

VEHICULAR LIABILITY

A. USE OF AUTOMOBILES

1. Diocesan Ownership: Diocesan owned or leased (long term lease - not rental) automobiles are insured by the Diocesan liability insurance.

2. Employee/Volunteer Ownership: Employees and volunteers who use their own vehicle in connection with any school activities are held legally liable by law for any accident involving their vehicle. The Diocese may also be held liable for the consequences arising from the use of non-owned vehicles driven on their behalf by employees or volunteers. For this reason, all volunteers must:
 - provide verification of a valid, unrestricted California driver's license

 - provide current automobile insurance coverage that includes one hundred thousand dollars/three hundred thousand dollars (\$100,000/\$300,000) in automobile liability insurance on the automobile to be used

 - provide safe transportation:
 - a. seatbelts are required for each person in the car who is age four and weighs over forty (40) lbs.
 - b. children up to age four (4) weighing under forty (40) lbs. must ride in a secured car seat
(The California Highway Patrol recommends that convertible car seats can be used facing either to the rear for infants under one (1) year, or to the front for older children from twenty (20) to forty (40) pounds. When seat faces forward, it is in an upright position.) Effective January 1, 2002, California law requires every child to be properly secured in a child restraint that meets federal motor vehicle safety standards until s/he is six (6) years old or weighs at least sixty (60) pounds.
 - c. for vehicles with air bags the National Highway Traffic Safety Administration recommends:
 - Children age twelve (12) and under should ride buckled up in a rear seat.
 - Infants in rear facing child safety seats should NEVER ride in the front seat of a vehicle with passenger side air bag.
 - If children twelve (12) years and younger must sit in the front seat, first ensure that they use seat belts and/or child restraints appropriate for their size or weight. Then move their vehicle seat all the way back. The child needs to be sitting with his/her back against the seat back, with as little slack as possible in the belt.

3. The age and driving record of the driver are important when considering employee/ volunteer drivers. Drivers may never be under twenty-five (25) years of age.

B. USE OF BUSES OR VANS

1. Definition: A school bus is defined as a vehicle used to transport a student at or below the twelfth (12th) grade level on any school activity if the vehicle is designed for use by more than eight (8) students plus the driver. Station wagons are not school buses by definition unless they transport eight (8) or more children.
 - No more than eight (8) students may be transported in any vehicle this is not specifically designated as a school bus.

2. School Ownership: Private schools must comply with the same laws and regulations as public schools, except in certain unique and seldom granted exceptions.
 - a. The regulatory bodies who make or who are responsible for enforcing laws or rules governing school bus operations are:
 - United States Congress
 - State of California Legislature
 - State Board of Education
 - State Department of Education
 - Department of California Highway Patrol
 - Department of Motor Vehicles
 - Department of Industrial Relations
 - Public Utilities Commission
 - b. Enforcement of State regulations is generally under the jurisdiction of the California Highway Patrol. Every county California Highway Patrol office has a School Bus Officer responsible for inspecting buses and ensuring the proper licensing of drivers.
3. Private Company Ownership: Extreme care must be used when chartering buses for school-sponsored events. The bus must be chartered with a driver from a properly licensed, insured, and reputable bus company. A copy of the driver's motor vehicle record should be requested and furnished. Certificates of Insurance evidencing public liability and property damage, liability protection of not less than one million dollars (\$1,000,000) and indicating that the insurance is primary and not contributory with any other insurance, must be requested and obtained prior to use. The following is what is needed in the box marked CERTIFICATE HOLDER: "The Roman Catholic Bishop of Oakland, A Corporation Sole, your school name and address". In the box marked DESCRIPTION OF OPERATIONS, the following wording needs to appear: "The Roman Catholic Welfare Corporation of Oakland and their officers, agents and employees are included as additional insureds."
 - bus companies are private contractors and all procedures for private contractors must be followed with the Insurance and Benefits Office.