

# ACADEMIC COUNCIL REPORT

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**SESSION:**

Public   
Non-Public

**ACTION REQUESTED:**

Decision   
Consultation   
Information

**TO:** Academic Council

**DATE:** November 26, 2019

**FROM:** Sehrish Saeedi, Policy and Compliance Advisor  
Jacquelyn Dupuis, Director, Risk Management

**SUBJECT:**

- **USE OF UNIVERSITY AUTOMOBILE DRIVING POLICY**
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**ACADEMIC COUNCIL MANDATE:**

- Under the Policy Framework, Policy Owners must consult with Academic Council before presenting draft policy instruments to the approval authority for approval.
- We are seeking Academic Council's feedback on the draft policy before they are presented to the relevant Approval Authority.

**BACKGROUND/CONTEXT & RATIONALE:**

- The purpose of this Policy is to establish University-wide standards, which govern the use of automobiles driven in the name of the University.

**CONSULTATION:**

**List of Consultation Dates:**

- Policy Advisory Committee, November 5, 2019
- Online Consultation, November 19 to December 3, 2019
- Administrative Leadership Team, December 10, 2019 – in person consultation
- Audit & Finance Committee, February 19, 2020 - Deliberation
- Board of Governors, February 27, 2020 - Approval

**Comments received and response:**

Feedback from Policy Advisory Committee – November 5, 2019

- Include students explicitly in definition of “Authorized passenger” – change not incorporated because the definition mentioned “University members” which is a defined term that includes students.
- In some instances an employee maybe under the age of 21 maybe deemed as “unauthorized driver” but still be required to operate University owned vehicle to fulfill

their role at the University. Under Policy section, added a statement saying “Requests to authorize a driver, who would otherwise be an unauthorized driver, must be made in writing to Risk Management.”

**IMPLICATIONS:**

- NA

**COMPLIANCE WITH POLICY/LEGISLATION:**

- *Ontario Automobile Policy (OAP 1)*
- *Highway Traffic Act*
- *Public Highways Act*
- *Motor Vehicle Safety Act*
- *Motor Vehicle Transport Act*
- *Transportation of Goods Act*
- *Occupational Health and Safety Act, R.S.O. 1990, Chapter O.1*

**NEXT STEPS:**

- A summary of comments on this policy instrument will be provided to the relevant deliberative body and approval authority. A full list of consultation and approval for this policy instrument is attached.
- The proposed policy instruments will be presented to the relevant Approval Authority.

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**SUPPORTING REFERENCE MATERIALS:**

- Use of University Automobile Driving Policy



## USE OF UNIVERSITY AUTOMOBILE DRIVING POLICY

### PURPOSE

1. The purpose of this Policy is to establish University-wide standards, which govern the use of automobiles driven in the name of the University.

### DEFINITIONS

2. For the purposes of this Policy the following definitions apply:

**“Authorized Driver”** means a driver who has been added to the University’s automobile policy by the approved risk management process, or

- Given the authority to rent a University Rental Automobile to conduct University business by means of the Business Travel Form for students or established travel approvals for staff and faculty via Expenses Procedures.

**“Authorized Passenger”** means persons who are on campus at the University's request. For example, for potential employment at the University, to provide contracted services, or for participation in a University event or program. Other examples of authorized passengers include University members participating in approved field trips, off campus events, visiting faculty/staff, visiting artists or speakers, government representatives, members of visiting athletic teams, or community organizations. All other passengers are prohibited from traveling in University Automobiles.

**“Operating Unit”** means area within the University responsible for the purchase, service, maintenance, inspection, insurance and risk reporting of the University Automobile.

**“Unauthorized Driver”** means a person who is not authorized to drive a University Automobile. This includes the following but not limited to:

- Drivers which:
  - Are less than 21 years old;
  - Do not have their full ‘G’ License;
  - Do not have a valid driver’s license;
  - Their license is currently suspended;
  - Are on medication or have a condition that prohibits them from driving;
  - Has had their personal auto insurance suspended or canceled by their insurer;
  - Have two (2) or more convictions/infractions on their Drivers Abstract within the last three (3) years;
  - Do not meet the definition of Authorized Driver.

- Employee’s or student’s spouses, partner, children, or other family members, friends, neighbours;
- members of the general public;
- any University members who have not completed the new drivers reporting to risk management, or are not listed on the rental contract, or are drivers without authorization to rent in the name of the University.

**“Unauthorized Use”** means use of the automobile which engages in activities not aligned with the University policies, Highway Traffic Act, and University Automobile Policy.

**“University Member”** means any individual who is:

- Employed by the University;
- Registered as a student, in accordance with the academic regulations of the University;
- Holding an appointment with the University, including paid, unpaid and/or honorific appointments; and/or
- Otherwise subject to University policies by virtue of the requirements of a specific policy (e.g. Booking and Use of University Space) and/or the terms of an agreement or contract.

**“University Automobile”** Automobiles purchased in the name of the University, approved by the University for purchase through the appropriate authority; or

- “University Rental Automobile” Authorized non-owned automobiles rented for less than 30 days, in the name of the University to conduct University business.

### SCOPE AND AUTHORITY

3. This Policy applies to any person who is:

- Employed by the University;
- Registered as a student, in accordance with the academic regulations of the University; or
- Holding an appointment with the University, including paid, unpaid and/or honorific appointments; or
- May be authorized to operate University Automobiles for the purpose of conducting University business, and meets the following criteria:
  - a) Has an appropriate and valid Canadian driver's license for the automobile being driven;
  - b) Has reasonable experience driving the type of automobile being used;
  - c) Could reasonably be expected to operate the automobile in a safe and prudent manner;
  - d) Meets the University Driving Policy requirements as set forth below.

4. This policy applies to University Automobile and University Rental Automobile used for the purposes of conducting University business.

5. The University Secretary, or successor thereof, is the Policy Owner and is responsible for overseeing the implementation, administration and interpretation of this Policy.

## **POLICY**

This policy and associated documents will describe the responsibilities and processes to govern the safe and authorized use of University Automobiles. Any Unauthorized Use of a University Automobile or the operation of a University Automobile by an Unauthorized Driver is prohibited and will be subject to disciplinary action up to and including termination. Requests to authorize a driver, who would otherwise be an unauthorized driver, must be made in writing to Risk Management.

### **6. Elements of University Automobile Driving Policy**

- 6.1.** The University Automobile Driving Policy will achieve the following objectives:
- a)** Raise awareness of insurance coverage;
  - b)** Establish a new driver procedure for University-owned automobiles and authorized automobiles rented in the name of the University;
  - c)** Provide support to the University with respect to managing accidents by identifying and documenting the priorities, procedures, responsibilities, and resources;
  - d)** Support safe driving practices.

### **7. Roles and Responsibilities**

#### **7.1. Risk Management Committee (“RMC”)**

- a)** Oversee, advise, and manage the University Automobile Policy and Procedures, making recommendations, and reporting to SLT.

#### **7.2. Risk Management**

- a)** Raise awareness of University insurance coverage;
- b)** Act as the liaison between the University’s insurance partner and University member driver;
- c)** Collect on an annual basis the reporting needed to update the University’s policies.

#### **7.3. Operating Unit**

- a)** Responsible for inspection, service, repairs, maintenance, insurance and risk reporting;
- b)** Provide appropriate risk work documentation which may include automobile maintenance records, drivers record, training, and proof of insurance, to Risk Management for new and existing drivers;
- c)** Encourage safe driving practices.

#### **7.4. Authorized Drivers**

- a)** As a new University Automobile driver, submit in full, all necessary documents to Risk Management for review and reporting purposes and

- comply with ongoing eligibility reporting requirements as stipulated by the University's insurance partner for the purposes of policy renewal;
- b)** Prior to renting a University Rental Automobile obtain all necessary approvals;
  - c)** Acknowledge roles and responsibilities after an accident to ensure effectiveness of responding to mitigate further loss;
  - d)** Provide details related to the accident to assist in determining loss details;
  - e)** Comply with requirements under the Statutory Ontario Automobile Policy (OAP 1);
  - f)** Comply with the University driving policy and applicable automobile laws as set out by the provincial/state Ministry governing highway/roadway laws such as but not limited to the Highway Traffic Act, Public Highways Act, Motor Vehicle Safety Act, Motor Vehicle Transport Act, Transportation of Dangerous Goods Act;
  - g)** Comply with all requirements as set out in the Use of University Automobile Procedures document.
  - h)** Pay for any non-reimbursable travel-related expenses administered while in the care, custody, or control of the University Automobile or University Rental Automobile as set out in the Expenses Procedure.
  - i)** Participate in any automobile training and driving courses as set out by the University from time to time.

#### **MONITORING AND REVIEW**

- 8.** This Policy will be reviewed as necessary and at least every three years. The Risk Management Committee is responsible to monitor and review this Policy.

#### **RELEVANT LEGISLATION**

- 9.** Ontario Automobile Policy (OAP 1)
  - Highway Traffic Act
  - Public Highways Act
  - Motor Vehicle Safety Act
  - Motor Vehicle Transport Act
  - Off Road Vehicle Act
  - Transportation of Goods Act
  - Occupational Health and Safety Act, R.S.O. 1990, Chapter O.1

**RELATED POLICIES, PROCEDURES & DOCUMENTS**

- 10.** Use of University Owned Automobile Procedures  
Renting Automobiles for University Business Directive  
Expenses Policy and Procedure