

June 17, 2019

TO: Board of Directors
FROM: Heller An Shapiro
RE: Driving Policy Proposal

Background:

ArtStream continues to work toward the Maryland Nonprofit Standards of Excellence certification and to manage risk within the organization.

ArtStream employees and contractors are often required to use their personal vehicles or rental trucks to transport students, teaching artists, employees, or materials (theatre sets, props, concessions, etc.).

Proposal:

Review and approve the Driving Policy and Questionnaire.

Employees/contractors would be required to complete the annual survey assessing their driving record.

The policy spells out who is eligible to drive, basic standards for drivers, and most importantly, insurance guidelines. This clarifies who is responsible, and how any problems that occur should be handled.

Rationale:

Employees/contractors often transport students for planned and unplanned activities. Having this in place in advance allows us to manage insurance issues and risk. It may also limit driving by those who are not qualified.

In the event of a student needing a ride home from an ArtStream activity, this clarifies who is responsible, and how any problems that occur should be handled.

Driving for ArtStream Business

2019-2020

Examples of driving for ArtStream business may include, but not be limited to, driving your personal vehicle or a rental truck with or without a student, employee or contractor:

Transferring materials or supplies to or from the ArtStream office or performance venues

Bringing a student to or from a class, rehearsal, workshop or performance location

Bringing a student to their home from a class, rehearsal, workshop or performance location

First Name *

Your answer

Last Name *

Your answer

PURPOSES FOR DRIVING FOR ArtStream

Check any and all types of driving you ARE WILLING to do for ArtStream business:

Driving my car without passengers

Driving my car with employees/contractors

Driving my car with students

Driving a rental truck without passengers

Driving a rental truck with employees/contractors

I am NOT ABLE OR WILLING to drive any vehicle for ArtStream business purposes

DRIVER'S LICENSE *

I possess a valid driver's license

I DO NOT possess a valid driver's license and am aware that I am not eligible to drive for ArtStream

MOVING TRAFFIC VIOLATIONS *

I have not received any moving traffic violations in the past year.

In the past year, I have incurred at least one moving traffic violation.

If you had a moving violation in the past year, provide violation, date, state in which it occurred, and number of points, if any (you do not need to include camera violations).

Your answer

INSURED PERSONAL VEHICLE *

I have at least the minimum liability insurance required by the state in which my vehicle is registered AND have provided a copy of my insurance information.

(Without this information, I will not be eligible to drive for ArtStream.)

I DO NOT have a vehicle that I will drive for ArtStream purposes.

I acknowledge that:

* I have reviewed the "Driving for ArtStream Purposes" policy in the Staff Handbook and available at this link

_____.

* I understand it is my responsibility to be aware of my auto insurance carrier's coverage when my vehicle is used for work and/or used to transport students.

* I will promptly report to the ArtStream Executive Director any moving violation, arrest, or conviction for a driving offense which I incur, and

* ArtStream may check my driving records in the jurisdictions in which I reside or work at any time while employed with ArtStream.

Typing your name serves as a signature of acknowledgement *

Your answer

SUBMIT

Never submit passwords through Google Forms.

ArtStream Driving Policy

2019-2020

The purpose of this policy is to promote the safety of students and employees/contractors using personal vehicles or rental trucks for ArtStream activities. All employees/contractors driving a vehicle for ArtStream shall maintain a valid driver's license, must always operate the vehicle in a safe manner, and shall have appropriate insurance coverage.

Upon hiring and at the start of each fiscal year, every employee/contractor who may be driving any vehicle for ArtStream activities will be asked to disclose any history of moving violations and sign a statement that he or she possesses a valid local license and agrees to a driving record check by ArtStream with the jurisdictions in which the employee/contractor resides or works. The Executive Director or his/her designee will review the records to determine eligibility for driving for ArtStream.

In general, the Executive Director will follow these guidelines for determining eligibility.

An employee/contractor may **NOT BE CONSIDERED ELIGIBLE TO** drive for ArtStream if he or she:

- Has more than one moving violation in the past year (not including camera violations);
- Has more than two moving violations in the past 5 years (not including camera violations);
- Has had any driving accident or incident in the past 5 years, which, in the judgment of the Executive Director, raises questions about the safety record of the driver; or
- Is 21 years or younger.

The following are standards for driving for ArtStream:

- Only authorized employees/contractors may transport students in personal vehicles.
- Only authorized employees/contractors may transport materials or employees/contractors in rental trucks.
- To qualify to transport students in a personal vehicle or materials in a rental truck, the employee/contractor must have an acceptable driving record based on ArtStream's insurance carrier's guidelines and submit documentation of a current insurance policy. Driving records must remain within the insurance carrier's guidelines for continued employment or assignment in positions with driving duties. Employees/contractors who do not maintain acceptable records will not be allowed to transport students or materials and may be disqualified for an assigned position.
- All employees/contractors driving for ArtStream must maintain a valid driver's license and insurance on all personally owned vehicles they drive for ArtStream. Any change in the status of their driver's license or insurance must be reported to the Executive Director prior to driving for ArtStream.
- Employees/contractors driving for ArtStream may have their driving records checked at any time at the Executive Director's discretion.
- The personal vehicle used to transport students must be properly maintained and in good working condition.
- The driver and all passengers must wear seat belts at all times. No vehicle should be

operated when the number of occupants exceeds the number of passenger restraints available.

- The driver must use hands free equipment when necessary to talk on a cell phone when driving. In no event shall the driver text message or operate any other electronic equipment while driving the vehicle. It is always preferred that the driver park in a safe location to use a cell phone.
- Consistent with ArtStream's No-Smoking Policy Statement in the Employee Handbook, there shall be no smoking in personal vehicles while transporting students.
- Transportation of students should be documented on the mileage reimbursement form, and/or reported in the class/workshop/rehearsal report, as appropriate.

AUTOMOBILE LIABILITY

Non-owned and hired automobile liability coverage is provided to protect ArtStream from claims brought forth as a result of any vehicle not owned by the organization (such as vehicles used in the course of business owned by employees/contractors).

For employees/contractors using their own vehicles, in the event of an accident, they must rely on their own insurance policy to be primary. It is the employee/contractor's responsibility to verify that the insurance carrier covers driving and/or transporting students for work purposes. If the liability limits of the employee/contractor have been exhausted, the insurance coverage provided by and for ArtStream would be excess liability coverage to the employee. This applies to liability claims.

For employees/contractors renting trucks, it is the employee/contractor's responsibility to verify that rental company insurance is purchased. If the liability limits of the employee/contractor and rental company have been exhausted, the insurance coverage provided by and for ArtStream would be excess liability coverage to the employee/contractor and rental company. This applies to liability claims.

The physical damage to the employee/contractor's vehicle would always be covered by the employee/contractor's personal insurance policy.

The physical damage to the rental truck would always be covered by the rental company's insurance policy and then the employee/contractor's personal insurance policy.

AUTO ACCIDENTS

All automobile accidents occurring while on ArtStream business must be reported to the immediate Supervisor and/or Executive Director as soon as possible.

If involved in an accident while driving his or her own vehicle or rental truck while on ArtStream business, the employee/contractor must report Workers Comp information to the Director of Finance and Administration whether or not injury is evident. The Director of Finance and Administration will make a report to the ArtStream insurance carrier.

TRAFFIC AND PARKING VIOLATIONS

Drivers are responsible for all fines incurred due to traffic and parking violations while driving for ArtStream business (e.g., violation tickets, red light camera violations, speed camera violations, EZ Pass violations). Violations may affect an employee/contractor's eligibility for driving students or rental trucks.

PARKING

Free or low-cost parking facilities are available to employees/contractors. Employees/contractors should be aware of and adhere to parking procedures at each site. ArtStream is not responsible for loss, damage or theft of a vehicle. Therefore, we suggest that everyone locks their car doors.