

Use of Private Vehicles for District Business and Student Transportation in Private Vehicles

The district is appreciative of the substantial contribution made by employees, parents, students, and other persons who may use their private vehicles for district business and/or in the transportation of students in district-sponsored activities.

The district does not provide primary automobile liability or physical damage insurance coverage to employees or volunteers who provide their own vehicles for school district business or activities.

The district does not accept any liability for bodily injury or property damage arising from the negligence of employees or volunteers who provide their own vehicles. Nor does the district accept liability or bodily injury or property damage arising from the negligence of others while the employee or volunteer is driving his/her own vehicle for district business and/or a district-sponsored activity.

A. District Business

District-owned or school bus contractor vehicles will be used to conduct business whenever reasonably possible. The Board, however, recognizes that there may be instances when a staff member may need to transport a student, on a one-adult-to-one-student basis, due to safety concerns. To meet extraordinary needs, the district may contract with individual transportation providers.

B. Transportation of Students

Employees, parents, and other adults designated by the school administrator may be permitted to use private vehicles to transport students other than their own on field trips for other school activities. The following conditions must be met prior to the activity.

1. The school administrator has approved the activity;
2. A permission slip signed by each student's parent/guardian has been received by the school administrator or designee, granting permission for the student to participate in the activity and to ride in a privately-owned vehicle;
3. The district's "Permission for Use of Personal Vehicle" form is completed prior to the activity.

C. Driver Responsibilities

1. As an employee, parent, or other adult volunteer providing a personal vehicle for the district, the driver is required to carry valid automobile liability insurance; including bodily injury, property damage, uninsured motorist coverage, and personal injury protection. The minimum required limit of liability you must provide is \$25,000 per person/\$50,000 per accident for

bodily injury and \$10,000 per accident for property damage or a combined single limit of \$100,000 per accident.

2. The vehicle must be maintained in a safe condition during the term of the activity.
3. The driver is responsible for providing the equipment necessary to ensure safe use of the vehicle for district business and/or in the transportation of students or public during this activity (e.g., seat belts for each student transported, tire chains).

A seat that fully supports each person and meets the minimum standards and specifications of law will be provided at all times. A person who weighs 40 pounds or less must be properly secured with a child safety system that meets the minimum standards and specifications established by the Department of Transportation under ORS 815.055. A person over 40 pounds or who has reached the upper weight limit for the forward-facing car seat must use a booster seat until four feet nine inches or age eight and the adult belt properly fits.¹ The child safety system shall meet the minimum standards and specifications of law. A person who is age eight or older OR are taller than 4'9" must be properly secured with the safety belt system or harness that meets requirements under ORS 815.055.

4. The driver is responsible for not placing children under the age of 13 in the front seat of a vehicle equipped with passenger-side air bags.
5. The driver must possess a current and valid driver's license and must obey all motor vehicle laws.

D. One-Adult-to-One-Student Transportation

The district strongly discourages the use of private passenger vehicles for the transporting of students on a one-adult-to-one-student basis to protect staff, volunteers, and students from potential claims arising out of the use of personal vehicles.

The Board, however, recognizes that there may be an instance when a staff member or district volunteer may need to transport a student, on a one-adult-to-one-student basis, due to safety concerns. In this instance, reasonable efforts will be made to:

1. Contact a parent/guardian of the student or the student's emergency contact person listed with school;
2. Abide by the school's procedure for reporting the need to transport a student on a one-adult-to-one-student basis. Examples of reporting methods may include but not be limited to:
 - a. Log in/log out procedure;
 - b. Written documentation stating the date, begin and end time of the transportation, destination, beginning and ending mileage, and reason for transportation.
 - c. Voice mail message to administrator stating the date, begin and end time of the transportation, destination, beginning and ending mileage, and reason for transportation.

¹“Proper fit” means the lap belt of the safety belt or safety harness is positioned low across the thighs and the shoulder belt is positioned over the collarbone and away from the neck.

E. Additional Insurance Information

1. Volunteer drivers are not considered employees of the district; therefore, workers' compensation benefits are not available. If a volunteer is injured or becomes ill while in the normal scope of his/her duties with the district, any medical expenses that results should be referred to the volunteer's own medical insurance provider.
2. If an injury to a volunteer driver is caused by the negligence of the district, or a district employee, the volunteer would have the same rights as any person as respects the instituting of a third party claim against the district.
3. The district does carry excess automobile liability for the volunteer driver as it does for employees. This will provide coverage for liability over the employee and volunteer's own personal automobile coverage if using a personally owned vehicle while participating in an authorized district approved and sponsored activity or for the district business. Physical damage to the personal vehicle is not covered under the district coverage and is the responsibility of the owner of the vehicle and/or the personal insurance company.
4. The district is able to insure the legal liability of volunteer drivers, as it does for employees, while they are working for the district. If a volunteer should inadvertently injure someone else, or damage his/her property in either an automobile or non-automobile situation, this should be reported immediately to the school administrator.
5. Because in most instances, both a volunteer driver's insurance and the district's insurance may apply to a claim, the volunteer should also advise the agent for his/her homeowner or automobile policy of any instance that may occur. The volunteer's insurance will be used first before district insurance is activated.