



New Jersey City University

Fleet Policies and Procedures



NEW JERSEY CITY UNIVERSITY FLEET POLICIES AND PROCEDURES

I. PURPOSE

To facilitate the efficient and safe management of University owned vehicles; to provide employees of this University with the appropriate transportation that supports the University's requirements; and to provide that transportation in the most cost-effective manner possible.

II. ACCOUNTABILITY

Under the direction of the Vice President for Administration & Finance, the Director of Human Resources shall ensure compliance with this policy. The Associate Vice President of Facilities & Construction Management; the Director of Public Safety Department; and the Controller's Office (Risk Manager) shall implement this policy.

III. POLICY

Requirements:

1. The University driver **must possess a valid driver's license** appropriate for the vehicle being driven.
2. All University drivers must submit a copy of their motor vehicle driver's license on an annual basis to the Public Safety Department for an abstract review.
3. University vehicles shall be used for official business only. The use of University vehicles to transport any person, other than in the course of their assigned duties and responsibilities, is strictly prohibited.
4. Prior to the operation of any University vehicle it shall be the responsibility of the University driver and/or department supervisor to complete a pre-trip inspection of the University vehicle for body damages before and after use.
5. University drivers and/or department supervisors are accountable for vehicles assigned. University drivers who do not report vehicle damages will be subject to disciplinary actions.
6. University vehicles must be legally parked with the engine off and doors locked when left unattended. Fines for traffic/parking violations shall be paid by the operator of the University vehicle responsible for the violation.

7. In accordance with the New Jersey State Law (39:3-76.2f – Required Wearing of Seat Belt), **all University employees and their passengers must use seat belts** when traveling in University vehicles. Any and all fines resulting from the failure to wear seat belts will be the sole responsibility of the driver or passenger.
8. **Smoking is prohibited** in any University owned vehicle.
9. When University vehicles are in use, the following documentation must be carried at all times:
 - ▶ University Vehicle Registration
 - ▶ University Insurance Card
 - ▶ Valid Driver's License
10. **The use of cell phones** without a hands free device while driving is strictly prohibited in any University vehicle.
11. All University passenger **vans are limited to no more than 10 passengers.**
12. All drivers of University vehicles **must** attend and complete a **Mandatory Defensive Driving Course given onsite by the NJ State Safety Council every two years**, or as scheduled more frequently by management. University drivers of passenger vans must also attend van safety training. Training will be conducted on University time and expense.
13. **The University will comply with N.J. Law Chapter 143 "Maggie's Law"**, "An Act Concerning Vehicular Homicide and Amending N.J.S.2C:11-5". The bill defines "fatigued" as being without sleep for a period in excess of 24 consecutive hours. (See attachment –pages 14 & 15)

IV. PROCEDURES:

Loaned Vehicle Requirements:

The management of all University **loaned** vehicles shall be the responsibility of the Director of Public Safety Department and the following rules apply when borrowing a University vehicle.

1. Whenever an employee borrows a University vehicle, they must complete the Public Safety Department Motor Vehicle Form and return it to Vodra Room 140.
2. The following information must be recorded on the Public Safety Department Motor Vehicle Form:
 - ▶ Day, Date, & Driver Signature
 - ▶ Vehicle Plate #, Make & Model
 - ▶ Department & Destination
 - ▶ Beginning & Ending Mileage
 - ▶ Time out & returned
 - ▶ Fuel & Oil Added amount (with license plate # written on the top of the receipt)
 - ▶ Any remarks, inspection and vehicle condition

Loaned Vehicle Procedures:

- 1 Any University employee requesting a reservation for a University vehicle should contact the Public Safety Department at **Tel# 201-200-3127, Fax# 201-200- 2240, e-mail - publicsafety@NJCU.edu**, or in person at Vodra Hall Room 129, Monday to Friday from 8:30am – 4:30pm to pick-up a University Vehicle Request Form.
- 2 The request form should be submitted at least 1 week in advance notice as required for scheduling purposes. Reservations actually will be limited on the basis of advance notice and availability.
- 3 The Public Safety Department will make every attempt to provide a vehicle, but there may be times when no vehicles are readily available.
- 4 Confirmation of vehicle reservation should be confirmed 24 hours in advance prior to pick-up, for the purpose of having the vehicle cleaned and fueled.
- 5 There should be a suitable number of drivers for the trip, based on the distance being driven.
- 6 University vehicles are not generally assigned for (3) consecutive days, unless approval has been granted by the Director of Public Safety.
- 7 In many circumstances, the Public Safety Department will fuel the University vehicle going out, prior to pick-up time. Drivers are responsible for checking the fuel gauge to ensure sufficient fuel prior to trip.
- 8 Public Safety does not reimburse employees for parking cost or public parking garages. Reimbursements can be made by filling out a University travel voucher.

Vehicle Procurement Procedures:

The management of all vehicle purchases shall be the responsibility of the Associate Vice President of Facilities & Construction Management. Vehicles shall not be purchased without prior approval of the Vice President for Administration & Finance.

1. **Departments requesting the purchase of a vehicle must provide written justification** to the Fleet Supervisor and the Associate Vice President of Facilities & Construction Management. Include in the written justification the type of vehicle requested, why the vehicle is being requested, how the vehicle will be used, and if any specialty equipment or accessories will be needed.
2. **Request need to be submitted prior to January 15th of each fiscal year** to be considered in the capital budget process.

3. The following criteria shall constitute reasons for vehicle procurement:
 - A specialty vehicle is required such as: dump trucks, waste hauling vehicles, back hoes, skid steers, and related equipment;
 - The vehicles used for snow & ice emergencies, i.e., snow plows, salt spreaders, and 4x4s;
 - The vehicles are in continuous use, i.e., Public Safety patrol vehicles, driver's education and handicap vehicles;
 - Vehicles that must be available for daily unplanned trips and a delay would cause a serious disruption of University business;
 - University vehicles will be replaced at scheduled intervals, by using a lifecycle cost analysis to determine efficient replacement criteria.
*(Life Cycle Cost Analysis provided by the Fleet Supervisor)
4. **Specification and selection of vehicles** is the Responsibility of the Fleet Supervisor within the Department of Facilities & Construction Management and is evaluated from several factors such as: capital cost, life cycle cost, availability, fuel savings, job suitability, operational convenience, depreciation, resale value, maintenance convenience, repair records, economy of operation, serviceability, safety records, safety items, specialty equipment, warranty programs, University image, administrative ease, legal requirements, and standardization of similar brands.
5. **Purchases of vans are limited to 8 or 10 passenger model vans only.** The University will not allow the purchase of any 15-passenger or 12-passenger vans due to safety concerns.
6. **Disposal of Used University Vehicles** is the responsibility of the Fleet Supervisor; all dispositions shall be done according to University and N.J. State rules & regulations.

New Vehicles:

1. Upon delivery of a new vehicle, the Fleet Supervisor within the Department of Facilities & Construction Management will inspect the vehicle, noting any defects that are the responsibility of the dealer, and complete the motor vehicle registration, & title documents.
2. The Fleet Supervisor within the Department of Facilities & Construction Management will establish and maintain a motor vehicle operating & service record for every University vehicle acquired for the life of the vehicle including; registrations, insurance cards, & title documents.
3. University-owned vehicles will be marked with the following: University logo, website, and vehicle ID number. With the exception of the President's vehicle.

Maintenance and Repairs:

The management of all vehicle maintenance and repairs shall be the responsibility of the Associate Vice President of Facilities & Construction Management. To achieve this goal, The Fleet Supervisor will schedule preventive maintenance services to all University owned vehicles.

1. When maintenance or repair of a University vehicle is required, the department supervisor will make arrangements to deliver the University vehicle to the Fleet Supervisor within the Department of Facilities & Construction Management located at 251 Westside Ave.
2. The Fleet Supervisor will make every effort possible to give your department advance notice. Advance notice is not always possible for emergency repairs.
3. As required by NJ State Laws and University policies any problems with the following safety items will require a vehicle to be immediately removed from service: steering, brakes, tires, rims, mirrors, horn, wipers, lighting, seat belts, windows, doors, and/or related items.

Mechanical Breakdowns and Towing:

1. Any mechanical defects should be reported immediately and a work order request must be submitted to the Fleet Supervisor within the Department of Facilities & Construction Management either by e-mail pbartole@njcu.edu , or by calling Tel# 201-200-3509 hours Mon. to Fri. 7:30 am to 4:00 pm.
2. Should a University vehicle breakdown off campus and in the best judgment of the driver is unsafe to drive, please notify the above number immediately, or if after hours please notify the Public Safety Department at Tel# 201-200-3128 to arrange for a tow truck.
3. In the event that a University vehicle must be towed away before we can be notified, the driver must provide the location & telephone number of the towing company immediately to the Supervisor of Public Safety Department at Tel# 201-200-3128.

Accidents – Risk Management:

1. All accidents involving University vehicles must be reported to the Public Safety Department by the driver within 24 hrs or as soon as possible, a fully completed written police report must be obtained, and the police report file number must be given to the Public Safety Department.
2. In the event a police report could not be filed the following information must be obtained from the other driver: owner's name, address, and home telephone number, driver's license number, vehicle description and plate number, insurance company name, phone number and policy number.

3. Employees that sustain a personal injury as a result of a motor vehicle accident must report to the University Health & Wellness Center by the next business day or as soon as possible. A call must also be made to the Human Resources Department at ext# 2335. (Refer to the University Accident Reporting Policy)
4. Failure of any faculty, staff member or employee to report an accident, no matter how minor, may result in the appropriate disciplinary action, including curtailment of driving privileges and/or termination of employment.
5. If the University vehicle is not maneuverable and must be towed away, the location and phone number of the towing company should be reported to the supervisor of Public Safety immediately.
6. The Public Safety Department Coordinator or designee shall within 48 hrs inform the Controller's Office (Risk Manager) and the Bureau of Risk Management -Trenton.
7. In the event of a loss being sustained by a University owned vehicle, the Controller's office (Risk Manager), will act as the sole authorized agent for the timely and accurate reporting and processing of Fleet Automobile liability and physical damage claims for the University.
8. The Controller's office (Risk Manager) is responsible for the negotiation and recovery of all third party liens sought by the University and, also, for all insurance recoveries.
9. The Controller's office (Risk Manager) will maintain written protocols with the following departments charged with day-to-day responsibility for use of University vehicles:
 - a. The Public Safety Department
 - b. The Department of Facilities & Construction Management.

These protocols are to be mutually agreed upon by the head of the departments referenced above and, thereafter, will be considered authorized and implemented under this policy. The protocols, however, will not deviate in any manner from the stated terms and provisions specifically outlined in this policy.

10. Estimates to repair or replace the vehicle will be provided by The Fleet Supervisor within the Department of Facilities & Construction Management to the Controller's office (Risk Manager).
11. Copies of all accident reports will be forwarded to the chairperson of the University Fleet Accident Review Committee for review.

V. NJCU Fleet Accident Review Committee:

The goal of the NJCU Fleet Accident Review Committee is to decide fairly and consistently if a vehicle accident was preventable or non-preventable; not to find fault, but to educate and prevent vehicle accidents. The committee will represent all departments of the University and will make reports to the University safety committee.

Committee Definitions:

- **Accident:** Any occurrence involving a University vehicle that results in death, injury or property damage, unless such University vehicle is properly and legally parked.
- **Preventable Accident:** An accident in which the University driver failed to do everything that *reasonably* could have been done to prevent the accident. It has no direct relationship to fault, legal violations, accident cost, or driver liability.
- **Non-preventable Accident:** An accident that occurs in circumstances entirely beyond the control of the University driver in which he or she does everything *reasonable* to avoid or prevent the accident.
- **Defensive Driving:** The ability to avoid accident involvement despite the adverse driving conditions and actions or errors of others.

Committee Procedures:

- Evaluation of the accident is based on whether the accident was **preventable** or **non-preventable**. Responsibility to *prevent* accidents goes beyond careful observance of traffic rules and regulations.
- The University driver has the right to appeal the determination before the committee and have proper representation.
- The Public Safety Department report, police investigation report, diagrams, photographs and any other available evidence will represent the University driver.
- The committee does not recommend the disciplinary actions of the University.
- The National Safety Council criteria will be used as the guidelines for determining **preventable** or **non-preventable** accidents.
- **Standard of Safe Driving Performance:** The standard of safe driving performance at New Jersey City University is the ability to drive without having any **preventable** accidents.

Guidelines for Determining University Vehicle Accident Preventability:

The following Guidelines list a variety of situations in which accidents frequently occur and will be used by the NJCU Fleet Accident Review Committee to determine accident *preventability*.

(Note: “Notification has been sent and this information has been modified for the University with the approval of the National Safety Council”)

- **Intersections** – Most accidents at intersections are *preventable* even though the University driver has not violated traffic regulations. Accidents are *preventable* when a University driver crosses an intersection and does not consider the obviously potentially dangerous actions of the other driver (excess speed, crossing the lane in turning, coming from a blind spot).
- **Backing** - Practically all backing accidents are *preventable*. University drivers are responsible for backing a vehicle safely. During the maneuver the University driver must personally check all clearances, even if given instructions by a guide. The guide cannot control the movement of the vehicle.(POSHA regulations must be followed)
- **Front-end Collisions** -Regardless of abrupt or unexpected stops of the vehicle ahead, a University driver can *prevent* front-end collisions by maintaining a safe following distance at all times. This includes being prepared for possible obstructions on the highway, either in plain view, hidden by the crest of a hill, or the curve of a roadway.
- **Rear-End Collisions** – Failure of the University driver to signal intentions or to slow down gradually contributes to the accident; drivers often risk being struck from behind when they brake sharply. An accident is *preventable* if a rear-end collision occurs because the vehicle rolls back, makes an abrupt stop at a light or grade crossing, or when the University driver fails to signal a turn at an intersection.
- **Passing** - Failure to pass safely indicates faulty judgment of the University driver as well as failure to consider one or more important factors before attempting the maneuver. Unusual actions of the driver being passed or of oncoming traffic might appear to exonerate a University driver involved in a passing accident; however, the entire passing maneuver is voluntary and it’s the University driver’s responsibility to *prevent* the accident.
- **Being Passed** - Sideswipes and cut-offs are *preventable* when the University driver fails to yield to the passing vehicle by slowing down or moving to the right when possible.
- **Lane Encroachment** - Entrapment in merging traffic indicates that the University driver would not yield to other vehicles or wait for a break in traffic. A University driver can *prevent* accidents with parked cars, pillars and other road structures by dropping back when another driver contests a common portion of the road. Blind spots are not valid excuses for lane encroachment accidents. University drivers must make extra allowances to protect themselves when they cannot see far enough ahead.

- **Grade Crossing** - University drivers are always responsible for *preventing* collisions with fixed-rail vehicles such as trains. The University driver should be especially alert at grade crossing, rail yards, and switching area or on private property.
- **Opposing Vehicles** – Even though an opposing vehicle enters the University driver’s traffic lane, it still may be possible for the University driver to avoid the collision. The accident is *preventable* when the opposing vehicle is in a passing maneuver, and the University driver fails to slow down, or move to the right to allow the vehicle to re-enter its own lane. Failure to signal the opposing driver by flicking the headlights, or sounding the horn should also be taken into consideration.
- **Turning** - Turning movements, such as passing maneuvers, requires exacting care by a University driver. University drivers who are making left or right turns are responsible for squeeze plays involving other vehicles, scooters, bicycles or pedestrians. A University driver should watch for sudden turns by other drivers. U-turns that result in collisions are considered *preventable*.
- **Passenger Accidents** - Passenger accidents in any type of vehicle are *preventable* when they are caused by faulty operation of the vehicle. Even if an incident does not involve a collision of the vehicle, it must be considered *preventable* if a University driver stops, turns, or accelerates abruptly. When passenger injury occurs as a result of emergency action taken by a University driver attempting to avoid a collision, the situation should be examined to determine if proper driving could have eliminated the need for the action.
- **Pedestrians** - University drivers must be prepared to respond to pedestrians crossing at mid-block or from between parked vehicles by taking precautions to *prevent* accidents with pedestrians. They must also watch for bicycles, motor scooters and similar equipment that are generally operated by young and inexperienced operators. A driver who doesn’t slow down when such equipment is present has failed to take the necessary precautions to *prevent* an accident. School zones, campus parking lots, shopping areas, residential streets and other areas with pedestrian traffic must be traveled at reduced speeds.
- **Bad Weather** -- Adverse weather conditions are not valid excuses for being involved in an accident. Rain, snow, fog, sleet or icy pavement does not cause accidents. These conditions merely increase the hazards of driving. An accident is *preventable* when it was caused by a University driver’s failure to adjust driving to the prevailing weather conditions.
- **Alleys, Driveways, and Plant Entrances** – Accidents involving traffic coming from alleys, driveways, or plant entrances will be carefully analyzed to determine how the University driver might have prevented the collision. Failure to slow down, sound a warning, or yield to the other driver may determine the accident *preventable*.

- **Fixed Objects** -Collisions with fixed objects are *preventable*. Such accidents usually involve failure to check or properly judge clearances. It is the responsibility of the University driver to check for fixed objects or properly judge clearances in the pathway of the vehicle such as; utility poles, bollards, parked vehicles, dumpsters, fencing or any other stationary object.
- **Parking** – Most accidents that occur while parking are *preventable*. Unconventional parking actions, including double parking and failure to put out warning devices, generally make an accident *preventable*.
- **Mechanical Failure** - It is the University driver's responsibility to report possible mechanical failure, or unsafe vehicle conditions, and to obtain repairs when continued operation might result in an accident. Any accident caused by mechanical failure that results from abusive driving is also considered preventable.
- **Non-Collision** -Single vehicle accidents such as jackknifing, overturning, or running off the road will be reviewed carefully. Such accidents may result from emergency action taken by the University driver to prevent a collision. Examination of the driving procedures prior to an incident may reveal speeds too fast for conditions or other factors. A driver's action prior to involvement should be examined for possible errors or lack of defensive practices.
- **Miscellaneous** – Projecting loads, loose objects falling from the vehicle, loose tarpaulins or chains, doors swinging open and other hazardous driving situations that result in damage or injury to persons are *preventable*. It is the responsibility of the University driver to secure loose objects. The University driver must take all reasonable precautions to prevent damage to the vehicle, cargo, or other property – as well as injury to people.

Written notification of Committee's Decision:

University drivers involved in a vehicle accident will receive written notification stating the committee's decision (***preventable accident*** or ***non-preventable accident***). Copies of this written documentation will be forwarded to the University driver's immediate supervisor, department head, and the Human Resources department for further review.

Corrective Actions:

- ***Preventable Accident:*** Those drivers responsible for a preventable accident will receive a written notification stating why the accident was preventable. Drivers will also be required to attend a mandatory driver training class. Copies of this written documentation will be forwarded to the driver's immediate supervisor, department head, and the Human Resources department for further review.

Safety Driver Awards and Recognition:

Safe Driver Awards and Recognition are for employees that operate University vehicles and have met the following requirements:

- ***One year of continuous service without a preventable accident:*** letter of Recognition from the University Accident Review Committee based on each one year of service.
- ***Three Years of continuous service without a preventable accident:*** Safe Driver Award and letter of Recognition from the University Accident Review Committee based on each three years of service.
- ***Five years of continuous service without a preventable accident:*** Expert Driver Award Certificate and letter of Recognition from the University Accident Review Committee based on each five years of service.

Copies of Recognition letter will be forwarded to the employee's immediate supervisor, department head, and the Human Resources department.

By Direction of:



Vice President for Administration & Finance

Effective Date: 4-23-04

AN ACT concerning vehicular homicide and amending N.J.S.2C:11-5.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. N.J.S.2C:11-5 is amended to read as follows:

Death by auto or vessel.

2C:11-5. Death by auto or vessel.

a. Criminal homicide constitutes vehicular homicide when it is caused by driving a vehicle or vessel recklessly.

Proof that the defendant fell asleep while driving or was driving after having been without sleep for a period in excess of 24 consecutive hours may give rise to an inference that the defendant was driving recklessly. Proof that the defendant was driving while intoxicated in violation of R.S.39:4-50 or was operating a vessel under the influence of alcohol or drugs in violation of section 3 of P.L.1952, c.157 (C.12:7-46) shall give rise to an inference that the defendant was driving recklessly. Nothing in this section shall be construed to in any way limit the conduct or conditions that may be found to constitute driving a vehicle or vessel recklessly. b. Except as provided in paragraph (3) of this subsection, vehicular homicide is a crime of the second degree.

(1) If the defendant was operating the auto or vessel while under the influence of any intoxicating liquor, narcotic, hallucinogenic or habit-producing drug, or with a blood alcohol concentration at or above the prohibited level as prescribed in R.S.39:4-50, or if the defendant was operating the auto or vessel while his driver's license or reciprocity privilege was suspended or revoked for any violation of R.S.39:4-50, section 2 of P.L.1981, c.512 (C.39:4-50.4a), by the Director of the Division of Motor Vehicles pursuant to P.L.1982, c.85 (C.39:5-30a et seq.), or by the court for a violation of R.S.39:4-96, the defendant shall be sentenced to a term of imprisonment by the court. The term of imprisonment shall include the imposition of a minimum term. The minimum term shall be fixed at, or between, one-third and one-half of the sentence imposed by the court or three years, whichever is greater, during which the defendant shall be ineligible for parole.

(2) The court shall not impose a mandatory sentence pursuant to paragraph (1) of this subsection unless the grounds therefor have been established at a hearing. At the hearing, which may occur at the time of sentencing, the prosecutor shall establish by a preponderance of the evidence that the defendant was operating the auto or vessel while under the influence of any intoxicating liquor, narcotic, hallucinogenic or habit-producing drug, or with a blood alcohol concentration at or above the level prescribed in R.S.39:4-50 or that the defendant was operating the auto or vessel while his driver's license or reciprocity privilege was suspended or revoked for any violation of R.S.39:4-50, section 2 of P.L.1981, c.512 (C.39:4-50.4a), by the Director of the Division of Motor Vehicles pursuant to P.L.1982, c.85 (C.39:5-30a et seq.), or by the court for a violation of R.S.39:4-96. In making its findings, the court shall take judicial notice of any evidence, testimony or information adduced at the trial, plea hearing, or other court proceedings and shall also consider the presentence report and any other relevant information.

(3) Vehicular homicide is a crime of the first degree if the defendant was operating the auto or vessel while in violation of R.S.39:4-50 or section 2 of P.L.1981, c.512 (C.39:4-50.4a) while:

(a) on any school property used for school purposes which is owned by or leased to any elementary or secondary school or school board, or within 1,000 feet of such school property;

(b) driving through a school crossing as defined in R.S.39:1-1 if the municipality, by ordinance or resolution, has designated the school crossing as such; or

(c) driving through a school crossing as defined in R.S.39:1-1 knowing that juveniles are present if the municipality has not designated the school crossing as such by ordinance or resolution.

A map or true copy of a map depicting the location and boundaries of the area on or within 1,000 feet of any property used for school purposes which is owned by or leased to any elementary or secondary school or school board produced pursuant to section 1 of P.L.1987, c.101 (C.2C:35-7) may be used in a prosecution under subparagraph (a) of this paragraph.

It shall be no defense to a prosecution for a violation of subparagraph (a) or (b) of this paragraph that the defendant was unaware that the prohibited conduct took place while on or within 1,000 feet of any school property or while driving through a school crossing. Nor shall it be a defense to a prosecution under subparagraph (a) or (b) of this paragraph that no juveniles were present on the school property or crossing zone at the time of the offense or that the school was not in session.

(4) If the defendant was operating the auto or vessel in violation of R.S.39:4-50 or section 2 of P.L.1981, c.512 (C.39:4-50.4a), the defendant's license to operate a motor vehicle shall be suspended for a period of between five years and life, which period shall commence upon completion of any prison sentence imposed upon that person.

c. For good cause shown, the court may, in accepting a plea of guilty under this section, order that such plea not be evidential in any civil proceeding.

d. Nothing herein shall be deemed to preclude, if the evidence so warrants, an indictment and conviction for aggravated manslaughter under the provisions of subsection a. of N.J.S.2C:11-4.

As used in this section, "auto or vessel" means all means of conveyance propelled otherwise than by muscular power.

e. Any person who violates paragraph (3) of subsection b. of this section shall forfeit the auto or vessel used in the commission of the offense, unless the defendant can establish at a hearing, which may occur at the time of sentencing, by a preponderance of the evidence that such forfeiture would constitute a serious hardship to the family of the defendant that outweighs the need to deter such conduct by the defendant and others. In making its findings, the court shall take judicial notice of any evidence, testimony or information adduced at the trial, plea hearing, or other court proceedings and shall also consider the presentence report and any other relevant information. Forfeiture pursuant to this subsection shall be in addition to, and not in lieu of, civil forfeiture pursuant to chapter 64 of this title.

2. This act shall take effect immediately.

Approved August 5, 2003.