

Philadelphia 15-Passenger Van Rollover Attorney Salutes West Chester University's 15-Passenger Van Policy – Others Should Take Notice!

Experienced 15-passenger van rollover attorney Jeffrey Reiff who is familiar with the design defects and the unfortunate instances of catastrophic injuries and fatalities resulting from the operation of 15-passenger vans recently became aware of a directive posted by West Chester University and attached hereto addressing an attempt to prevent increased risk of accidents or injuries associated with the operation and occupancy of 15-passenger vans. We urge any of our clients and others who must occupy or operate a 15-passenger van to take a moment to review this excellent guideline as a starting point. We commend the responsible efforts of West Chester University which will hopefully contribute to saving lives and preventing catastrophic injury.

West Chester University's 15-Passenger Van Policy:

“I. **PURPOSE:** This policy is established to prevent increased risk of accidents or injuries associated with the use of 15-passenger vans, noted in recent research and warnings issued by the National Highway Traffic Safety Administration (NHTSA). These warnings indicate that 15-passenger vans from all domestic manufacturers have a significantly increased risk of roll-over than other vehicles under certain driving and occupancy conditions.

Definition: A 15-passenger van is a van with seating for 15 passengers, including the driver (driver + 14 passengers).

II. **POLICY:** The University will require certain precautions and training and enforce certain restrictions on the use of 15-passenger vans consistent with NHTSA warnings in order to reduce the risk of accidents or injuries associated with their use.

A. Limitations on Use:

1. **Driver Requirements:** Drivers must be current employees of the University who are 21 years of age or older, possess a valid state operator's license, have a safe driving record and successfully complete a WCU-required orientation program for driving 15-passenger vans.

If the driver is a part-time, payrolled WCU student employee or graduate assistant, the following form must be completed: "Request for Authorization for Part-time Student employee and/or Graduate Assistant to Drive a University Vehicle." (Note: Students who are College Work Study appointees are not permitted to drive University vehicles.)

2. **Passengers:** Passengers are normally limited to persons who are 18 years of age or older and are employees, students of the University, or other individuals on official University business for which the vehicle has been signed out. Exceptions to the age restriction are made for enrolled students of

the University who are under the age of 18. Family members of employees, who are not themselves WCU employees, are expressly prohibited from riding in the vehicles. Advancement/Development Office use on campus or within 5 miles of campus are exempt from the passenger provisions of this policy.

3. **Training:** A 15-Passenger Van Driver Safety Orientation Program is conducted jointly by the Public Safety Department and the Motor Pool Office. Successful completion of the course is required before a new driver may be issued a 15-passenger van. The course goal is to familiarize drivers with this policy, as well as provide practical instruction on the handling characteristics of 15-passenger vans, proper backing, braking, obstacle avoidance and return-to-road techniques if a wheel drops off the roadway. The training consists of satisfactory completion of an on-line program as well as an actual driving session. Contact the Motor Pool Supervisor for more information about this training program.

4. **Safe Driving Record:** A safe driving record generally means no suspensions or revocations within the past 2 years, and no accidents for which the operator was cited.

B. Operating Restrictions:

1. **Distance and Hours Restrictions:** Fatigue is a primary factor in 15-passenger van accidents. High speed travel is also a major factor in 15-passenger van accidents. When other options exist for longer trips, the University strongly discourages use of 15-passenger vans. If, as a last resort, 15-passenger vans must be used, night driving should be kept to a minimum, and driver rotation every two hours is recommended. Travel itineraries should avoid high speed, limited access highways where possible.

2. **Vehicle Occupancy:** Occupancy is limited to the manufacturer's assigned seating capacity.

3. **Leased Vehicles:** 15-passenger vans may not be leased by employees as part of a travel itinerary.

4. **Weather Restrictions:** Poor weather is a major contributing factor in 15-passenger van accidents. Operation of 15-passenger vans during hazardous weather conditions is discouraged. Safe driving conditions are road conditions absent snow-cover, heavy rain, ice, fog or forecasts predicting such conditions. If drivers already on the road are confronted by developing conditions such as these, the vehicle should be stopped in a safe location until conditions improve.

5. **Cell Phones:** Drivers operating 15-passenger vans may not use cell phones while the vehicle is in operation.

6. **Seat Belt Requirement:** The driver and all passengers must wear seat belts at all times while the vehicle is in operation.
7. **Load Evenly:** Passengers will be seated from the front seats back. (If 10 passengers are riding, the first 10 seats will be occupied.) The roof will not be used for storage for any purpose. Keep luggage on the floor if at all possible.
8. **No Towing:** 15-passenger vans may never tow a trailer.

III. PROCEDURE:

A. Drivers:

1. **15-Passenger Van Driver Safety Orientation Completion:** Drivers must successfully complete the 15-Passenger Van Orientation Program before driving a WCU 15-passenger van. Van reservations will not be made for anyone who has not completed the 15-Passenger Van Orientation Program.

The WCU 15 Passenger Van Orientation program consists of two parts. To participate, the prospective driver must meet the requirements outlined in this policy, and they must contact the program administrator by e-mail at Autoshop@wcupa.edu requesting to participate in the program. Please note that the Motor Pool pays for passwords to a contracted website. They are not transferable, so we ask that only people who will follow through with the program and drive these vans on a regular basis ask for them.

The program includes a series of quizzes and instructional material at an automated web site that the University has contracted with. Participants will receive a password, and after they have viewed the material and completed all of the quizzes, the website will automatically notify the orientation program administrator. At that time the driver and appropriate contact in the Public Safety office will receive an e-mail stating that they are ready to participate in the driving portion of the program. It's up to the driver to then make arrangements to meet with the Public Safety officer at a mutually agreeable time. When the Public Safety officer notifies the Motor Pool supervisor by e-mail that the driver has successfully demonstrated the ability to handle the large vans, the driver's name will be added to the list of authorized drivers.

2. **Visual Inspection Before Use:** Prior to use, drivers are responsible for making a visual inspection of the mirrors, tires and other safety equipment of the vehicle.

3. **Mapping Routes:** Drivers should take care to map routes when using 15-passenger vans to avoid limited access and other high-speed highways whenever possible.

4. **Driver's Record:** Otherwise approved drivers of 15-passenger vans are expected to self-report suspensions or revocation of driving privileges to the Public Safety Department and their supervisor.

B. Public Safety Department:

1. **15-passenger Driver Familiarization Course:** The Public Safety Department will conduct the live driving portion of the course and advise the Motor Pool Office of employees who have successfully completed that portion of the course.

2. **Driving Records:** The Public Safety Department will verify initially and each year thereafter that 15-passenger van operators have safe driving records. Operators without safe driving records will be removed from the 15-passenger van operators list.

3. **Suspension/Restoration of Driving Privileges for 15-passenger Vans:** The Public Safety Department will make determinations of when an employee's 15-passenger van driving privileges will be suspended or restored, in accordance with this policy.

C. Facilities Transportation Services:

1. **15-passenger Van Familiarization Course:** Transportation Services will conduct the on-line portion of the course and will be the repository for all records associated with this training.

2. **Safety Equipment:** 15-passenger vans will be checked regularly for tire wear and serviceability of all safety equipment.

3. **First Aid Kits:** The Motor Pool Office will ensure that all 15-passenger vans have first aid kits.

4. **Unsafe Operating Conditions:** The Director of Transportation Services or designee is responsible for determining if alternatives to 15-passenger van travel exist and when driving conditions are unsafe for a 15-passenger van to be used. Transportation Services will work with the department requesting the 15-passenger van to make alternate transportation arrangements for that trip.

5. **NHTSA Safety Notice:** Transportation Services will make NHTSA safety placards entitled "Reducing the Risk of Roll-Over Crashes in 15-passenger Vans" available to drivers before operating a 15-passenger van.

D. Policy Violations:

1. Failure to comply with these requirements may result in a driver or a department losing access to 15-passenger vans.”