

# Guidelines for Driving UTHHealth Houston Vehicles

(Revised 1-7-2026)



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**PURPOSE:** To provide guidance and direction for all individuals including managers, supervisors, employees, and faculty whose duties include driving UTHealth Houston vehicles in the course of performing their job or carrying out the mission of UTHealth Houston.

**POLICY: Adoption of Guidelines for individuals who drive UTHealth Houston vehicles and related disciplinary policies will provide and reduce liability exposure to UTHealth Houston.**

All departments with any individual whose responsibilities require the operation of UTHealth **Houston** vehicles shall ensure that the affected individuals comply with this Policy.

Application of Policy:

- Current Drivers
  - Environmental Health & Safety ("EH&S") will review driving records quarterly and notify the Department and the Fleet Manager of any status changes. Individuals who do not currently meet the eligibility requirements will not be allowed to drive for UTHealth Houston.
- Applicants
  - All individual's whose responsibilities will require the operation of a UTHealth Houston vehicle ("Applicant") must possess a valid Texas driver's License and all applicants must also have 3 points or less on their MVR (Motor Vehicle Record).

## Drivers

An acceptable point total range to drive a UTHealth Houston vehicle shall be between 0-3 points. Any individual whose total points equal 4 or greater will not be permitted to operate a UTHealth Houston vehicle or drive on behalf of UTHealth Houston. All individuals who may be called upon to drive a UTHealth Houston vehicle shall have a Motor Vehicle Record (MVR) check and points will be assigned by the State of Texas as indicated below:

\* Type A Violations - Convictions for Type A violations count as four (4) points against an authorized driver's or applicant's record. Type A violations include:

- |  |  |
|--|--|
| • Criminal negligent homicide - 1st or 2nd   | • Murder - with motor vehicle              |
| • Driving while intoxicated                  | • Reckless driving                         |
| • Driving while under the influence of drugs | • Fleeing from police officer              |
| • Drag Racing / Speeding Contest             | • Felony use of CMV - controlled substance |
| • Aggravated Assault with motor vehicle      | • Felony use of Commercial Motor Vehicle   |
| • Driving while license suspended            | • Driving while license disqualified - CMV |

\*\*The definition of a DUI/DWI conviction means: being convicted, receiving a probated sentence, or pleading no contest for driving a commercial or non-commercial vehicle under the influence of alcohol or drugs, or while intoxicated.

\* Type B Violations - Convictions for Type B violations count as one (1) point against an authorized driver's or applicant's record. Type B violations are all moving traffic violations not listed above as a Type A violation. Type B violations do not include non-moving administrative offenses (examples: outdated inspection stickers, no proof of insurance, License plate missing).

At-Fault Accidents - Each at-fault accident counts as two (2) points. If a moving traffic violation conviction appears on a driving record along with an accident on the same date, this usually means that person was at-fault in the accident. Accidents shall be reviewed by the insurance company and EH&S will decide if there is an at-fault question. Accident reports may be obtained from the Texas Department of Public Safety.

An MVR shall be obtained for all individuals whose job duties or responsibilities would include driving a UTHouston vehicle:

- Prior to employment
- Quarterly
- If the individual has been involved in an accident
- If the individual receives a moving traffic citation

EH&S shall maintain a list of all regular drivers submitted by various departments/units. EH&S will conduct a quarterly driver's license check of all individuals who drive UTHouston vehicles. All MVRs will be on file and will be made available upon the request of the individual or the department's supervisor.

### **Driver Training (new and already approved drivers)**

The new driver approval process will include an online driver training and an MVR check.

For already approved drivers UTHouston shall require online driver training every three years. An approved driver will have his/her MVR checked every quarter of the year. This is completed by UT System and then sent to the UTHouston Fleet Manager.

The training for currently approved drivers may also include, but is not limited to:

- Defensive driving
- One-day seminars on driving improvement
- Driver training videos on specific driving skills in which the driver may be deficient
- Hands-on, behind-the-wheel training

### **Official Use of Vehicles**

- A. **Use of vehicles owned, leased or rented by UTHouston Houston for personal reasons is a violation of state law.** Individuals authorized to use vehicles for domicile-to-duty authority must not use these vehicles to conduct personal business in conjunction

with official UTHealth Houston business. Personal business includes, but is not limited to, trips to the post office, clothing/grocery stores, restaurants, laundries, banks or credit unions.

- B. As a rule, transportation to a dining facility is an individual's responsibility. However, UTHealth Houston management may authorize individuals to take vehicles owned, leased or rented by UTHealth Houston to local dining facilities when necessary to meet UTHealth Houston's mission. This authority shall not be provided for personal convenience, but rather to those individuals having emergency or rapid response requirements such as law enforcement personnel.

### **Guidelines for Disciplinary Action**

UTHealth Houston vehicles will be used only for official business. Any violation of this policy is subject to disciplinary action up to and including termination. Individuals whose total points equal 4 or greater shall not be eligible to drive a UTHealth Houston vehicle and may be subject to termination if the individual's main job duty is driving unless otherwise determined by department head.

An individual will also be subject to disciplinary action if:

- Failure to notify supervisor that the individual is taking medication that impairs the individual's driving ability
- Failure to report any traffic citation or motor vehicle accident
- Smoking in vehicle
- Cell phone use in vehicle

### **Disciplinary action may include, but is not limited to:**

- Termination
- Attending a defensive driving course at individual's expense
- Suspension or revocation of driving responsibilities. If driving responsibilities is a regular requirement of the individual's job, disciplinary action may result in termination

The Department Director/Manager in which the individual is assigned will recommend appropriate disciplinary action.

### **Driver Responsibilities**

It is the responsibility of all approved drivers to comply with the following:

- Use UTHealth Houston vehicle for official business only
- Obey all local, state, and federal laws when operating a UTHealth Houston vehicle
- Possess at all times a valid and appropriate Texas driver's license

- Ensure that the vehicle has a current State of Texas inspection sticker before operating any vehicle
- Use safety belts at all times during operation of vehicle
- Use reasonable care in operating and maintaining the vehicle
- Ensure vehicle(s) interior and exterior are maintained in a clean and safe serviceable condition
- Secure and lock the vehicle when it is unattended
- Park in designated areas only
- Parking or driving on campus sidewalks is never allowed
- Ensure that appropriate vehicle maintenance is performed
- Report vehicle malfunctions or maintenance needs to the appropriate department designee
- Obtain receipts for all reimbursable purchases. Such receipts must reflect the vehicle number, description of the item purchased, and the cost of each item. Gasoline purchases must reflect the cost per gallons, the number of gallons, and the total cost on each receipt.
- Notify the appropriate department designee in the event of a vehicle failure. The department designee will advise and approve actions to take.

### **Individual's Responsibility and Liability for Negligent Operation**

Operators of UTHHealth Houston vehicles will be liable for speeding tickets, parking tickets, seat belt violations, or any other types of citations.

An individual operating a UTHHealth Houston vehicle where the individual is negligent is subject to disciplinary action up to and including termination.

### **Department Responsibilities**

- Maintaining the vehicles that they own or lease
- Turning in monthly mileage logs and receipts to EHS
- Annual inspections and displaying current registration stickers
- Carrying current liability insurance certificate in vehicle

Ensure that a scheduled, recorded maintenance program is performed for each vehicle. The program should at least follow the manufacturer's suggested maintenance schedule.

Each department shall maintain a complete record of an accident and traffic violation history for each individual called upon to drive a UTHealth Houston vehicle. All violations related to driving a motor vehicle on or off the job must be reported to a department manager and this information must be reported to EH&S within 24 hours.

Reporting accidents and misuses is the responsibility of all parties. An aggressive prevention program reduces motor vehicle accidents and misuses. Motor vehicle accident and misuse prevention programs at all levels should stress and include:

- Conducting vehicle safety orientation and education and observing recognized safety practices
- Investigating, analyzing, and reporting motor vehicle accidents and misuses
- Taking appropriate action against offenders
- Ensuring an adequate stock of emergency equipment, i.e., chains, flares and warning kits are maintained and available for vehicles traveling off campus.
- Providing vehicle operators with instructions to follow, including agencies to phone, when accidents occur.

### **Personal (Non-University Owned) Vehicles**

Individuals are strongly discouraged from using personal vehicles for conducting official UTHealth Houston business. UTHealth Houston utilizes the "Hired/Non-Owned" policy which provides liability coverage only for individuals using their personal vehicles while conducting official UTHealth Houston business. The UTHealth Houston insurance coverage in this case applies only as a secondary coverage to the individual's personal auto policy.

### **Vehicles and Traffic Safety**

#### **1. Traffic Rules**

- a. Texas Department of Public Safety traffic rules and local traffic ordinances prevail for operations of all vehicles
- b. Cell phone usage by drivers is prohibited while operating University vehicles or otherwise driving for University business
- c. Motor vehicles shall have an up-to-date state inspection sticker and be maintained in a safe working condition at all times
- d. All drivers that receive both, moving and non-moving (parking tickets) violations are the responsibility of the driver cited
- e. Drivers shall possess a valid Texas driver's License
- f. Drivers shall obey all traffic signs and rules
- g. Smoking is never permitted in UTHealth vehicles
- h. Park in designated areas only
- i. Parking or driving on campus sidewalks is never allowed

## 2. Seat Belts

- a. State employees and their passengers shall comply with State law regarding seat belts
- b. Occupants of all vehicles shall wear seat belts

## 3. Vehicle Accidents

All motor vehicle accidents occurring on UTHealth Houston property, as well as those involving UTHealth Houston employees on institutional business off-site must be reported to **713-792-2890** and the appropriate UTHealth Houston supervisor immediately.

All accidents must be reported to EH&S at 713-500-8100.

## 4. Passengers in Trucks

**Only during emergencies** will people be allowed to ride in the bed of a truck and passengers riding in the bed of trucks or on the back of other trucks shall be seated within the bed or on built-in seats. Passengers shall not lean against the tailgate or sit on wheel wells, toolboxes, etc. At all other times, riding in the bed of a truck is prohibited.

## 5. Vehicle Capacity

When transporting material or personnel, the total load shall not exceed the capacity of manufacturer's recommended limit for the vehicle.

## 6. Trailer Hitches/Towing Equipment

Trailer hitches and other towing equipment shall be utilized according to the manufacturer's recommendations and not altered in any way.

## **Reporting and First Response**

### **Auto Accidents Involving UTHealth Vehicles**

1. If there are any injuries:
  - a. Remain at the scene of the accident.
  - b. Have an observer call **911** to report the incident and request Emergency Medical Services and Houston Police Dept. Also contact UTPD at (713) 792-2890.

Provide the following information:

- (1) Your name.
- (2) Your location (Street and Block Number).
- (3) The type of emergency – Auto Accident.
- (4) Special directions (if any).

- c. If towing is required, contact the roadside service # on the back of the fuel card or you can call Davis Chevrolet Wrecker Service (713) 794-2560 or Russell-Smith Ford Wrecker Service (713) 663-4111.
  - d. Document the names of all witnesses, including occupants of other vehicle(s), then retain all other information required on the Auto Accident Report which is located in the vehicle's glove box or contact Risk Management & Insurance at (713) 500-8100 within the department of Environmental Health & Safety.
  - e. Take pictures of damage to UT vehicle and other persons vehicle.
2. If there are no injuries and if the vehicle(s) can be moved:
- a. Move the vehicle(s) to the side of the road or otherwise out of traffic.
  - b. Telephone HPD, if off campus (713-222-3131) or UTPD, if on campus 713-792-2890 and provide them with the following information:
    - (a) Your name
    - (b) Your location
    - (c) The type of emergency – Auto Accident
    - (d) Special directions (if any)
  - b. Obtain and document the names of all witnesses, including occupants of other vehicle(s), then retain all other information required on the Auto Accident Report that is located in the Vehicle Packet, or call Environmental Health & Safety (713-500-8100).
  - c. Take pictures of damage to UT vehicle and other persons vehicle.

**Do not admit negligence, fault, or guilt. Do not commit UTHealth Houston or the insurance carrier to pay for damages. The insurance carrier representing UTHealth Houston will make that determination.**

### **Vehicle Misuse**

UTHealth Houston personnel have an obligation to report suspected cases of vehicle misuse to the Fleet Manager, Bryan Evans (713-500-8133, [bryan.c.evans@uth.tmc.edu](mailto:bryan.c.evans@uth.tmc.edu) )

### **Drug Testing of Commercial Drivers License (CDL)**

A CDL is required of authorized drivers who operate commercial motor vehicles (CMVs) for official UTHealth business. In accordance with the US Department of Transportation's Federal Motor Carrier Safety Regulations, 49 CFR Parts 40 and 382, employers shall test drivers holding a CDL for drugs and alcohol. The regulations call for pre-employment, post-accident, reasonable suspicion, random, return-to-duty, and follow-up drug and alcohol testing.

## Acknowledgement

I acknowledge receipt of the *Guidelines for Driving UTHHealth Houston Vehicles*. I understand I am responsible for reading and complying with the guidelines. Questions regarding the guidelines may be addressed to my supervisor or the Environmental Health and Safety Department at 713-500-8100.

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Signature of employee

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Name (Please print)

Department: \_\_\_\_\_ Position: \_\_\_\_\_

Phone #: \_\_\_\_\_ Zip Code on Drivers' License: \_\_\_\_\_

Tx. Drivers License #: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Today's Date: \_\_\_\_\_

