

PERSONAL USE AUTOMOBILE AGREEMENT

PERSONAL USE AGREEMENT:

Each college should draft an agreement for any employee that uses college owned or leased vehicles (leased for 6 months or more) to specify the parameters granted for personal use of college owned or college leased vehicles. The Agreement should address the use of the auto by the employee, resident family members and others with permission of the employee. This is needed so that the scope of permission is clear. **Risk Management recommends use be limited to employee and spouse.**

The establishment of personal use parameters is critical. For example, if the college owned or college leased vehicle was turned over to the employee's son for a cross country vacation trip, it could be determined that this is outside the scope of permission of the college---while the college may be covered, the employee and son may not be covered.

Coverage is provided under the Consortium Plan Document as follows:

IN FLORIDA

Liability Limits: Statutory limits \$100,000 / \$200,000 per FS 768.28 for college owned vehicles or \$100,000 / \$300,000 / \$50,000 for college leased vehicles (leased for 6 months or more).

Personal Injury Protection Limits (No Fault): Total limit is \$10,000 per person as result of injuries unless:

- 1) injured person is employee on business---Workers Compensation would respond.
- 2) injured person owns personal vehicle---they would collect this coverage from their own insurance company.

Covered Persons while using college owned or leased (6 months or more) vehicles:

The college, any official, trustee or employee of the college while acting within the scope of his/her employment or operations of the college **and** any other person with permission by the college, any official, trustee or employee of the college.

OUTSIDE FLORIDA

Liability Limits: Consortium Self-Insurance \$300,000 and Excess Insurance \$4.7 million with college owned or college leased (6 months or more) vehicles. This would also apply to Federal Court.

Personal Injury Protection Limits (No Fault): No coverage---if injured person is an employee on business of college, Workers Compensation would respond.

Covered Persons while using college owned or college leased vehicles: The college, any official, trustee or employee of the college while acting within the scope of his/her employment or operations of the college **and** any other person with permission by the college, any official, trustee or employee of the college.

Physical Damage to the College Owned or College Leased Vehicle both Inside & Outside Florida:

Deductible: College has \$5,000 deductible. Consortium covers all losses over the \$5,000 deductible up to self-insured retention of \$2.5 million. Valuation of vehicle is based on Actual Cash Value at time of loss.

Coverage: All Risks of direct physical loss to automobiles, wherever located, including collision of the automobile with another object.

EMPLOYEE PERSONAL AUTO POLICY:

Employee should consult with their insurance agent regarding use of college owned or college leased vehicle to avoid any gaps in their Personal Auto Policy. For example, the Consortium does not provide:

- 1) Medical Payments coverage – could be added to employee’s policy on Extended Non-Owned Endorsement.
- 2) Uninsured/Underinsured Motorist coverage – discuss with agent regarding adequate limits.

The Personal Auto Policy excludes any liability for “auto furnished or available for your regular use”. This exclusion can be removed by adding Extended Non-Owned Endorsement, which would provide coverage for a loss, which occurs outside the scope of duties or outside the scope of the Personal Use Agreement.