

OCCUPANT RESTRAINT DEVICES

1. All university-owned motor vehicles shall be equipped with such occupant restraint devices (e.g., seat belts, shoulder harnesses, air bags, etc.) as were mandated by Federal Motor Vehicle Safety Standards in effect at the time the particular vehicle was manufactured.
2. All occupant restraint devices installed in university-owned motor vehicles shall be maintained in proper operating condition. The department head or supervisor to which the vehicle is assigned shall be responsible for making sure that these devices are maintained in proper working order.
3. No university employee or other person shall operate a university-owned motor vehicle in which the occupant restraint devices for each occupied seating position in the front seat are not completely operational.
4. No person may drive or ride in the front seat of, a university-owned motor vehicle, or any other motor vehicle being used to conduct official State business, unless properly restrained by the occupant device available at the occupied seating position. Anytime a front seat passenger is not a university employee, it shall be the driver's responsibility to insure that the passenger uses the available restraint device.
5. Personnel found to be in violation of this regulation are subject to disciplinary action as follows:
 - a) First instance - counseling by supervisor followed by memorandum of understanding.
 - b) Second instance or any subsequent instances - counseling by supervisor and notation in the employee's personnel employment record.
 - c) Three instances within any 365 day period - an official reprimand recorded in the employee's personnel employment record.
 - d) Four or more instances within any 365 day period - suspension of the privilege of using a university-owned motor vehicle for a period of six months.
 - e) Any instance noted in an accident report, or developed in subsequent

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investigation of an accident involving a university-owned motor vehicle, which indicates that the front seat occupant restraint devices in the State vehicle were not being properly utilized when the accident occurred shall result in the suspension of the university vehicle driver's privilege of using a university-owned motor vehicle for a period of one year.

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NOTE: During the time period when any such suspension is in effect the person subject to the suspension may not be reimbursed for the use of a privately owned vehicle in the conduct of university business at a rate greater than one-half the normal private mileage reimbursement rate in effect during the period of suspension.

- f) Any attempt by a university employee to disable the occupant restraint devices installed in a university-owned motor vehicle shall be deemed an act of willful insubordination and destruction of university property subject to immediate suspension without pay pending filing of charges for dismissal.
- g) A university employee may operate a university-owned motor vehicle without using the occupant restraint devices only when it is necessary in order to transport the vehicle directly to the repair facility where the devices are to be repaired or replaced and made fully operational.
- h) The occupant restraint devices installed in a university-owned motor vehicle may be temporarily disabled or removed by vehicle maintenance personnel only when it is necessary in order to perform maintenance on or effect repairs to the vehicle or the restraint system.
- i) The department head or supervisor to which vehicles are assigned is responsible for the implementation and enforcement of this regulation.