportation department.

**Driver Safety Rules**

The following rules will apply to drivers of District vehicles:

1. Unsafe driving techniques, reckless driving, or driving under the influence of illegal or prohibited substances will not be tolerated and will be grounds for corrective action, up to and including termination.

2. Safety belts will be properly fastened and in use at all times by all occupants of District vehicles.

3. Costs resulting from traffic violations or criminal charges (excluding property damage and personal injury) resulting from traffic fines, parking fines, bail bonds, legal defense of criminal charges, and the like levied against a driver, resulting from occurrences while in a District vehicle, will be assumed by the driver. The District expects all drivers to operate vehicles legally and safely.
4. Under no circumstances will fatigue be considered a valid excuse for an accident. The District does not expect any driver to endanger life and property by working beyond his or her physical endurance. Responsibility for accidents due to fatigue rests solely with the driver.

5. Only employees of the District are allowed to operate District motor vehicles or any motor-powered or motor-driven vehicle.

6. District employees may not transport any student for District-sponsored events, or during business hours, in non-District-owned vehicles unless they are the parent or legal guardian of the student. [Refer to the volunteer driver procedure/policy]

7. There will be no possession or use of alcoholic beverages while operating a District vehicle.

8. The use of tobacco products in any form is prohibited within a District vehicle.

9. It will be the responsibility of the department supervisor or school principal to determine when, or if, notification to the parents of students involved in incidents and/or accidents involving District vehicles is necessary. Care should be exercised in this regard, and consultation with an associate superintendent-level supervisor is recommended prior to notification.

10. It is the responsibility of the driver to ensure that the vehicle is maintained in safe operating condition.

In addition to regular vehicle maintenance performed by District employees, the driver will make safety checks of District vehicles prior to use as follows:

a. Regular inspections by the employee should include confirmation of a District sticker evidencing timely maintenance, a current State of Texas inspection sticker, vehicle registration and insurance records, and no visible physical damage to the vehicle.

b. Safety defects are to be reported to the responsible manager or department, and the vehicle is to be removed from use pending correction of the defect.

c. In no event will the employee bypass, or render inoperable, any safety device located on the vehicle, e.g., disabling the passenger side air bag within a vehicle.

d. The driver is responsible for maintaining the interior and exterior of the vehicle in a clean and orderly manner.
e. Drivers of District vehicles are prohibited from duplicating vehicle keys.

11. District vehicles are to be operated in a manner to serve as models for courteous driving and safety. Vehicles should be operated at all times in a manner that will create a positive and favorable impression.

12. Each District vehicle is to be used solely for the purpose for which that particular vehicle is designed. Passengers will not be transported in vehicles designed for cargo, transported in open areas of vehicles (pick-up beds), nor in a number in excess of the carrying capacity of the vehicle. The load carrying capacity of each vehicle should not be exceeded. Cargo will be transported only in vehicles designed for the intended load.

13. Under no circumstances will District-owned vehicles be used for trips or programs conducted outside of the state of Texas.

14. The use of wireless devices is strictly forbidden while operating a District vehicle.

15. Drivers are responsible for the security of District vehicles assigned to them. The vehicle engine must be shut off, ignition keys removed, and vehicle doors locked whenever the vehicle is left unattended. If the vehicle is left with a parking attendant, only the ignition key is to be left.

16. Head lights should be used at all times.

17. No engine should be left idling in excess of five minutes unless necessary to serve students.

**Defensive Driving Rules**

Drivers are required to maintain a safe following distance at all times. To estimate following distance, the driver should pick a stationary object ahead of him or her. As the vehicle immediately ahead of the District vehicle passes the object, the driver should begin counting 1001, 1002, 1003, and the like until he or she reaches the same object. This counts the number of seconds between the District vehicle and the vehicle immediately ahead.

Drivers of passenger vehicles should keep a two-second interval between their vehicle and the vehicle immediately ahead. During slippery road conditions, the following distance should be increased to at least four seconds.

Drivers of heavy trucks should keep a minimum of a three-second interval when not carrying cargo and at least four seconds when
fully loaded. Following distance should also be increased when adverse conditions exist.

Drivers must yield the right of way at all traffic control signals and signs requiring them to do so. Drivers should also be prepared to yield for safety’s sake at any time. Pedestrians and bicycles in properly marked crosswalks and bike lanes have the right of way.

Drivers should avoid driving in other driver’s blind spots and should attempt to maintain eye contact with the other driver, either directly or through mirrors.

Drivers must honor posted speed limits. In adverse driving conditions, the driver should reduce speed to a safe operating speed that is consistent with the conditions of the road, weather, lighting, and volume of traffic. Tires can hydroplane on wet pavement at speeds as low as 40 mph.

Turn signals must be used to show where the driver is heading while going into traffic and before every turn or lane change.

When passing or changing lanes, the driver should view the entire vehicle in his or her rear-view mirror before pulling back into that lane.

A driver should be alert of other vehicles, pedestrians, and bicyclists when approaching intersections; never speed through an intersection on a caution light; and approach a stale green light with his or her foot poised over the brake to reduce reaction time should it be necessary to stop. When the traffic light turns green, the driver should look both ways for oncoming traffic before proceeding.

When waiting to make left turns, wheels should be kept facing straight ahead. If rear-ended, the driver will not be pushed into the lane of oncoming traffic.

When stopping behind another vehicle, the driver should leave enough space so he or she can see the rear wheels of the car in front. This allows room to go around the vehicle if necessary and may prevent the driver from being pushed into the car immediately ahead if rear-ended.

Drivers should avoid backing where possible, but when necessary, should keep the distance traveled to a minimum and be particularly careful. Drivers should:

• Check behind their vehicles. Operators of heavy trucks should walk around their vehicles before backing and/or should have someone guide them.
• Back to the driver’s side. Drivers should not back around a corner or into an area of no visibility.

Vehicle Procurement and Disposal

The contract and procurement services department will review any request to purchase a vehicle. The request may be referred to the CFO for his or her advice and consent prior to issuing any purchase orders.

The executive director of transportation, overseeing all District white fleet vehicles and yellow fleet, will implement a system of checks and balances to ensure segregation of duties as follows:

1. The executive directors will be included in the approval process for any vehicle purchase.

2. The authorization to procure a vehicle will reside with the executive director of transportation and will adhere to the District’s policy for competitive bid.

3. The vehicle services supervisor or procurement assistant will be tasked with obtaining the title, license, and registration for any vehicle purchased. The signing authority for the titles will reside with the executive director.

4. The inventory of vehicles will reside with the executive director of transportation and ensure that the vehicle inventory agrees with the fixed assets management inventory.

5. The vehicle services supervisors at the respective departments will have the responsibility to dispose of vehicles and ensure that District policy is followed.

6. All original vehicle titles will be forwarded to and maintained in the risk management department along with the District’s official vehicle list.

7. When traveling out of town or in an emergency, the contract and procurement services department will allow the American Express Corporate Purchasing Card (P-card) to be used for payment of vehicle maintenance and repair but not for the purchase of vehicle fuel or oil from a retail source. Examples of acceptable purchases are: auto parts from an approved supplier, car washing services, routine maintenance services, and repair services.

8. All surplus equipment, including the yellow fleet of vehicles operated by transportation, the white fleet of vehicles operated by the service center, and all other vehicles operated by a District school or department will follow District policy re-
In addition to assigned drivers, all vehicles will be assigned a specific location. Space limitations do not permit all vehicles to be assigned a specific location at the service center. Examples of alternate assigned locations are the Carruth Administration Center; the Baker Administration Center; the North, South, and Southeast Bus Terminals; and the Central Athletic Facilities. Multiple random checks will be conducted yearly to account for compliance with use of designated locations.

Proper vehicle maintenance is a basic element of any fleet safety program, not only to ensure a safe, road-worthy vehicle, but also to avoid costly repair expenses and unexpected breakdowns.

The following guidelines will apply:

- Regular, daily inspection is the responsibility of the assigned driver.
- Drivers of DOT-regulated vehicles are required to inspect their vehicles prior to usage, documenting and notifying the mechanic of deficiencies found.
- In addition to inspections required by law for passenger vehicles, routine inspections of critical items, such as brakes, lights, tires, wipers, and the like must also be completed by drivers of passenger vehicles.
- The vehicle should be cleaned (interior and exterior) regularly to help maintain its good appearance to the public.
- The vehicle manufacturer's maintenance schedule should be referenced and closely followed regarding recommended maintenance intervals.

In accordance with District purchasing and maintenance tracking procedures, the fueling of a vehicle must be logged and kept separate from any additional fuel placed in gas cans, lawn mowers, and so forth. In those rare instances when a District-issued P-card is used for a fuel purchase, all fueling of vehicles, gas cans, and the like must be kept separate and logged as well. Under no circumstance will a District P-card be used to fuel a personal vehicle or purchase fuel for personal use.
Bus Advertising

Groups and Businesses Not Acceptable for Advertising

Specific groups and businesses not acceptable for advertising on school buses include:

1. Any business that primarily promotes the use of tobacco products;
2. Any business that primarily sells or promotes the use of alcohol;
3. Adult-only entertainment or sexually oriented businesses;
4. Religious institutions;
5. Any business in which the principals are under indictment;
6. Businesses that provide body art services;
7. Groups and businesses involved with birth control issues, with the exception of general hospitals;
8. Political parties and political advocacy groups;
9. Any business that primarily promotes pari-mutual betting, casino-style gambling, and the like;
10. Any business excluded by an exclusive contract with the District by a competing vendor where the contract contains a non-competition advertising clause;
11. An individual or firm awaiting approval from the District or the Board on any matter unrelated to advertising on buses;
12. An individual or firm with a pending lawsuit against the District or the Board; or
13. Any business excluded by an exclusive contract with the District by a competing vendor where the contract contains a non-competition clause.

Guidelines for Advertising on Buses

All advertising will be in compliance with 37 Administrative Code, Chapter 14, Subchapter E.

Advertising will be commercial advertising that has as its singular purpose the promotion of a product for sale or a service for hire. The advertisement will not convey any message regarding any political, public service, social, or public issue or viewpoint of any person or entity, or any message specifically prohibited by District policy.

Advertising content will comply with advertising content regulations promulgated by the Texas Education Agency, the University Interscholastic League, and the National Collegiate Athletic Association.
Advertising will comply with intellectual property laws and will, where appropriate, have the owner’s consent to use the intellectual property.

Advertising will not:

1. Be disruptive, libelous, obscene, profane, vulgar, repulsive, or offensive, either in theme or in treatment or refer to matters that are not considered socially acceptable topics;

2. Promote any habit-forming drugs, tobacco products, firearms, or firearm ammunition;

3. Promote beer products, or products that contain distilled liquor or spirits, regardless of the percentage of alcohol, or advertising for nonalcoholic products containing the name of a distilled product or a distiller or company associated with hard liquor;

4. Promote 1-900 numbers, massage parlors, sanitary products, erectile dysfunction treatments, birth control products or devices or methods, or remedies for sexually transmitted diseases;

5. Promote or depict violence or anti-social behavior or present a danger of causing riots, disorder or other threat to public safety, peace, or order;

6. Promote any product or service that is illegal per se, or has no legal use; or

7. Support or oppose a candidate, issue, cause, religion, denomination, religious creed, tenet or belief, e.g., political or issue-oriented.

The District’s executive director of transportation may appoint a committee to review advertising on District buses. The executive director and the committee will comply with the guidelines set out in this regulation. Additionally, advertising will be disallowed if such advertising:

1. Is inappropriate for the level of maturity of the readers and riders;

2. Does not meet the standard of the professional employees who supervise the advertisements;

3. Associates the school with any position other than neutrality on political matters or political controversies;

4. Criticizes Board members or District officials or advocates violation of school rules; or
5. Contains hate literature that scurrilously attacks ethnic, religious, or racial groups.

The Superintendent, designee, or the executive director of transportation will be the only District personnel who may bind the District regarding any matters related to advertisements placed on the District’s buses. The District’s determination regarding each advertisement, as guided and determined by established criteria, is final.