

Florida SouthWestern State College – Q & A on the Use of Motor Vehicles

Q. What coverage is provided under the college insurance program when an employee is driving a college owned automobile in the scope of employment of the college?

Example: A Department of Facilities' employee with permission and during work hours uses college vehicle to pick up a part needed for a repair job on campus. Employee picks up vehicle, drives to parts store and on the way back to campus is T-boned at the intersection of Summerlin and FSW way.

A.

- Automobile Liability coverage—Provides liability coverage for the college as well as the employee up to limits of \$200,000/\$300,000 per FS 768.28 as long as automobile is used with permission and is used within the scope of employment for the college.
- Workers' Compensation—Employee injuries occurring while acting within the scope of employment would be covered per Workers' Compensation Law.
- Property Coverage—College owned personal property (tools, etc.) is covered subject to deductible of \$10,000 per occurrence (\$5,000 deductible per vehicle)). Refer to Plan Document for those items not covered such as animals, accounts, bills, valuable papers, etc. **There is no coverage afforded for personal property of employees**—they would look to their Homeowners coverage.
- Damage to the owned vehicle—Coverage against loss caused by Collision and Other Perils subject to the same deductibles described above.

Q. What coverage is provided under the college insurance program when an employee is driving a college owned automobile and is NOT acting within the scope of employment for the College

Example: Authorized College Recruiter picks up a college owned vehicle, drives to a recruitment event and then takes the vehicle home. The next day the recruiter drives the college vehicle to an early morning dental appointment. He/she is hit in the parking lot of the dental office.

A.

- Automobile Liability— **No coverage is provided for the driver of vehicle, as they must look to their Personal Automobile policy for coverage the provisions of their personal insurance will dictate if coverage is available.** An uninsured loss will result if a personal automobile policy is not in place, excludes coverage for

employer vehicles or provides for inadequate coverage. The College will have liability coverage up to limits of \$200,000/\$300,000 per FS 768.28.

- **Worker's Compensation—No coverage as this is not within the scope of employment of the College and therefore not covered by Worker's Compensation. The driver must look to their own Personal Automobile policy for coverage or to the policy of the driver of the other vehicle.** An Uninsured Loss will result if other driver is uninsured and personal automobile policy does not provide for uninsured motorist coverage or if personal policy excludes coverage for employer vehicles or is inadequate to cover costs of all injuries arising out of the accident. ****See note below**
- **Property Coverage—College owned personal property (tools, etc.) is covered subject to deductible of \$10,000 per occurrence (\$5,000 deductible per vehicle). Refer to Plan Document for those items not covered such as animals, accounts, bills, valuable papers, etc. There is no coverage afforded for personal property of employees—they would look to their Homeowners coverage.**
- **Damage to the college owned vehicle—** Would be covered against Collision and Other Perils subject to the same deductibles described above. An uninsured loss for employee will arise if College seeks reimbursement for insurance deductibles.

***** Inadequate coverage for your injuries may result when there is no workers' compensation and coverage because your personal automobile insurance policy may not apply. This means there will be no workers' compensation coverage and no uninsured/underinsured motorist coverage.***

Q. What coverage is provided under the college insurance program if a non-college employee uses a college owned vehicle and is not on college business.

Example: College Recruiter had college owned vehicle at home overnight. Recruiter's spouse takes the vehicle up to the grocery store to get a gallon of milk for their family and is in a car accident.

A.

- **Automobile Liability— No coverage is provided for the driver of vehicle, as they must look to their Personal Automobile policy for coverage the provisions of their personal insurance will dictate if coverage is available.** An uninsured loss will result if there is no personal automobile insurance, or if personal insurance excludes coverage for employer vehicles or is inadequate to cover liability (such as no uninsured motorist coverage). The College will have liability coverage up to limits of \$200,000/\$300,000 per FS 768.28.
- **Worker's Compensation—No coverage as this is neither within the scope of employment of the College nor is the person an employee of the college and**

therefore not covered by Worker's Compensation. The driver must look to their own Personal Automobile policy for coverage or to the policy of the driver of the other vehicle. An uninsured loss will result if there is no personal automobile insurance, or if personal insurance is inadequate to cover liability (such as no uninsured motorist coverage).

- Property Coverage—College owned personal property (tools, etc.) is covered subject to deductible of \$10,000 per occurrence (\$5,000 deductible per vehicle). Refer to Plan Document for those items not covered such as animals, accounts, bills, valuable papers, etc. **There is no coverage afforded for personal property of driver**—they would look to their Homeowners coverage.
- Damage to the College owned vehicle—Would be covered against Collision and Other Perils subject to the same deductibles described above. An uninsured loss for driver will arise if College seeks reimbursement for insurance deductibles.

Q. What coverage is provided under the college insurance program when a college employee uses his/her personal vehicle for college business?

Example: A professor drives students in his/her personal car to a class sponsored field trip. On the way back to the college they are rear ended.

A.

- Automobile Liability—It is the position of the Florida College Risk Management Consortium that **no coverage is provided for the owner of vehicle, as they must look to their Personal Automobile policy for coverage.** An Uninsured Loss will result if there is no insurance or if personal insurance is inadequate to cover liability. The College will have liability coverage up to limits of \$200,000/\$300,000 per FS 768.28.
- Workers' Compensation—Employee injuries occurring while on the job would be covered per Workers' Compensation Law.
- Property Coverage— **There is no coverage afforded for personal property of employees**—they would look to their Homeowners coverage. College owned personal property (tools, etc.) is covered subject to deductible of \$10,000 per occurrence (\$5,000 deductible per vehicle). Refer to Plan Document for those items not covered such as animals, accounts, bills, valuable papers, etc.
- Damage to employee's vehicle— Is NOT covered—the employee must look to their Personal Automobile policy for coverage. An uninsured loss will arise if personal automobile policy is not in place or provides for inadequate coverage.

Q. What coverage is provided under the college insurance program when a college student uses his/her personal vehicle for college business?

Example: Student drives other students on a class sponsored field trip and get into an accident while en route.

A.

- Automobile Liability— **No coverage is provided for the owner of vehicle, as they must look to their Personal Automobile policy for coverage.** An uninsured loss will result if there is no insurance or if personal insurance is inadequate to cover liability. The College will have liability coverage up to limits of \$200,000/\$300,000 per FS 768.28.
- Workers' Compensation—No coverage is afforded since a student is not an employee of the college. Student should look to their Personal Automobile policy for Personal Injury Protection (“No Fault”) coverage. An uninsured loss will result if there is no insurance or if personal insurance is inadequate to cover liability.
- Property Coverage – **There is no coverage afforded for personal property of students—they would look for their Homeowners coverage.** College owned personal property (tools, etc.) is covered subject to deductible of \$10,000 per occurrence (\$5,000 deductible per vehicle). Refer to Plan Document for those items not covered such as animals, accounts, bills, valuable papers, etc.
- Damage to student's vehicle—Is NOT covered—the student must look to their Personal Automobile policy for coverage.