

MAINE STATE LEGISLATURE

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RE: Exec. Order No. 10

FY '74-'75

STATE OF MAINE

INTERIM

POLICY AND PROCEDURE ON THE USE OF STATE-OWNED VEHICLES

The aim of the State of Maine Policy and Procedure on the Use of State-Owned Vehicles is to create a uniform policy and procedure on the use of state-owned vehicles. Further, it is the objective of this policy to allow for the most effective and efficient utilization of these vehicles. It is the prerogative of each department or agency to further restrict these policies as circumstances warrant. The guidelines once finalized by each department/agency should be made available to every employee within that department/agency who has a need to operate a vehicle on state business. In addition it should be understood by every employee that the operation of a state vehicle must conform to all the laws, rules and regulations of the State of Maine.

Any amendments to the Policy and Procedure shall be initiated by the Governor of the State of Maine.

The policies and procedures are listed below:

1.0 Identification

1.1 Each state-owned motor vehicle shall be properly identified.

1.2 Proper identification shall be by legal registration plate(s) issued by the various State of Maine departments, and attached to the proper motor vehicle. The registration certificate shall be kept in the glove compartment of the vehicle.

3 The use of further identification, such as decals, is at the discretion of each department/agency. Any such identification must be approved by the Secretary of State.

1.3 "Sec. of State" changed to
"Governor" 1/5/1981. Exec.
Order 10.

2.0 Use

2.1 State vehicles are furnished for use by state personnel exclusively on state business and for incidental use related thereto. Occupancy of state-owned vehicles by persons other than state employees is not permitted except when such persons are travelling for the convenience of the state and in connection with state business. The Department's head must formally approve any use of state vehicles by members of an employee's family; this information must be kept on permanent file. Nothing in this paragraph shall preclude the use of state-owned vehicles in emergency situations involving the preservation or protection of life, property or the public welfare.

3.0 Authorization for Use

3.1 Department heads or their authorized representatives are responsible for the assignment and effective and efficient utilization of equipment in their respective organizations.

4.0 Storage Policy

State vehicles shall be stored on state grounds at all times, except as provided herein.

4.11 A vehicle may be garaged off state grounds when it is being used to transport state employees while on overnight travel.

4.12 A state vehicle may be garaged off state grounds because of the late conclusion of a day's work or in preparation for use the next business day, where it is clearly in the best interest of the state to do so.

The intent of this exception is that travel be accomplished in the most efficient and effective manner. When travel on an ensuing business day is a substantially shorter distance from the employee's residence to the destination than from the typical storage location (employee's headquarters), it is intended that the employee be allowed to store the vehicle at his residence in preparation for that trip.

4.13 A state vehicle may be garaged at an employee's residence when the vehicle is an instrumental part of the employee's equipment, needed to fulfill the employee's job function, and the employee is subject to respond to emergencies involving public protection or safety on a 24-hour basis. This exception is not meant to include administrative personnel of agencies involved in protection of the public interest.

This exception is intended to omit from this general policy, those law enforcement personnel regularly assigned to field duty and field personnel directly concerned with the maintenance and operations of transportation facilities who are frequently called for emergency duty during other than regular working hours.

14 A vehicle may be garaged off state grounds when there is no space available on state grounds.

4.2 A file shall be maintained by each department on those vehicles which fall under exception numbers .12 (on a regular basis), .13 and .14. The following information shall be included: Registration number of vehicle, type of vehicle, and job function of those employees who store the vehicle.

4.3 Any further exception to the storage policy must be approved by the department head responsible. A statement, in writing, citing the exception and the justification shall be forwarded to the Commissioner of Finance and Administration.

5.0 Assignment

5.1 No vehicle shall be assigned to an individual for exclusive use, except where it is clearly in the best interest of the state to make such an assignment. Assignments may be made on a weekly, monthly or seasonal basis.

5.2 Criteria for the assignment of a state-owned vehicle shall include the following:

5.21 Materials of Equipment - Any unusual materials or equipment which makeup an integral part of an employee's ability to perform his job function and which would require substantial time to remove after each use shall constitute sufficient reason for vehicle assignment, provided that the operator meets the mileage and time criteria below.

5.22 Job Function - An individual whose job function requires a direct response to emergencies involving the public interest and who is allowed to store a state vehicle at his personal residence may be assigned the exclusive use of a state-owned vehicle.

5.23 Field Personnel - Every effort shall be made to assign a state vehicle for exclusive use to any individual who reports mileage in excess of 300 miles per week or 15,000 miles annually and who is absent from his headquarters location on state business for at least three days per week during the period of assignment. In regard to the absence requirement, it is intended that the employee is not at the headquarters location for a significant part of those days included in the three-day requirement.

5.3 Any passenger vehicle assigned to an individual which is not utilized for at least 13,000 state business miles shall be reassigned to another employee who meets the mileage criterion or an intradepartmental motor pool. The assignment of state vehicles will be reviewed periodically to assure that they are being properly utilized.

6.0 Record of Use

6.1 Any person using a state-owned motor vehicle shall maintain the appropriate records required by the owning/operating agency. Such records shall include at least the following information:

- a) Make of vehicle
- b) Year of vehicle
- c) Model
- d) Registration plate number
- e) Date of travel
- f) Odometer reading at the start of each day the vehicle is in use
- g) Cost of operation (including fuel, oil, lube, tires and repairs)
- h) Signature of person operating the vehicle

This information shall be made available for audit.

7.0 Maintenance

7.1 Maintenance schedules for state-owned vehicles shall comply with those recommended by the vehicle manufacturer. Whenever possible, this shall be accomplished through the use of state facilities.

7.2 Expenditures for minor repairs and emergency repairs, not to exceed a reasonable amount for each such expenditure, are authorized during periods of travel when such repairs are required to that the motor vehicle being used may return to its assigned base. Approval for major emergency repairs must be obtained from a responsible agency official. Repairs are to be paid with a credit card whenever possible.

7.3 Purchasing of supplies will conform with the policy of the Bureau of Purchases.

7.4 All state-owned motor vehicles must receive and pass a semi-annual safety check by an "Official Inspection Station" as required by the motor vehicle laws of the State of Maine.

8.0 Credit Cards

8.1 Credit cards are issued by the State of Maine through the Department of Transportation for use at state facilities and by the commercial supplier with which the State has a contract. Credit cards are to be used for motor vehicle fuel, motor oil, oil filter changes, lubrications, wash jobs, tire changes, tire repairs and tire mounting. Credit cards are not to be used for tire pur-

chases, tire tubes, batteries, spark plugs, anti-freeze, chains, parts and accessories.

9.2 All charge slips shall be returned to appropriate business office.

9.0 Responsibility of the Operator

9.1 All persons operating a state-owned motor vehicle must have on his person a current, legal motor vehicle operator's license valid for use in the State of Maine for the vehicle class being operated.

9.2 Each operator shall immediately report any damage to a state-owned motor vehicle by notifying a designated representative of his/her agency.

9.3 Each operator shall advise the appropriate individual as designated by the department, in writing, of any vehicle condition(s) that the operator feels should receive immediate attention. The designated individual shall clear the matter for necessary action upon receipt of such information.

10.0 Alcoholic Beverages

10.1 Alcoholic beverages will not be carried or consumed in State of Maine equipment, including vessels, except as provided for herein. This policy does not apply to valid shipments in transit, to evidence or confiscated liquor, to private supplies carried as part of baggage, or to possessions of passengers on ferry service vessels.

11.0 Firearms

11.1 Privately-owned firearms shall not be transported in state-owned equipment unless specifically authorized, in writing, by the various departments' commissioners or agency heads.

12.0 Security and Safety

12.1 State vehicles shall be locked while left unattended; and safety belts should be utilized, when available, by all vehicle operators and passengers.

13.0 Accident Reporting

13.1 Any accident involving the use or operation of a state-owned vehicle must be reported immediately to the appropriate agency supervisor and to the Maine Insurance Advisory Board regardless of apparent fault, degree of personal injury or property damage. Any accident involving \$200 of property damage in aggregate or any degree of bodily injury must be reported to the local policy authority having jurisdiction by the quickest means of communication, and to the Department of Secretary of State within 48 hours.

13.2 The operator of a state-owned motor vehicle involved in any accident shall complete the Driver's Accident Report. In the event that the operator is unable to fill out the Driver's Accident Report, the authorized operator's supervisor shall complete the accident form. The data recorded on the Driver's Accident Report is to be used in filing a Formal Notice of Accident; the Formal Notice of Accident shall be kept on permanent file.

15.0 Location and Identification of Required Materials

The following shall be kept in the glove compartment of the vehicle:

- 1) The official registration certificate for the vehicle.
- 2) Driver's Accident Report forms.
- 3) A current list of individuals to contact as needed.
 - a) The responsible official to contact in case of an emergency.
 - b) The motor vehicle record form. (Unless it can be kept at a more convenient location)
 - c) The Maine Insurance Advisory Board.

15.0 General Comments

15.1 It should be noted that the State purchases Comprehensive Automobile Liability Insurance covering the use and operations of all state-owned vehicles. Insurance coverages include Bodily Injury, Property Damage, Excess Medical Payments, Non-owned and Hired Care coverages. If an explanation of the coverages provided is desired, contact the Maine Insurance Advisory Board.

15.2 It should be noted by those individuals who operate their personal vehicles on state business, that it is the employee's absolute responsibility to obtain such insurance protection as his personal or business needs may require. The employee's personal insurance is primary coverage in the event of any accident whether on state or personal business.

16.0 Implementation

16.1 1. Within 30 days of the issuance of the Executive Order adopting this Policy and Procedure, each department/agency, which presently operates state-owned vehicles, shall prepare an implementation plan. The impact of the storage and assignment policies shall be specifically noted in the implementation plan. Plans shall be submitted to the Governor and the Commissioner of Finance and Administration within 30 days.

16.2 2. Within 60 days of the issuance of the Executive Order, each department/agency shall have effectuated the implementation plan. Any request to extend the implementation period due to an excessive hardship to an employee shall be submitted within the 60 day period to the Commissioner of Finance and Administration for review and disposition; detailed justification must be provided.