

College Policy, Transporting students in your own vehicles

Dear colleagues:

It would be natural for faculty and staff to assume that they are covered by Bard's insurance when transporting students in their own vehicles, especially when traveling to activities that are college-sponsored.

Is such an assumption at all warranted? When I consulted our insurance broker, Frankie Cocoman, her response was bracing, to say the least:

"New York state laws (not merely state insurance regulations) dictate that the OWNER of the vehicle's insurance coverage is PRIMARY and will be the first to respond. So, if it's a faculty owned/operated vehicle – the faculty member must have enough coverage (which most don't) to cover potential injuries to third parties (other vehicles) and also to cover injuries to its passengers (the students).

"It is for this reason that we don't advise it. However, if the faculty member has at least a \$1 Million liability limit, Bard's auto coverage can be used as an excess over the faculty member's personal auto policy.

"Or, an injured party would perhaps be able to file a suit against Bard based on Bard's sponsoring the event, if the student's attorney could show that Bard did not exercise proper care, i.e. verifying faculty members drivers license, qualifications or insurance limits."

Anticipating a follow up question, she added,

"Students driving their own vehicles are very much 'on their own' because they are not employed by the College and there is no 'knowledge or permission' of the College needed."

Bard Faculty, Students and Staff can defend against these risks by **transporting students in a Bard vehicle operated by a certified Bard driver.**

To become a certified Bard driver one must attend the New York State approved six hour Point Reduction Defensive Driving course. Upon completion applicants must present their certificates, drivers' licenses and Authorization for Consumer Report to:

Jeff Smith, Manager of Transportation Services
Office: Physical Plant 102
E-mail: trans@bard.edu
Phone: 845-758-7625

Jeff sends out email notices of upcoming defensive driving classes at Bard and the schedule is on the Bard transportation website <http://blogs.bard.edu/transportation/>; select the link for Bard Drivers.

Alternatively, you can take an online version of the course: <http://www.idrivesafely.com/New-York/>. Upon completion of the course a certificate is generated that you can print and submit to the transportation department for approval.

Directions, forms and applications can all be found on the transportation website. Please note, however, that all applications must be made in person at the transportation office on campus.

Joe Ahern
Chair, Campus Safety Committee