

Senate Council Retreat  
July 10, 2006

**Motor Vehicle Release (MVR)**

UK is self-insured when it comes to automobiles, and has a deductible of \$1 million. Therefore, most auto insurance claims are paid directly from UK. Over the past four to five years, auto claims increased at UK; during the period 2002-2006, UK paid out an average of \$400,000 yearly in auto accident claims. Another concern is UK being held liable if an accident occurred involving a UK employee driver who did not hold a valid driver's license.

Due in part to these two issues, the Risk Management Advisory Committee, appointed by President Todd, approved a new requirement that all employees driving vehicles as a part of their regular job duties must submit to a check of their driving record. An RFP was put out, and Sonic e-Learning, Inc. (Sonic) was chosen to conduct these checks. Since the beginning of the program in September 2005, approximately 4,000 checks have been conducted, resulting in about 25 individuals being identified as driving on a suspended license. Of those 25, a few were merely unaware that their license had been suspended. One UK employee was informed that his license had been suspended; he was unaware that a court visit was required because of a prior traffic violation. The professor went to court and paid the fine, and his license was reinstated and is now okay to again drive UK vehicles.

The employees who are primarily affected now are those who drive a UK vehicle as a routine part of their job duties. MVRs are not used to find out about speeding tickets, etc.; the purpose is to find out about an employee with no license, a suspended license or an otherwise unsafe driving history.

Approximately 50 employees have learned through this process that their licenses have expired. Risk Management (RM) asks the employee to renew the license and let RM know when that process is complete. Upon renewal, RM/Sonic re-runs the query.

In one possible example, if one member of a PPD paint crew has an unsatisfactory driving record, the suggestion would be made to that employee's supervisor that s/he simply not be allowed to drive the truck when going to and from paint jobs.

If an employee has a suspended license, the supervisor is contacted and the employee is removed from driving duties. As of yet, there have been no cases of a 100% driving-duty employee "failing" the MVR. RM is working with Human Resources and the Office of Legal Counsel to address that situation when and if it occurs.

The employee's signature is required on the MVR in compliance with the Fair Credit Reporting Act and the Drivers Privacy Protection Act. The signature allows Sonic to retrieve the driving history of the individual. It does not necessarily remove any rights of the employee.

RM enters the information on the MVR into Sonic's secure website and then Sonic retrieves driving history from the past three years. Sonic accesses multiple states' records if an employee has lived in various locations.

RM holds the MVRs and the reports from Sonic in a locked file cabinet. There are certain states that require the entity making the check to hold the request form on file, and when that situation arises, RM will send the report to Sonic for Sonic to store. Sonic's purpose is to retrieve information and store it on their server for UK to access.

The need for an employee to fill out and sign an MVR also applies to those employees utilizing rental vehicles for the conduct of UK business. Because UK requests employees to waive collision/liability insurance coverage when renting a car (since UK has its own self-insurance), UK wants to also make sure employees using rental cars for UK business are "safe to drive."

MVRs also affect employees utilizing their privately owned vehicle (POV) for University business because if an employee uses a POV for UK business and is involved in an accident, UK's insurance covers the University's exposure in excess of the employee's insurance. In the very near future (late Fall 2006) it will become policy that UK will not reimburse mileage claims for employees unless there is an MVR on file. Currently, though, employees using a POV but not claiming mileage are in compliance even though an MVR is not on file.

There are many universities across the country that either already adhere to this type of policy or are moving toward it. Checks on driving history are routine in the private/corporate sector.

The Risk Management Advisory Committee intended to start this policy in a phased implementation, beginning only with employees whose primary function was driving, and then moving to other employees. However, when word about the new policy was passed from one employee to another, there was a massive influx of forms. RM welcomes "just in case" submissions of forms for employees who may only rarely drive vehicles for UK business. The MVR is submitted once during employment; there is no yearly renewal, etc.

Please see the Business Procedures Manual E14-1 and E14-2 for more information or contact Risk Management.