



OLD DOMINION UNIVERSITY

University Policy

Policy #3240

ACCIDENT REVIEW COMMITTEE

Responsible Oversight Executive: Vice President for Administration and Finance
Date of Current Revision or Creation: January 24, 2014

A. PURPOSE

The purpose of this policy is to establish the responsibilities and requirements of individuals who operate State-owned licensed motor vehicles for which ODU is responsible and the University's Accident Review Committee in the review of accidents involving such vehicles.

B. AUTHORITY

[Code of Virginia Section 23.1-1301, as amended](#), grants authority to the Board of Visitors to make rules and policies concerning the institution. Section 6.01(a)(6) of the [Board of Visitors Bylaws](#) grants authority to the President to implement the policies and procedures of the Board relating to University operations.

[Memo-2001-No. 10, Code of Virginia Section 52-4, as amended](#), requires each state agency to form an Accident Review Committee for the purpose of reviewing and classifying motor vehicle accidents involving State-owned licensed motor vehicles, and to promote motor vehicle and highway safety.

C. DEFINITIONS

Preventable Accident – An accident where the operator of the State-owned vehicle is found to have contributed to the accident.

State-owned Licensed Motor Vehicle – A licensed motor vehicle intended for highway use and under the control of ODU (rental cars excluded).

D. SCOPE

This policy applies to all employees, employees of affiliated organizations who are paid through the University, and students who operate State-owned licensed motor vehicles. Employees include all staff, administrators, faculty, full- or part-time, and classified or non-classified persons who are paid by the University. Students include all persons admitted to the University who have not completed a program of study for which they were enrolled; student status continues whether or not the University's programs are in session. Affiliated organizations are separate entities that exist for the benefit of the University through an operating agreement and include the Foundations, the Community Development Corporation, and the Alumni Association.

E. POLICY STATEMENT

All employees and students of the University who operate a State-owned Licensed Motor Vehicle (“State-owned Vehicle”) are required to obey all traffic laws, rules, policies and procedures governing the operation and use of such vehicles. If involved in an accident while operating a State-owned vehicle, the operator must follow established procedures for reporting the accident.

Accidents involving State-owned Vehicles shall be reviewed by an Accident Review Committee to determine whether the operator contributed to a Preventable Accident and to make recommendations for appropriate follow-up action.

The Accident Review Committee is appointed by the Vice President for Administration and Finance and is comprised of at least five members including, but not limited to, a representative of the Office of the Vice President for Administration and Finance (who will serve as chair), the Director of Risk Management, and at least one representative from the Old Dominion University Police Department (“ODUPD”), the Department of Human Resources, and the Department of Facilities Management. The Director of Risk Management (“the Director”) will serve as coordinator for Committee activities by calling meetings of the Committee; providing accident reports, photos, and other relevant materials; and arranging for operator and witness interviews and consulting with supervisors on disciplinary actions, as necessary. Attendance of at least three members of the Committee will constitute a quorum.

F. PROCEDURES

1. When an accident occurs with a State-owned vehicle, the operator must notify his/her immediate supervisor while the State-owned vehicle is at the accident scene, and report the accident:
 - a. to the ODUPD, if the accident occurred on or near campus;
 - b. to the Virginia State Police, if the accident occurred off campus but within the State of Virginia; or
 - c. to the State Police, Highway Patrol, or local Police Department having jurisdiction, if the accident occurs in another State or the District of Columbia.

The operator must also obtain information from the investigating officer as to how to obtain a copy of the accident report and the name, address and policy number of the insurers of other involved vehicles.

2. Within 24 hours of the accident, the operator must complete and sign the [Auto Loss Incident Report](#) located in the State-owned vehicle or available on the [Office of Risk Management’s website](#) and report the accident to the Office of Risk Management.
3. Upon receipt of the accident report and completed [Auto Loss Incident Report](#) by the Office of Risk Management, the Director will make an initial determination as to whether the operator may have contributed to the accident. If it appears that the operator may have contributed to the accident, the Director will notify the Chair and a meeting of the Accident Review Committee (“the Committee”) will be convened. The ODUPD will prepare or request

the initial vehicle accident reports in addition to witness statements, photos and other Police information relative to each accident, and provide such materials to the Committee.

4. The operator involved in the accident will be notified of the time and location the Committee will meet to review the accident and may attend the meeting or submit a written statement to be considered by the Committee during the review if desired.
5. If the operator is a classified or hourly employee, the operator's supervisor will be notified of the meeting and encouraged to attend in order to discuss potential disciplinary action, as appropriate.
6. After thoroughly reviewing all of the material concerning the accident and interviewing the operator if he/she attends the meeting, the Accident Review Committee will determine if the accident is considered "Preventable," "Not Preventable," or "Incident" based on the following:
 - The accident shall be considered "Preventable" when the operator of the State-owned vehicle is found to have contributed to the accident.
 - The accident shall be considered "Not Preventable" if the Committee concludes that the operator of the State-owned vehicle did not contribute to the accident.
 - Those cases resulting from natural causes, acts by other than human sources, deliberate acts (e.g., vandalism), and non-perceivable objects, or cases occurring while the State-owned vehicle is properly parked shall be classified as an "Incident" and not considered as accidents within the review process.
7. If an accident is deemed "Preventable," the Committee will consult with the operator's supervisor. The Chair of the Accident Review Committee will issue a report of its findings (and, in the case of classified or hourly employees, the supervisor's recommended disciplinary action), along with any recommendations associated with such findings, to the Vice President for Administration and Finance.
 - a. If the operator is determined by the Committee to have failed to immediately report the accident to the appropriate State, local, or University Police, and/or failed to complete and submit the Auto Loss Notice to the Office of Risk Management within 24 hours of the accident, and/or failed to cooperate with the Police or the Office of Risk Management's investigation of the accident, the Committee will consider such actions in its findings and recommendations.
 - b. If the Committee identifies other factors that may have contributed to the accident that were not controlled by the operator, remedial action may be recommended (e.g. training, vehicle modifications) to mitigate the possibility of future accidents.
8. The Vice President for Administration and Finance will review the report, sign if approved, and send it back to the Chair.
 - a. If the operator is a classified or hourly employee, the Chair will notify the operator of the State-owned vehicle, the operator's supervisor and the department head of the Vice President's decision and refer the supervisor to the Office of Human Resources for assistance in implementing the approved disciplinary action.
 - b. If the operator is a faculty member, the Chair will forward the report to the Provost and Vice President for Academic Affairs or designee, who will handle notifications and

disciplinary action in accordance with appropriate policies and procedures governing faculty.

- c. If the operator is a faculty administrator, the chair will forward the report to the appropriate Vice President or designee, who will handle notifications and disciplinary action in accordance with appropriate policies and procedures governing faculty administrators.
- d. If the operator is a student, the chair will forward the report to the Vice President for Student Engagement and Enrollment Services or designee, who will handle notifications and disciplinary action in accordance with the Code of Student Conduct.

The Office of Risk Management will retain records of the activities of the Accident Review Committee.

G. RECORDS RETENTION

Applicable records must be retained and then destroyed in accordance with the [Commonwealth's Records Retention Schedules](#).

H. RESPONSIBLE OFFICER

Director of Risk Management

I. RELATED INFORMATION

[Virginia Department of Human Resource Management Policy 1.60 – Standards of Conduct](#)

[Board of Visitors Policy 1450 – Faculty Sanctions](#)

[Board of Visitors Policy 1490 – Administrative and Professional Faculty](#)

[Board of Visitors Policy 1530 – Code of Student Conduct](#)

[Old Dominion University Teaching and Research Faculty Handbook](#)

