

**AMERICAN SPECIALTY OVERVIEW ON;
15-PASSENGER VANS
FREQUENTLY ASKED QUESTIONS**

Programs should notify all third-party agencies or organizations that use 15-passenger vans that Special Olympics prohibits Programs (us) from using 15-passenger vans and strongly discourages the use of the vans by other organizations. The proposed notice to third-party agencies is attached (below).

This does not change the underlying policy that Special Olympics Programs must stop using 15-passenger vans to transport athletes, volunteers, staff and others to and from Special Olympics events by December 31, 2003.

With this revised recommendation, it is critical that no Special Olympics Program assign a registered volunteer to drive a 15-passenger van. Therefore, if a county, recreation center, group home or other similar facility offers to lend use of a 15-passenger van to the Program at no charge to the Program, the Program should make it clear to the other party that the Program cannot use or accept possession of or responsibility for the van and will not provide the driver. If the non-Special Olympics organization chooses to transport its clients (who are also Special Olympics athletes) to Special Olympics events in a 15-passenger van as part of the services provided by that agency, the Program does not have control over the non-Special Olympics organization's decision and can not require the non-Special Olympics organization to discontinue the use of 15-passenger vans to transport Special Olympics athletes. The FAQ below seeks to clarify the policy further.

Question

Can a Special Olympics Program registered volunteer drive another organization's 15-passenger van?

Answer

Yes, if it is clear that when driving the 15-passenger van the individual is not acting as a Special Olympics volunteer and that the van is in the control of the non-Special Olympics organization, and not being donated to the Special Olympics Program. The Special Olympics Program should not request or permit any registered volunteer to drive a 15-passenger van as part of that volunteer's Special Olympics volunteer responsibilities.

Question

If a group or organization offers to donate or lend a 15-passenger van to the Special Olympics Program if the Program provides the driver, can the Program accept the offer?

Answer

No, because that would violate the policy that prohibits Special Olympics Programs from using 15-passenger vans, and the Program could be liable for any accident or injury caused by the use of the van.

Question

If we remove the backseats from the 15-passenger van and take other precautions as recommended by the National Highway Traffic Safety Administration, can we use the 15-passenger van to transport athletes, coaches, staff or volunteers?

Answer

No. The National Highway Transportation Safety Administration has not issued a statement regarding the safety of such vans with the backseats removed and has only recommended methods

of lessening the dangers of 15-passenger vans. Therefore, Programs are not permitted to transport athletes, coaches, or volunteers in 15-passenger vans with or without the backseats. However, Special Olympics will continue to monitor advisories from the National Highway Transportation Safety Administration and will notify the Programs of any new information.

Question

What do I do if athletes arrive at a Special Olympics event in a 15-passenger van?

Answer

You should make clear to the driver that Special Olympics does not use 15-passenger vans to transport athletes and discourages others from using those vans. Special Olympics Programs do not have legal authority to require that an agency that brings athletes in a 15-passenger van not use that vehicle to transport those athletes back to the pick up point.

15-Passenger Van Transportation Notice

Special Olympics Programs are prohibited from using 15-passenger vans to transport athletes or other individuals to and from Special Olympics events, and Special Olympics strongly discourages other organizations from using 15-passenger vans to transport people to or from Special Olympics events.

Special Olympics recognizes that it is up to each non-Special Olympics organization to determine whether to use 15-passenger vans. By using 15-passenger vans, a non-Special Olympics organization understands that:

1. Anyone operating a 15-passenger van owned by a non-Special Olympics organization for the purpose of transporting Special Olympics athletes or other persons to or from Special Olympics activities is acting as the employee or volunteer of the organization and not on behalf of Special Olympics.
2. The driver's operation of the 15-passenger van will be considered to be in the course and scope of the driver's employment for or volunteer responsibilities for the non-Special Olympics organization, and not for or on behalf of Special Olympics.
3. Non-Special Olympics organizations that operate 15-passenger vans should comply with the applicable safety standards promulgated by the National Highway Traffic Safety Administration (NHTSA).