

DESIGNATED DRIVER PROGRAMS

Designated driver programs are very popular — they are promoted by universities, fraternities/sororities, and community organizations. At first glance, they seem like a responsible way to prevent people from driving while intoxicated. However, there are liability implications for sponsors of designated driver programs that can't be ignored.

Students understand the dangers of driving while intoxicated and of riding with an intoxicated driver. The decision to seek out a safe ride is a good one. However, it isn't the job of the chapter to promote a platform for unsafe drinking, and designated driver programs can become just such a platform. No fraternity/sorority chapter wants to give the impression that they encourage the excessive consumption of alcohol. And without carefully controlled safeguards, the following challenges exist:

- If new members are most consistently assigned to designated driver duty, it creates an environment of servitude that we should be avoiding
- It can place a new member in a dangerous situation with intoxicated upperclassmen
- When designated drivers are selected, the chapter should answer the following questions:
 - Are the designated drivers licensed and safe drivers without a history of accidents? The only way to confirm this is through a Motor Vehicle Records check.
 - Are the driver and vehicle adequately insured?
 - Is the driver prepared to handle the distraction of a car full of intoxicated passengers?
 - Is the vehicle that is being used safe?
 - Is the designated driver always sober, or merely “not as drunk”?
 - There is also a risk of putting the driver in a difficult situation when taking home intoxicated guests; this can lead to all sorts of allegations. If you review the safe rides programs sponsored by several universities, a male and a female ride in each vehicle

According to the Institute for Highway Safety, young drivers have a crash rate per mile driven that is four times higher than all other drivers.

GUIDELINES FOR DESIGNATED DRIVER PROGRAMS

As outlined in Sigma Delta Tau's Risk Management Policy, licensed and insured commercial transportation is the recommended and preferred mode of transportation for chapters to utilize for chapter-sponsored activities (e.g. social events, mixers, etc.). This is the safest transportation option for members and guests. In a situation where the event is within the college/university area and a chapter feels they have no other viable transportation option, the following provides guidance for the best possible safe program.

If a chapter is going to create a designated driver system, the driving responsibilities should be:

- Distributed equally among all members and new members
- Chapter should establish a start and end time for the responsibilities
- A driver should not work more than one event during a day
- Designated driver should only answer calls during their assigned time, but not while actively driving (see Distracted Driving resource for more information).
- Driver should restrict the number of people in the car to the number of working seatbelts
- Designated drivers should ensure your guests are following applicable state and seatbelt laws

All drivers in the program should meet the following requirements:

- Drivers should have a valid driver's license and have personal auto liability insurance coverage
- Designated driver should always be alcohol and drug free
- Drivers should be in compliance with any and all applicable laws of the state, province, county, city and institution of higher education (e.g. traffic laws)

All vehicles in the program should meet the following requirements:

- All vehicles should be legally registered and insured
- All vehicles should have auto liability coverage provided by the owner of the vehicle if different than the driver. All vehicles shall be operationally fit for transportation.
- All vehicles should meet the legal requirements of operation, or in other words be "street legal," such as seat belts, air bags, brakes, headlights, brake lights, mirrors, etc.
- If the vehicle is owned by a parent of a driver or another member the parent's permission should be obtained before use as a designated driver vehicle

What you should not do:

- Chapter should not take car keys of guests as they enter party or distribute when they leave.
- Chapter should not require only new members to participate as designated drivers.
- If a member/new member does not have a vehicle, they should not be required to serve as a designated driver but can serve if another member wants to allow their vehicle to be used. While a member without a car should not be required to drive, they can be required to participate in other capacities (answering phone, event monitor, ride in the car, etc.).
- If you feel someone needs medical attention, call 911. Do not transport them to the hospital.
- Program should not be revenue generating.

Remember, other options do exist:

- Many campuses now offer public transportation or safe ride programs, often accompanied by easy-to-use apps. Find sample programs here:
 - http://police.ucdavis.edu/divisions_services/campus_security/safe_rides.html
 - <https://commuterservices.utah.edu/saferide.php>
 - <https://iuride.indiana.edu/>
- Members and guests can choose to utilize public transportation services (e.g. taxi, Uber, Lyft, subway, campus bus, city bus) when it is within the college/university area
- Members and guests can choose to walk to an event when it is within the college/university area
- Chapters can contract with licensed and insured commercial transportation for designated events
- Voluntary, informal programs within a chapter — members may choose to share their phone number, stay sober, and provide rides to friends as needed.

This resource has been adapted from resources provided by Holmes Murphy Fraternal Practice. Holmes Murphy does not endorse Designated Driver Programs for reasons outlined in this Designated Driver resource. For more information and resources, visit www.HolmesMurphyFraternity.com.