

SAMFORD UNIVERSITY RISK MANAGEMENT AND
INSURANCE

POLICIES AND PROCEDURES

Samford University
Risk Management and Insurance
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Purpose of Manual

This manual has been produced to:

- * Provide general information about Samford University's Property and Liability Insurance Program.
- * Provide a guideline for reporting accidents and incidents which may be covered by the University's insurance.
- * As this manual provides a broad overview, it should not be considered complete information. Contact the Director of Risk Management & Insurance at 205-726-2395 with questions.

Campus Contacts for Insurance Matters

For insurance matters pertaining to property, bodily injury, property damage, workers compensation, student professional, international student medical insurance, educators liability and motor vehicles, contact the Director of Risk Management and Insurance at 205-726-2395 or jaclemen@samford.edu.

Concept of Risk Management

Mission Statement

The Director of Risk Management and Insurance shall promote protection and safety of the University's employees, students and visitors. Preservation and protection of assets essential to the continued operation of the University shall be accomplished through a combination of risk control and risk financing including commercially insured programs or self-insurance.

University Risk Management Activities

The University's property and liability insurance program is administered by the Director of Risk Management and Insurance, 301E Samford Hall.

The Director of Risk Management and Insurance:

- *Protects University assets by identifying and managing exposures to loss.
- * Administers the University commercial property and casualty insurance program.
- * Communicates with faculty and staff on various aspects of risk management as part of an ongoing loss.
- *Maintains the University's historical insurance data, records and claim files.

Concept/ Definition

Risk Management, an insurance and quality control related discipline, collaborates with other University departments to minimize adverse effects of loss on the University's human, physical and financial asserts.

Goals and Objectives

The Director of Risk Management and Insurance shall ensure that:

- * The institution takes cost efficient steps to minimize the risk of financial impact as a result of loss to or destruction of assets.
- * Identified risks have been insured, self-insured, assumed under a non-insurance procedure, abated as much as possible, or eliminated.
- * Claims have been adjusted in accordance with contractual agreements in a timely fashion.
- * A standard method for setting real and personal property values has been established and implemented.

Responsibilities

Director of Risk Management and Insurance will:

- * **Conduct** surveys of facilities to assess exposures, advise management on potential sources of loss and recommend corrective action to minimize loss potential.
- * **Reduce** loss to University assets through investigation and evaluation of reported incidents and claims, including investigation of a serious incident within 48 hours of notification.
- * **Review** contract proposals with respect to issues involving risk management and insurance and develop cost effective methods to control exposures and loss.

Types of Insurance

DEFINITIONS AND DESCRIPTIONS OF INSURANCE COVERAGE

Athletic Insurance- Coverage for accidental death & dismemberment and the medical coverage of our athletes and the athletic staff

Auto Liability Deductibles- Amount paid as a deductible if a University driver is at fault in an automobile accident

Automobile Insurance- Provides reimbursement for damages to University owned, leased and operated vehicles from such perils as theft, fire, collision, etc. and provides legal defense costs and settlement amounts/ expenses for bodily injury or property damage claims arising from the operation of University vehicles.

Business Travel Insurance- Coverage for accidental death & dismemberment of Samford employee while on University business

Commercial General Liability- Coverage for bodily injury, property damage, personal injury and advertising injury to third parties in the event the University (or its employees) are negligent and cause damage.

Computer (Electronic Data Processing) Insurance- Coverage for the physical loss of the University EDP (Computers)

Crime & Fiduciary Insurance- Coverage for losses suffered by the University due to employee dishonesty, credit card fraud, or the mishandling of the “Benefits” programs of the University (Pension program, etc.)

CRNA Insurance- Liability coverage for the faculty and students of the School of Nursing Certified Registered Nurse Anesthetist

Cyber Insurance- Insurance product used to protect businesses and individual users from Internet-based risks, and more generally from risks relating to information technology infrastructure and activities.

D & O Insurance- (Directors and Officers) - Liability coverage for the officials of the University in the event of a lawsuit where they are named as a defendant in the suit along with the University. This includes the Board of Trustees. (Works along with Educator's Legal Liability)

Educator's Legal Liability- Liability coverage for the University and its employees when a suit is brought against the University.

Foreign Commercial Liability- Coverage for the faculty and students while traveling abroad. This coverage includes property damage, liability coverage, auto coverage and Workers' compensation. It also covers the transportation of the remains of an employee back to the United States upon their death.

Foreign Coverage- Same as above

Highpoint @ Samford - Liability and property coverage for the ropes course and climbing tower that is operated by the Office of Campus Recreation. The course is located across the street next to the Academy of the Arts.

Insurance Deductibles - The portion that the University has to pay when specific claims are reported. The University is required to pay a deductible on most of its insurance claims. This will include auto, liability and property claims, to name a few.

International Student Medical Insurance- Medical Insurance coverage that is required for all international students while they are conducting their studies in the United States. Please contact the International Program for additional information.

Medical Insurance- Coverage for insurance that involve the treatment of a medical injury or illness.

Multi-Media Liability- Liability coverage for WVSU-FM radio, textbook publishing by the University and/or its faculty, the Samford Crimson and any other publications

MVR Expense- Cost of report to check the driving record of the University employees who drive University vehicles.

Professional Liability Insurance- Liability coverage for the 10 schools of the University.

Property/ Boiler & Machinery Insurance- Coverage for damage caused by fire and other perils to buildings and contents including equipment and other machinery.

Student Health Center- Liability coverage for the Student Health Center and its staff

Student Health Insurance- Medical Insurance for the students.

Umbrella Insurance- Additional coverage in excess of the limits of the University's primary policies.

Workers' Compensation Insurance- A state required insurance that covers the treatment of injuries and/or illnesses that occur while an employee is performing the duties of their job. It also includes compensation while they are off from work, with some exclusions or restrictions.

Insurance Policy Summary

AUTOMOBILE LIABILITY

Coverage Provided:

Legal defense costs and settlements for bodily injury and/or property damage claims brought against the University and its employees from the operation of motor vehicles owned, leased, rented or otherwise controlled by, or on the behalf of, Samford University.

AUTOMOBILE PHYSICAL DAMAGE

Coverage Provided:

Affords coverage to scheduled University vehicles and Hired Autos at a \$1,000 deductible. Pays for expenses to repair or replace a vehicle for damages from comprehensive and/or collision exposures.

BUSINESS TRAVEL ACCIDENT

Business Travel accident insurance is a specialized type of **travel insurance** plan. Essentially, it acts as life **insurance** and **insurance** against **accidental** death and dismemberment in the case of a **travel accident** **while on University business.**

CRIME

Coverage Provided:

Reimburse University for loss of money, checks, and drafts belonging to the University and protects the University against employee dishonesty, forgery, and computer fraud.

CYBER

Coverage Provided:

Affords coverage due to internet-based risks and risks from technology infrastructures and activities.

EDUCATORS LEGAL LIABILITY

Coverage Provided:

This policy provides the University, faculty, administrators, employees, officers, interns and student teachers protection against liability claims made individually or collectively, for actual or alleged neglect or breach of duty, errors, misstatements, acts or omissions.

This policy provides reimbursement for legal defense cost and payment for settlement costs, to the extent to which they are legally allowed under Alabama law, for claims which may arise from age, sex, race, religious, national origin, and employment discrimination, during the policy period.

EXCESS LIABILITY

Coverage Provided: Umbrella Coverage

FOREIGN LIABILITY

Coverage Provided:

Legal defense costs and settlement amounts for liability claims arising from lawsuits brought against the University for acts occurring outside the United States. This applies to employees while traveling abroad, (excluding certain foreign countries where the United States of America Department of State ban is in effect), as part of a University Sponsored and approved foreign teaching tours, foreign study tours or programs, and field trips.

GENERAL LIABILITY

Coverage Provided:

Legal Defense and settlement costs for bodily injury or property damage liability arising from University premises and/or University operations. All University officers, employees and students acting within the course and scope of their duties as such are covered under this policy.

POLLUTION LEGAL LIABILITY

Pollution Legal Liability (PLL) is an environmental insurance policy that helps cover the environmental risks associated with owning, developing or operating a facility or site. PLL is also a risk-management tool, with coverage that can help protect buyers and sellers from environmental liabilities in business transactions, for instance, selling a building built on a brownfield (polluted site). PLL provides environmental coverage for losses due to on-site or off-site pollution conditions, coverage for pollution conditions resulting from transportation and coverage for owned or non-owned disposal site-related environmental liabilities.

PROPERTY INSURANCE

Coverage Provided:

This policy protects the University for direct physical loss or damage, (including flood and earthquake), to its real or personal property from such perils as fire, windstorm, lightning, hail, explosion, and theft. It covers 25% of the direct loss for the costs related to debris removal, for property damaged by a covered cause of loss.

It provides for costs, due to fire or other covered perils, causing a loss which may ultimately result in the undamaged portion of a University facility being razed as required by state and/or municipal law or ordinances. Also provides for the extra costs associated with the repair or replacement of damaged property, due to the enforcement of any state and/or municipal laws or ordinances regulating the construction or repair of buildings.

ELECTRONIC DATA PROCESSING

Subject to a \$500 deductible it provides for the replacement or repair of damaged equipment, and reimbursement for expenses required to reconstruct programs/software lost or damaged which arises out of any failure, malfunction, deficiency, deletion, fault, virus or corruption of data or computer code.

BOILER & MACHINERY

Coverage Provided:

Provides for boiler and machinery services and expenses effecting the replacement of damaged University property, and reimburses the University for the loss of income related to such mechanical breakdown and disruption of boiler services.

STUDENT HEALTH INSURANCE (ONLY FOR COLLEGE OF HEALTH SCIENCES & INTERNATIONAL STUDENTS)

Students in the College of Health Sciences are required to provide proof of current personal health insurance coverage. Likewise, international students with F or J visas are required to provide proof of health insurance. Each year, these students are automatically enrolled in the university-sponsored student health insurance plan. There is a charge for this coverage. To have the charge removed from his/her Samford account, a student must provide proof of insurance by completing the insurance waiver at www.studentcenter.uhcsr.com/Samford. Without the waiver, the charge will

remain on the student account and the student will be covered with health insurance.

STUDENT PROFESSIONAL LIABILITY

Coverage Provided:

Provides settlement amounts/expenses due to liability claims caused by incidents of a malpractice nature which are brought against the University, its nursing students, its pharmacy students and other students in various degreed areas

WORKERS' COMPENSATION

This policy is for Alabama operations only. This policy covers only employees who are subject to the Alabama Workers' Compensation Law.

SAMFORD UNIVERSITY

A. WORKERS' COMPENSATION PROCEDURES

Reporting On-the-Job Injuries (OJI's) by Samford University Employees

- 1) The employee must report all OJI's to their supervisor as soon as possible but no later than two (2) work days after the injury.
- 2) Samford University employees **who do not report an OJI or fail to report the injury timely (i.e. within two work days) may not be approved** for coverage of any medical treatment related to the alleged accident or injury or for OJI time off work.

NOTE: Injured employees must be allowed to go to the approved medical facility as soon as possible after reporting the injury to their supervisor. It is imperative the employee go to the medical facility during work hours with the lost time charged as OJI time.

**THIS IS NOT TO BE FILED WITH YOUR MAJOR
MEDICAL INSURANCE. DO NOT GIVE THEM
YOUR INSURANCE CARD!**

The following facilities are the **ONLY APPROVED** medical facilities for treatment of the injury or illness:

- 1) Occupational Health Center of St. Vincent's**
1 Lakeshore Drive (Corner of Lakeshore Drive & Greensprings Highway)
Birmingham, Alabama 35209
HOURS: M-F 8:00 a.m. – 6:00 p.m.
(205) 930-2910 Fax (205) 930-2913
TO BE USED AS THE PRIMARY MEDICAL FACILITY

St. Vincent's Hospital Emergency Room
810 St. Vincent's Drive (Off Red Mountain Expressway at 8th Ave. South Exit)
Birmingham, Alabama 35202
**TO BE USED WHEN THE PRIMARY OR ALTERNATE MEDICAL
FACILITIES ARE CLOSED OR IF IT IS A SERIOUS INJURY OR
ILLNESS; BUT NOT A LIFE-THREATENING SITUATION**

Brookwood Medical Center-Emergency Room
2010 Brookwood Medical Center Drive (Next to the Brookwood Mall)
Birmingham, Alabama 35209
**TO BE USED FOR A LIFE-THREATENING INJURY OR ILLNESS
ONLY!!**

- 3) The medical facility will treat the OJI injured employee**

After the treatment at one of the above names facilities, the medical staff will contact my office and inform me about the status of the employee (such as health condition and their work status). The medical staff will give you some form(s) which you will return to me stating the diagnosis and treatment of the injury or illness and when you will be able to return to work.

- I. If the form indicates that you will be unable to return to your job position no earlier than 3 days, your pay will be compensated under the Alabama Workers' Compensation Law, which is conducted by the University Risk Manager and administered by the University's third party administrator, Employer's Claim Management.
- II. Under the Alabama Workers' Compensation Law, there are certain guidelines and regulations that must be followed:

Section 25-5-59:

“Compensation for the first three (3) days of disability shall not be payable,.... Compensation shall begin with the fourth (4th) day after the disability, and if the disability from the injury exists for a period as much as 21 days, compensation for the first three days after the injury shall be added to and payable with the first installment due the employee after the expiration of the 21 days. The compensation will be at the rate of 66 2/3 % of the average weekly earnings (AWW).

- III. If the Injury Report form indicates that you can return to work and you do not return to work as indicated on the medical form, you will be required to use your accumulated “sick days” for the days that you are away from your work. If you do not have any “sick days”, these days will be without pay, as stated in the Samford University Employee's handbook.
- IV. When filling out your timesheet and /or attendance report, please indicate the days that you were off due to workers compensation claim by marking the appropriate days with a “WC”. This is in order that these days will be covered and paid under the Workers' Compensation insurance fund, if you are eligible. The other days will be paid by University funds.

If you should have any questions and/or comments, please contact me at **X2395**, fax me at **X2754** or e-mail me at jaclemen@samford.edu.

B.

MOTOR VEHICLE ACCIDENTS

Samford University Policy 1.05 applies to drivers who are engaged in the operation of any University-owned or leased motor vehicles on either public or private property.

In order to meet the objectives of this policy, Risk Management reserves the right to review driver's licenses and driving records of all drivers who operate a University-owned or leased motor vehicle. This also includes any vehicle rented through the University. This policy applies to:

- All Student drivers (Must be 21 years of age or older)
- Department heads of student groups who drive University vehicles
- Employees who operate University vehicles as an essential part of their job
- Employees who drive University vehicles routinely
- Employees who operate their personal vehicle in conjunction with University business

Full-time and part-time employees, including work-study students, interns and volunteers who may be authorized to drive University-owned or leased vehicles must possess a current, valid driver's license. Eligibility to operate a University motor vehicle as defined in this policy is also dependent upon a prospective driver's driving record. All drivers of University motor vehicles must comply with the applicable laws and regulations concerning the operation of motor vehicles.

PROCEDURES AND RESPONSIBILITIES

I. ELIGIBILITY REQUIREMENTS FOR DRIVERS OF SAMFORD UNIVERSITY OWNED OR LEASED VEHICLES:

Failure to comply with the procedures set forth in this policy may result in disciplinary action in accordance with University policy, and may result in suspension or termination of motor vehicle operating privileges. In order to operate a University vehicle an employee or student driver must adhere to the following:

- A. Possess a valid United States driver's license issued by the Department of Motor Vehicles from their state of residence. Alabama state law requires that everyone who drives a vehicle in the State of Alabama must have an Alabama driver's license if he/she has been a resident of the state for more than 30 days.
 - **Non-Commercial Driver's License**
 - Driving a vehicle designed to carry fewer than 16 passengers including the driver
 - Driving a vehicle weighing less than 26,000 lbs.

- **Commercial Driver's License (CDL)**

Driving conditions that require a CDL include:

Driving a vehicle designed to carry 16 or more passengers including the driver

- Driving a vehicle weighing more than 26,000 lbs.
- All drivers operating a vehicle designed to carry 16 or more passengers (including the driver), must possess a commercial driver's license (CDL). Training for this license must be obtained through the proper state and local authorities.

Risk Management provides a van driving safety program. All van drivers should contact the Director or Risk Management and Insurance and complete the program before operating any University-owned or leased 15-passenger van. ***Completion of this program is mandatory for all students and staff who drive any size van.***

- B. All drivers must disclose an accurate driving history for the past three (3) years.
- C. Successfully complete the Van Driver's Safety Program, if applicable.
- D. Agree to operate University motor vehicles in accordance with applicable local and federal laws and University regulations.
- E. Wear seat belts at all times and require passengers to wear them if the vehicle is equipped with seat belts. Under NO circumstances should the number of passengers exceed the number of seat belts, if provided.
- F. All traffic violations and citations are the sole responsibility of the driver.
- G. ***Report any change in license status immediately.*** (i.e. if your license has been suspended or revoked) to Risk Management ***within one working day of any such change.*** If the license is revoked or suspended, operating privileges will be temporarily terminated accordingly.
- H. In the event that you are in an accident while driving a University owned, leased or rented vehicle, immediately **report ALL** accidents/damages to Risk Management at **X2395**.

Adhere to the following procedures:

At the Scene

Do not admit fault.

Complete a Samford University Auto Accident Investigation form or as a minimum, write down the following information:

1. OTHER DRIVER'S INFORMATION

- Name
- Date of Birth
- Driver's License Number/State
- Phone Number
- Address
- Insurance Company-Policy Number, if known
- License Plate Number
- Make/Model/Year of Vehicle
- Damage to vehicle
- Injury to Driver, if any
- Date, Time, Road and Weather Conditions

2. WITNESS/PASSENGER INFORMATION

- Names and phone Numbers of any Passengers
- Injuries to Any Passengers
- Names and Phone Numbers of Any Witnesses

3. INVESTIGATING OFFICER'S INFORMATION

If local police respond to accident, request:

- Officer's Name
- Badge Number
- Phone Number
- Report Number

- I. After notifying Risk Management, call your supervisor or department head to report the accident.
- J. Contact Risk Management within 24 hours after the accident.

II. LOSS OF DRIVING PRIVILEGES

The following offenses will result in suspension or termination of driving privileges for those operating University-owned or leased vehicles along with appropriate disciplinary action.

1. Operating a motor vehicle without a valid driver's license.
2. Failure to report the suspension or revocation of his/her driver's license.
3. Failure to obey University and local traffic regulations.
4. Operating a University-owned or leased vehicle outside of the scope of the destination and school related activity.
5. Operating a University-owned or leased vehicle in a reckless or unsafe manner.

6. Driving which results in the intentional destruction of property.
7. Failure to report an accident involving a University-owned or leased vehicle to your supervisor or department head or Risk Management.
8. Operating a University-owned or leased while under the influence of alcohol or drugs.
9. Two ***at fault*** accidents within a ***12-month*** period while operating a University owned or leased vehicle.
10. Three ***at fault*** accidents within a ***two-year*** period while operating a University-owned or leased vehicle will result in suspension of driving privileges.

III. DEPARTMENT RESPONSIBILITIES

Each department or group authorized to operate a University motor vehicle is required to follow, at a minimum, the procedures outlined below.

- A. Each University-owned or leased vehicle must be properly maintained by the department and/or according to the lease agreement, if applicable. All accident damage must be repaired as quickly as possible after an accident and completion of the appraisal by the insurance carrier.
- B. Departments are responsible for ensuring that the materials listed below are maintained in the glove box of each University-owned or leased motor vehicle:
 1. Vehicle Registration
 2. Vehicle Accident Report Form (Obtained from Risk Manager)
 3. Insurance Identification Card (Obtained from Risk Manager)
- C. Accident Response: In the event of an accident involving an University –owned or leased vehicle, the affected department shall:
 1. Ensure that the driver follows accident response procedures outlined in Section I of this policy.
 2. Notify Risk Management within 24 hours of the accident.
- D. Automobile Insurance Deductible:

In the event of an accident to a University-owned or leased vehicle, the responsible department will pay the deductible amount of (\$1000) for damages to the University-owned or leased vehicle.

REMINDER: If you are involved in an accident with a rental vehicle, you must notify Risk Management within 24 hours.

III. RISK MANAGEMENT & INSURANCE RESPONSIBILITIES

- A. Risk Management is responsible for verification of driving records.
- B. Risk Management is responsible for handling any and all University vehicle accidents including accident investigation and subrogation of claims.
- C. Risk Management is responsible for maintaining records and analysis of incidents.
- D. Risk Management maintains current University-owned and leased vehicle listings.

Legal Actions

- A. Should the University receive any court action or administrative complaint:

Immediately notify the Office of the University Counsel (302 Samford Hall) (205-726-4504), noting the date we received the complaint or Notice of Administrative proceeding. Fax a copy also to Risk Management and Insurance (X2754).

The receipt date becomes important because it identifies when the University's response is due. A failure to respond in time can lead to a default judgment.

- B. When a letter of representation is received:

1. Notify Risk Management and Insurance (X2395) and fax a copy of the letter (X2754). Risk Management will retrieve the incident file and include the letter in the file. If no file exists, Risk Management will establish one. This matter will also report the matter to the Office of the University Counsel.
2. If the incident is covered by commercial insurance, the Director of Risk Management and Insurance will send a copy of the letter of representation to the University's Insurance Consultant who will in turn forward the information about the incident to the appropriate insurance carrier.

- C. When a notice of intent to file a lawsuit is received, proceed as outlined above.

- D. When a Summons and Complaint is received:

1. Proceed as outlined above.

2. If the incident is covered by commercial insurance, the Director of Risk Management and Insurance will send copies of the Summons and Complaint to the University's insurance consultant who will in turn forward the information about the incident to the appropriate insurance carrier with a cover letter giving them notice and providing them with information about the incident.

E. When a Subpoena is received:

Immediately notify the Office of the University Counsel (205-726-4504), indicating the date received and send the original subpoena to the Office of the University Counsel.

Certificates of Insurance

University groups using non-University facilities and premises often are required to furnish a Certificate of Insurance showing evidence of the University's insurance coverage by the University. These standard certificates may be requested on-line by going to the Samford University Portal. Then key on "Form Central", go to the form "Request for Certificate of Insurance", complete the form and fax to my attention at X2754 or email it to jaclemen@samford.edu. I will then forward the request to the insurance company for the Certificate. They will send me the certificate which I will forward to you.

This request form can be used for various types of insurance proof of coverage including student interns and teachers. On the request form, please include specific manuscript language such as additional insured provisions or cancellation clause. If you should have any questions, contact the Director of Risk Management and Insurance.

Contractor's Insurance

A contractor shall be deemed an independent contractor and not an agent or employee of the University. The contractor is responsible for compliance with and penalties for violations of any OSHA requirements applicable to their activities on a University project.

The contractor shall purchase and maintain liability insurance which will protect the contractor from claims which may arise out of or result from the contractor's performance or obligations under the contract, whether due to action or inaction by the contractor, or any person for whom the contractor is responsible.

The University MUST be added as an additional insured on all of the contractor's liability insurance policies. A certificate of insurance evidencing

the contractor's automobile liability limits, comprehensive general liability limits, contractor's equipment and workers' compensation coverage must be provided to the Director of Risk Management and Insurance, Samford University, 800 Lakeshore Drive, 301E Samford Hall, Birmingham, Alabama 35229. If a current certificate of insurance is already on file at the Risk Management and Insurance office, no additional certificate will be required during the period of time for which the certificate remains in effect.

A. Contractor's Liability Insurance Limits (General and Automobile)

The contractor shall maintain during the term of the contract a standard commercial general liability (CGL) policy and business automobile liability policy. An umbrella or excess policy may be used in combination with the CGL and automobile, to meet the minimum required liability limits specified below, or, as specified in the contract. All applicable deductibles shall be the responsibility of the contractor to pay in the event of a loss.

The insurance shall provide coverage on all contractor operations, including blasting, demolition, excavating, shoring, or similar operations on an "if any" basis, contractor's protective (sublet) liability, contractual liability, completed operations liability, broad form property damage liability, owned automobile and non-owned and hired automobile liability.

B. Builders Risk Insurance

Each contractor shall maintain insurance to protect the contractor and the University from loss incurred by fire, lightning, vandalism, theft, explosion, malicious mischief and extended coverage hazards, in the full amount of the contract, and such insurance shall cover all labor and materials connected with the work, including materials delivered to the site but not yet installed.

Common Insurance Questions of University Employees

QUESTION: When traveling on company business, and renting a car, should I purchase the LOSS Damage Waiver (LDW) insurance?

ANSWER: No, the University has hired auto physical damage coverage with a \$1000 Comprehensive deductible and \$1000 Collision deductible. This extends anywhere within the United States, its territories, and

possessions. You must rent the vehicle through the Samford Account in order to cover the vehicle.

QUESTION: If a University employee uses a personal auto for university business, and is involved in an accident, what insurance would respond?

ANSWER: The employee's personal insurance would respond to the accident.

QUESTION: If a University employee rents a vehicle for University business and allows someone else to drive, and the other individual driving has an accident, what insurance would respond?

ANSWER: Automobile rental contracts can be very specific about driver responsibility. Many will require that every individual driving the vehicle be listed. Depending on the contract language and the circumstances, a University employee might be in violation of policy, thus voiding the contract. In this case, the University employee could be held liable if the University's insurance denied coverage. Rental agencies generally carry liability insurance at required minimum levels and this could respond first.