

MOTOR VEHICLE USE

SOURCE: Ohio Revised Code Section 125
Department of Administrative Services Policy VF- 01
Department of Administrative Services Policy VF- 02
Department of Administrative Services Fleet Management Program
Ohio EPA Administration

CONTACT: OFFICE OF OPERATIONS & FACILITIES

Motor Vehicle Use Policy:

Purpose: To establish a uniform Agency policy on the use of State vehicles for all employees, both bargaining unit and exempt, assigned a State vehicle either on a permanent, temporary or short-term basis.

Policy: State owned or leased vehicles are authorized for use in the performance of all essential travel duties related to the completion of State business. They are not authorized to be used for personal trips unrelated to the State business for which they were assigned; to transport passengers who are not State employees or who do not fall within the “Authorized Use” section outlined below; nor to attempt tasks which are beyond the vehicle’s capabilities.

Background: Ohio EPA adheres to the policy and guidelines promulgated by the Department of Administrative Services, Office of Fleet Management, for carrying out a comprehensive State Fleet Management Program. Ohio EPA also adheres to procedures mandated by the Department of Administrative Services, Motor Vehicle Liability Program.

AUTHORIZED USE

1. Travel between the place where the State vehicle is dispatched and the place where the official State business is performed.
2. When on paid travel status, travel between the place of State business and a place of temporary lodging.
3. When on paid travel status: to obtain meals; to obtain medical assistance (including drug store); to a place of worship; and similar places required to sustain the health, welfare or continued efficient performance of the driver, exclusive of places of entertainment.
4. Transport of other officers, employees, consultants, or guests of the State when on official State business.

5. Transport of consultants, contractors or commercial firm representatives when such transport is in the direct interest of the State.
6. Transport of any persons or items in a true emergency. A true emergency is one that involves a situation threatening human life or safety.
7. If authorized by management, travel between a place of performance of State business to the employee's personal residence.
 - a. Travel shall only be considered compensable time if it adds time to the employee's commute. As such, neither travel between an employee's personal residence to Ohio EPA, nor those activities which are incidental to the use of such vehicle for commuting, shall be considered part of the employee's work day.
8. Any employee assigned a vehicle on a permanent basis must be approved by the Department of Administrative Services Office of Fleet Management.

UNAUTHORIZED USE

Be advised that any unauthorized use of State vehicles may result in disciplinary action up to and including termination. Unauthorized use includes, but is not limited to, the following:

1. **Unsafe and/or Illegal Acts**, including:
 - a. Operating a State vehicle while under the influence of drugs that could impair driving, including alcohol.
 - b. Operating a State motor vehicle after the consumption of alcohol is strictly prohibited.
 - c. Texting while operating a State vehicle (as prescribed in Ohio Revised Code section 4511.204(A)).
 - d. Operating a State vehicle without a valid operator's license or while said license is under suspension or revocation.
 - e. Travel or tasks which are beyond the vehicle's rated capability or capacity.
 - f. Operating a State vehicle when insurance coverage has been suspended or terminated by the Office of Risk Management.
2. **Non-Agency Business**, including:
 - a. Transport of families, friends, associates or other persons who are not employees of the State or serving the interest of the State (including hitchhikers).
 - b. Transport of cargo which has no relation to the performance of official State business.

- c. Using State vehicles exclusively for union business (including contract negotiations, grievance meetings, arbitration and mediations).
 - d. Transport of employees from the normal place of business to restaurants or other places while not on official State business.
3. **Unsafe Conditions**, including:
- a. Transport of acids, alcohol, explosives, weapons, ammunition or highly flammable material, except in the course of Ohio EPA business and in compliance with any applicable local, State, and Federal laws.
 - b. Transport of any item or equipment projecting from the side, front or rear of the vehicle in a way which constitutes an obstruction to safe driving or a hazard to pedestrians or other vehicles.

EMPLOYEE RESPONSIBILITY

1. **Responsible Use.**

- a. Employees are expected to use State vehicles in a responsible manner.
- b. Employees are not to unnecessarily alter any State vehicles without Agency approval.
- c. Employees are prohibited from installing non-State issued equipment in any State owned vehicle.
- d. All new employees are required to take the first available defensive driving course conducted by the Agency Safety Officer before operating a State vehicle.
- e. Employees are not to unnecessarily idle vehicles. Unless the vehicle is specifically needed to be kept running for a job requirement or being driven, the vehicle should be kept or turned off.

2. **Checking Before Operation.**

- a. Employees shall be responsible for inspecting the vehicle for damage and other safety-related items prior to operation. If the driver notices any superficial damage to the vehicle, that does not affect its operation, the damage should be noted on the trip-ticket upon returning the vehicle. If the driver finds that any safety equipment (lights, turn signals, brake lights, etc.) is not functioning properly before operation, the driver shall report the malfunction to Operations and Facilities or the district motor pool coordinator and a determination will be made if the vehicle should be driven or a replacement vehicle assigned. If the problem is noticed during operation, Operations and Facilities, or the respective district motor pool coordinator, must be contacted for further instructions. If an employee observes a warning light prior to operation the employee shall consult the owner's manual and/or Operations and Facilities or the district motor

pool coordinator for instruction on whether the vehicle should be driven. If a warning light appears during operation, the employee shall discontinue driving and consult the motor vehicle manual and/or contact Operations and Facilities or the district motor pool coordinator for further instruction. In the event of an emergency, the Voyager fuel card can be used to purchase needed items (i.e., light bulbs, wipers, washer fluid, etc.). Up to \$100 can be charged without needing any further approval from the motor pool or your supervisor.

- b. Employees are not to drive any State vehicle with damages or defects which make the vehicle unsafe for use.

3. **Tickets and Other Financial Assessments.**

- a. Employees must notify the Office of Operations & Facilities of any tickets received or accidents involved in within one business day of occurrence. See additional information under Accident Reporting.
- b. Damages or other financial assessments related to State vehicles that are incurred as a result of the driver's poor judgment, irresponsibility or negligence, will be charged to the employee or the employee's office or division. Such charges or assessments may include, but are not limited to, tow charges, damage to the vehicle and all tickets. Any program whose driver violates the nonsmoking requirement, while driving a motor pool vehicle, will be billed the cost of fully cleaning the interior of the vehicle.

4. **Refueling.**

- a. All Agency vehicles are assigned a credit card for refueling and maintenance. Employees are expected to ensure the credit card is in the vehicle prior to driving the vehicle.
- b. Employees are to ensure refueling and service stations accept the credit card prior to refueling or giving authorization for service.
- c. Employees are to purchase fuel at self-service pumps, unless otherwise required by State or Federal laws.
- d. Employees are to purchase only "Regular" unleaded gasoline with an octane rating of 87 unless a vehicle requires an alternative fuel.
- e. Employees are to use credit cards only for refueling the vehicle or to purchase vehicle parts or supplies necessary for the continued safe operation of the vehicle. Substantial repairs (valued at \$500 or more) require the approval of the Division Chief, or his/her designee. Using the credit card for purchases of food, beverages or any other item not necessary for the continued safe operation of the vehicle is prohibited. Fueling of any portable jugs or fuel tanks for authorized support equipment must be purchased with a separate credit card approved for that purpose.

5. **Cell Phones.**

- a. The use of cellular phones while driving is strongly discouraged. If a cell phone must be used while driving, employees must pull over to the side of the road at the safest opportunity or pull into a rest stop or parking lot and stop the vehicle. Texting is strictly prohibited.

ASSIGNED VEHICLES

Employees who are assigned a State vehicle on a permanent basis must be approved by the Department of Administrative Services Office of Fleet Management before they can drive the vehicle home each night. A State vehicle assignment is a privilege, not a right, and can be revoked. Employees who are assigned a State vehicle must comply with all other requirements of this policy and also:

1. Notify their Supervisor, Office of Employee Services, and Office of Operations & Facilities of any temporary, short term, or permanent residency changes not later than five working days prior to the effective date of such changes. If emergency circumstances prevent timely advanced notice, then the employee must notify their Supervisor of the residency change during the next business day. Residency change notices must be filled out completely and must contain the new commute mileage.
2. Accurately and fully complete the vehicle mileage use forms prescribed by the Division Chief.
3. Securely park the assigned State vehicle in a driveway, off street parking location on the premises that is owned or leased by the employee may not be inconsistent with the residence specified in paragraph 1, above. At no time shall the assigned State vehicle be parked overnight at any location other than the employee's residence unless granted pre-approval by management. Employees must also ensure that all compartments, doors, and any other access points to the vehicle are locked at all times. Any non-functioning locking device must be reported to management and remedied as soon as possible. Items must be removed from the non-locking compartments and stored in a secure compartment.
4. Submit to the Office of Operations & Facilities, no later than the fifth (5th) working day of each month, a completed Monthly Automobile Trip and Mileage Reports form and all receipts for purchases made on the credit card for each assigned vehicle for the immediate past month.

COMPLIANCE WITH MOTOR VEHICLE LAWS

All drivers and passengers of a State vehicle must comply with all applicable State and local motor vehicle laws, including but not limited to the following:

1. The driver and all passengers shall wear seat belts.
2. The driver shall possess a valid operator's license or in the case of a suspended or revoked license, special work privileges must be awarded by a court and copies of the order provided

to operations and facilities and Department of Administrative Services, Office of Risk Management. In the case of a suspended or revoked license, the driver shall not operate a State motor vehicle until such privileges have been acknowledged and approved by Operations and Facilities and DAS, Risk Management.

3. Driving privileges may be extended when an employee has lost their personal driving privileges, but has a driving work permit issued by the court. The employee must immediately notify their supervisor and the Office of Operations & Facilities of any loss of driving privileges.
4. The driver shall comply with all applicable State and local traffic and parking laws. In the event of a violation of State and local motor vehicle laws, the driver shall be personally liable for any criminal or civil penalty incurred. All drivers shall notify the Office of Operations & Facilities and their supervisor of any tickets as soon after receipt as possible but no later than within one business day. Drivers shall also provide the Office of Operations & Facilities written proof that tickets received have been paid within ten (10) working days after payment of such ticket or in case of an appeal, the court's final decision.
5. All drivers involved in two or more vehicle accidents or moving violations in one year while driving a State vehicle must repeat the Agency's first available Defensive Driving Course.
6. All drivers shall operate State vehicles in a manner appropriate for current weather and road conditions.
7. Supervisors must contact the Office of Administrative Investigations as soon as possible after the receipt of a ticket (excluding parking ticket, if paid as required), and, if requested by that office, hold and document an interview with the employee to document the facts of the incident.

ACCIDENTS

When an accident occurs, the driver should take the following steps:

1. In the case of an emergency, call 911 and seek assistance for any injured person(s);
2. Do not discuss whose fault the accident was nor limits of insurance coverage with any persons except law enforcement personnel and agency supervisors;
3. Do not discuss the details of the accident with anyone except the investigating law enforcement officer and agency supervisors;
4. Obtain the name and address of the other party's insurance company;
5. Notify your supervisor as quickly as possible;
6. Obtain the name, address and telephone number of the investigating police department if other

than the State Highway Patrol and the accident report number;

7. Complete and submit to the Office of Operations & Facilities, within 24 hours of the accident, a State of Ohio Employee Loss Notification Automobile Accident Or Incident Form. This form may be accessed on the internet at:
<http://das.ohio.gov/LinkClick.aspx?fileticket=Fye0tXwQ-t0%3d&tabid=223>
8. Supervisors will be required to submit to the Office of Operations & Facilities, within 24 hours of an accident, a Verification of Authorized Use Form. This form may be accessed on the internet at:
<http://www.das.ohio.gov/LinkClick.aspx?fileticket=Ijl30rvlOYg%3d&tabid=247>
9. Operations and Facilities must notify the Office of Administrative Investigations after any accident, and document the damage caused to a vehicle by an employee, or receipt of a ticket (excluding parking tickets, if paid as required).

INSURANCE

The Office of Risk Management is responsible for the administration of the self-insured vehicle liability program.

This program provides coverage while the vehicle is operated by a State agency employee or designated agent that is authorized to operate a State owned vehicle and providing the "Loss" occurred during the course of State business.

There is no insurance coverage under this program for personal effects, either owned by any employee or the State, and while contained or transported in any vehicle covered under this program.

TERMINATION OF INSURANCE COVERAGE OF INDIVIDUALS

Ohio EPA also reserves the right to terminate insurance coverage if the Agency believes that an employee's operation of a vehicle presents a threat to the public (for example, operating the vehicle in a reckless or dangerous manner, a violation of motor vehicle laws, operating while under the influence of alcohol, etc.)

Upon approval of the Director, a division may purchase coverage for any individual, if necessary, through a private insurance carrier. Requirements shall include:

1. Purchase of commercial insurance must be coordinated between the Office of Operations & Facilities and the Office of Risk Management.
2. Coverage must have a limit of at least \$1,000,000.
3. Proof of such coverage shall be forwarded to the Office of Operations & Facilities.

REINSTATEMENT OF INSURANCE COVERAGE

Coverage for terminated individuals may be reinstated by the Office of Risk Management after a period of three (3) years and subject to the following conditions:

1. A review of the individual's driving record;
2. Having acquired no additional points under Ohio Motor Vehicle Law 4507.40 while operating any vehicle;
3. Proof of a valid driver's license;
4. Successful completion of the eight (8) hour National Safety Council Defensive Driving Course at the employee's expense.

MOTOR POOL

The Agency has a motor pool at Central Office and each district office. All employees, (unless a vehicle is assigned to them or for their use within their division) are expected to seek a vehicle from the motor pool for all driving travel while on official State business.

If there are no pool vehicles available, and the driver chooses to use his/her personal car, the Coordinator will provide a Certificate of Vehicle Unavailability Form (EPA 0731) to the requesting driver. This form will serve as authorization for personal automobile mileage reimbursement.

This form (EPA 0731) does not obligate, nor is it meant to imply obligation, for the Ohio EPA to cover any injuries or damages resulting from the use of a personal vehicle to the driver, any other drivers or any property. It is strongly recommended the driver check with his/her private insurance carrier to ensure proper coverage.

MOTOR POOL VEHICLE RESERVATION

All vehicles must be reserved by sending a request via the motor pool application on the Ohio EPA network. Reservations are expected to be requested 24 hours in advance if possible. Vehicle requests cannot be made online within two (2) hours of expected key pickup. An employee would need to see their respective motor pool coordinator to obtain a vehicle within two (2) hours of expected key pickup.

Drivers assigned a vehicle will be given a vehicle packet which contains the following:

1. A printed copy of their reservation form.
2. A copy of the vehicle registration form.
3. A proof of insurance card.
4. A State of Ohio Employee Loss Notification Automobile Accident or Incident Form.
5. A credit card and instructions for refueling the vehicle.
6. A list of refueling stations for Natural Gas Vehicles (NGV) if applicable.
7. A State of Ohio Map.
8. The phone number of the motor pool coordinator.
9. The phone number of an after-hours towing company.

USE OF MOTOR POOL VEHICLES

In addition to all requirements previously mentioned in this policy all drivers, using a motor pool vehicle, shall:

1. Return the vehicle with the copy of the reservation form completed indicating:
 - a. Return date and time;
 - b. Mileage of vehicle at completion of trip;
 - c. The amount of fuel remaining in the tank as indicated by the fuel gauge.
2. Return the vehicle with a minimum of three-fourths (3/4) full fuel tank;
3. Ensure a refueling station accepts the credit card prior to refueling the vehicle;
4. Enter the current odometer reading at the pump or provide it to a station attendant when prompted;
5. Purchase only fuel, basic car washes, or necessary automotive supplies or repairs (under \$100.00) with the credit card unless given specific authorization (see additional information in Motor Pool Breakdowns and Emergency Procedures);
6. Write the current odometer reading on the front of the gas receipt;
7. Make certain the total amount of gallons and the price per gallon are listed correctly on the gas receipt prior to signing it;
8. Remove all trash and personal items prior to returning the vehicle;
9. Park the vehicle in its designated parking spot upon return unless the designated parking spot has another vehicle in it. In this case, the vehicle should be parked at the back of the lot, the spot noted, and the motor pool coordinator notified;
10. Notify the motor pool coordinator of any maintenance or service issues or condition of the vehicle that require attention and would make the vehicle unsafe or undesirable to be used until addressed.

MOTOR POOL VEHICLE BREAKDOWNS

If your vehicle should breakdown during regular business hours, contact your motor pool coordinator or District Administrator utilizing the emergency numbers on the envelope in the vehicle packet. The credit card may be used for repairs under the following conditions:

1. You have authorization from your motor pool coordinator, the Office of Operations & Facilities or your District Chief or Administrator;
2. You have made sure the vendor accepts the credit card;

3. The total amount of the repair is less than \$500 unless approved by your motor pool coordinator.

If your breakdown is after regular business hours, call the towing company listed on the vehicle packet for the office/district where you work. Unless otherwise directed by the motor pool coordinator, the towing company will bring you and the vehicle back to your office or district office. Have the tow truck driver park the vehicle in its designated parking spot if possible. If that is not possible, have it parked as close as possible to its designated parking spot. Depending upon prior arrangements with each towing company, you may be able to pay for the towing charge with the credit card. If not, the driver will be aware of his need to contact your motor pool coordinator the following business day to arrange for payment. You may be required to sign the towing document to indicate proof of towing for the vendor.

08/16