DEPARTMENT OF ADMINISTRATIVE SERVICES

General Letter No. 115

POLICY FOR MOTOR VEHICLES USED FOR STATE BUSINESS

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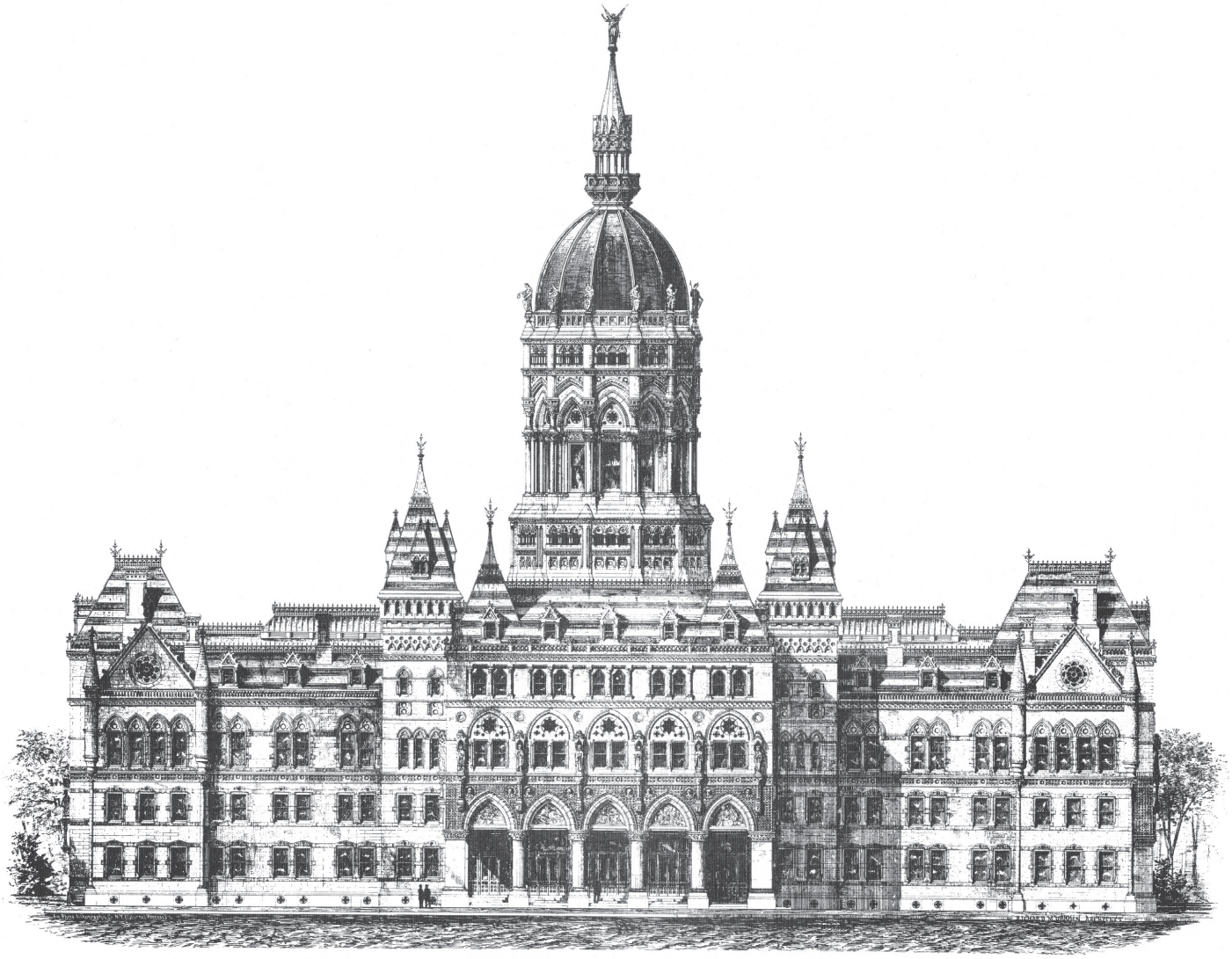

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DEPARTMENT OF ADMINISTRATIVE SERVICES

DAS General Letter No. 115 – Policy for Use of Motor Vehicles to Conduct State Business

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Purpose & Scope

This policy governs both the use of state-owned motor vehicles and any motor vehicles that are used for official state business by state employees, **including a state employee's personally owned, leased and/or rented vehicles**.

This policy applies to all Executive Branch Agencies of State Government, including the constituent units of higher education, except State Police. **Furthermore, this policy applies to all employees who have been approved to participate in the voluntary State Telework Program. No concessions will be made to facilitate participation in such a program without written agreement between the DAS Fleet Director (or his/her designee) and the respective agency head.**

This policy replaces previously published General Letter 115 ("GL 115") policies.

This policy does not supersede any language or benefits provided under an applicable collective bargaining agreement ("CBA"). **This policy is intended to work in conjunction with any applicable CBA.**

Definitions

"Motor vehicle" means automobiles, trucks, buses, and emergency vehicles.

"Official duty station" means the state-owned or leased building or other locations at which an employee reports for duty.

"Personally-owned vehicle" means a motor vehicle owned by a state employee and authorized for use on state business.

"Pool vehicle" means a state-owned motor vehicle assigned to an agency for use by two or more employees.

"Rental vehicle" means a motor vehicle that has been rented from a commercial rental agency (either in Connecticut or out-of-state) by a state employee or state agency for use on state business.

"State-owned vehicle" means a motor vehicle that is owned by the State of Connecticut.

Responsibilities

Agency Managers & Supervisors are responsible for:

- Enforcing this policy at their agencies;
- Implementing a cost-benefit analysis to ensure the most efficient and cost-effective use of state-owned, personal and / or rental vehicles consistent with their agencies' missions;
- Determining the agency's vehicle needs and submitting requests for state-owned vehicles to the Director of DAS Fleet Operations;
- Deciding whether an employee has a justifiable need to park a state-owned or rental vehicle at his or her home in accordance with the criteria set forth in this policy and any applicable collective bargaining agreements, and, if so, requesting permission from the Director of DAS Fleet Operations;
- Taking appropriate disciplinary action in the case of a violation of this policy;
- Serving as or designating the Agency Transportation Administrator for their agencies.

The Agency Transportation Administrator ("ATA"):

The Agency Transportation Administrator shall be a high-level manager or executive with fiscal and policy-making authority who reports directly to the agency head. The ATA is responsible for:

- Authorizing agency employees to obtain rental vehicles and authorizing any deviations from standard rental requirements;

- Deciding whether to allow an employee to park a stated-owned or rental vehicle at his or her home **on an occasional basis**, in accordance with the criteria set forth in this policy and any applicable collective bargaining agreements;

- Determining whether a contract employee or volunteer has a justifiable need to drive a state vehicle, and, if so, requesting permission from the Director of Fleet Operations;

- Authorizing reimbursements to agency employees for the use of personally-owned vehicles on state business;

- Ensuring that an up-to-date statement of insurance with minimum liability **(Minimum Third Party Liability: $50,000/$100,000; Minimum Property Liability: $25,000)** is on file with the agency for each employee authorized to use a personally owned vehicle on official state business;

- Maintaining records regarding the agency's usage of state-owned and rental vehicles, including but not limited to, daily mileage logs and submitting any required reports to the Director of DAS Fleet Operations;

- Maintaining records regarding the agency's reimbursements to employees for use of personally-owned vehicles and submitting any required reports to the Director of DAS Fleet Operations;

- Promptly investigating complaints concerning state vehicles, drivers and passengers and notifying the Director of DAS Fleet Operations of the outcome of the investigation; cooperating with any investigation conducted by DAS Fleet Operations; AND, absent extenuating circumstances, the ATA shall notify the Director of DAS Fleet Operations of the outcome of the investigation within 30 days of receiving the complaint;

- Obtaining any necessary permits or permission for any equipment added to a state vehicle, in writing, from the Director of DAS Fleet Operations;

- Ensuring that each person who operates any motor vehicle on state business is aware of this policy and has the ability, knowledge, skill, experience **and appropriate license** to operate the type of vehicle assigned.

The Department of Administrative Services ("DAS") is responsible for:

- Purchasing, leasing and maintaining all passenger cars and light-duty trucks owned by the State of Connecticut, except for those that 1) the Department of Transportation and 2) the Department of Emergency Services and Public Protection may own and maintain which are necessary to the performance of their statutory functions duties;

- Establishing procedures and standards regarding the acquisition, use, maintenance and garaging of passenger cars and light-duty trucks;

- Establishing policies and procedures regarding interagency car pools **to ensure the efficient, cost-effective and orderly use of motor vehicles used for state business.**

The Director of DAS Fleet Operations is responsible for:

- Periodic reviews of motor vehicle usage for state business to ensure full compliance with this policy;

- Allocating safe and well maintained state-owned vehicles to agencies;

- Investigating complaints concerning state vehicles, drivers and passengers are investigated and appropriate action is taken;

- Establishing standards for safe practice in the operation of motor vehicles;

- Requiring drivers to participate in designated driver education or other mandatory training programs when appropriate;

- Reviewing online requests from agency management seeking permission to park a state-owned or rental vehicle at an employee's home on a continuous basis;

- Reviewing requests from agencies seeking permission to allow volunteer workers and/or individuals contractually employed by the state to drive state-owned or rental vehicles;

- Working with the DAS Commissioner to suspend temporarily all or part of these policies in the event of a riot, natural disaster, patient emergency, or other emergency situation(s).

Driver Responsibilities:

- Being knowledgeable of, and compliant with, all of the rules and procedures outlined in this policy and any applicable collective bargaining agreement;

- Driving courteously and obeying all motor vehicle laws;

- Ensuring that state-owned vehicles are serviced at proper intervals and that DAS Fleet Operations is notified of needed repairs;

- Ensuring that fluid levels (engine oil, transmission fluid, radiator coolant and window washer fluid) of state-owned vehicles are checked and replaced when low;

- Ensuring that state-owned vehicles are brought in for emissions tests before the expiration date;

- Ensuring that state-owned vehicles' interiors are kept clean;

- Complying with all state motor vehicle accident reporting procedures issued by the State Comptroller or the Director of DAS Fleet Operations, **which includes reporting incidents of vehicle damage by any means**, including but not limited to completing the DAS Vehicle Incident / Accident Report and emailing the report to fleet.accidents@ct.gov **and** his or her supervisor within 48 hours of the motor vehicle accident or incident;

- Promptly paying parking fines and other liability charges incurred while operating any motor vehicle on state business. **Such fines are the personal liability of the driver.**

- Notifying his or her Agency Transportation Administrator and the Director of DAS Fleet Operations within 72 hours if he or she has been convicted of or has made payment for any motor vehicle violation (not including parking tickets) while driving a state-owned vehicle.

- Possessing the ability, knowledge, skill, experience and appropriate license to operate the type of vehicle assigned.

- Completing and submitting all required reports within established timelines.

- Ensuring that his or her motor vehicle licenses and any required motor vehicle insurance is kept active, unrestricted and up-to-date.

- Notifying his or her Agency Transportation Administrator within 24 hours if his or her motor vehicle license is suspended, revoked or expired.

Purchase and/or Lease of State-Owned Motor Vehicles

DAS Fleet Operations is responsible for the purchase of motor vehicles for use by state executive agencies. **No state agency may acquire a motor vehicle from any other source unless approved in writing by the Director of DAS Fleet Operations.** This applies whether or not the acquisition is the result of a gift, purchase, lease or transfer.

Agency Vehicle Assignments: Assignments of state-owned vehicles are made to agencies only in the following circumstances:

- For use by elected officials;

- The Commissioner of Administrative Services (or his/her designee) determines that it will be less costly to use a state vehicle than it would be to reimburse the state official or employee for mileage traveled in his or her personal vehicle (typically at least 700 miles a month); or

- If the agency can demonstrate that specialized circumstances (such as particular equipment needs or risk management concerns) dictate the acquisition of a state vehicle;

- Requests for vehicle assignment must be made in writing on the form established by DAS, and submitted to the Director of DAS Fleet Operations. A detailed justification for the need for a state-owned vehicle, including intended usage, estimated mileage, and garaging location must be included in the request;

- The Director of DAS Fleet Operations may reassign, recall or transfer motor vehicles as necessary to ensure the most efficient and cost-effective use of motor vehicles throughout the state.

Pool Vehicles: Intra-agency motor pools of state-owned vehicles may be operated by an agency under the guidance of the Director of DAS Fleet Operations. Using motor pools instead of assigning vehicles to individuals is encouraged wherever possible.

Pool vehicles shall not be assigned for the exclusive use of an individual employee. If an individual employee requires the exclusive use of a motor vehicle in order to perform his or her job duties, the agency shall submit a request for a vehicle assignment.

Long Term Assignments of a Vehicle to Employees and/or State Officials: in some situations an agency may request that a vehicle be assigned to an individual employee on a long-term basis, **as opposed to requesting an agency pool vehicle.**

In determining whether to grant approval of the vehicle assignment to an individual on a long-term basis, the **Agency Manager** will assess each request on its own merits. The **Manager** will consider the following factors:

- Long-term assignment of a vehicle **shall not be granted if the vehicle will be driven less than an average of seven hundred miles per month**, except with the explicit approval of the Director of DAS Fleet Operations.

- Approval to assign a vehicle on a long-term basis **may not be granted if the driver assigned to the vehicle**:
    - Has been the subject of two or more valid complaints involving the use of a state-owned vehicle within a six-month period; *OR*
    - Has been convicted of or has made payment for two or more motor vehicle violations while driving a state-owned vehicle in a six-month period.

Excess Vehicles: The Director of DAS Fleet Operations and / or the client agency's management shall determine whether an agency has an excess of vehicles. Any vehicles determined to be in excess of the agency's requirements shall be returned to DAS Fleet Operations.

Seasonal Vehicles: State-owned vehicles shall be assigned to agencies on a seasonal basis when it is functionally required and economical to do so.

The agency shall conduct an assessment of its need for a seasonal vehicle **before each season**. Seasonal vehicles are to be returned to DAS Fleet Operations after seasonal activities are concluded.

Lease Rates for State-Owned Vehicles: Agencies leasing state-owned vehicles from DAS Fleet Operations are billed monthly at established rates. Authorized expenses for routine servicing, maintenance and the replacement of motor vehicles are included in the lease rates. **Agencies are billed separately for the following:**

- Accident or vandalism damage to a vehicle which is not collectible from another party;
- Repairs necessary due to negligence, abuse or misuse of a vehicle, including failure to maintain proper fluid levels;
- Fuel and replacement oil between servicing; *AND*
- Costs associated with installation, removal and purchase of specialized equipment.

On a case by case basis, DAS Fleet Operations may provide agencies with loaner vehicles when a vehicle assigned to the agency is brought into DAS Fleet Operations for maintenance. The agency shall not be charged for the loaner vehicle unless the agency fails to return the loaner vehicle within two business days of being notified that the vehicle assigned to the agency has been serviced and is ready to be picked up.

Vehicle Markings: All state-owned motor vehicles shall be identified in a manner prescribed by the Director of DAS Fleet Operations. No equipment, decoration or advertisement shall be affixed to a state-owned vehicle without prior approval from DAS Fleet Operations.

Removal of any prescribed markings, including license plates and state-issued bumper stickers, and any other attempt to obscure that the vehicle is owned by the state is prohibited.

Vehicle Registration: Fleet Operations is responsible for **the** registration of **DAS-**owned vehicles. Agencies are authorized to apply directly to the Department of Motor Vehicles for registration for only their agency-owned vehicles.

Rental Vehicles

Priority will be to utilize DAS Inter-Agency Motor Pools when available. Prior to utilizing a commercial rental agency, the ATA (or other authorized manager) should determine whether the agency's vehicle needs can be addressed by the DAS Inter-Agency Motor Pools.

Authorization to Rent a Vehicle: The Agency Transportation Administrator shall ensure that the rental of the vehicle is essential to conduct agency business **and** is the most cost-effective and efficient method of providing transportation to employees on state business.

Vehicle Classes Available to Rent: Except in special circumstances, only vehicles in the following classes shall be rented: Economy, Compact, Intermediate, Standard, Full Size and Mini-Van.

The rental of any other class of vehicle (Premium, Luxury, Small Sport Utility, Large Sport Utility and Cargo Van/Pick-up Truck) is not permitted unless the Agency Transportation Administrator provides written approval to the rental agency. **No blanket authorizations will be allowed.**

Commercial Rental Procedure: State employees who are renting a vehicle for use on state business, whether in state or out-of-state, **must use the existing state contract for rental vehicles.**

State employees who are traveling out-of-state on state business may book the rental vehicle through the State travel agency;

If the employee works in a state agency that participates in the state purchasing card (P-card) program, the employee **must use the P-card to rent the motor vehicle.**

Third party liability and property damage liability insurance are included in the rental rates. The State will not pay for or reimburse the employee for any additional insurance.

Employees are responsible for complying with the rental agreement requirement to return the rental vehicle with a full tank of fuel. Employees are not permitted to choose the fuel service option, whereby a renter pays an extra fee instead of re-fueling the car. The State will not pay for or reimburse the employee for the cost of the fuel service option or for any penalties assessed to the employee for his or her failure to re-fuel the vehicle.

In-state rentals of vehicles shall only be for business days. No weekend rentals (Saturday, Sunday and State Holidays) are allowed unless the Agency Transportation Administrator provides written consent in advance to the rental agency. No open-ended or blanket authorizations will be allowed.

Vehicle Usage Policy for both State-Owned and Rental Vehicles

Appropriate Use: Drivers are permitted to use state-owned and rental vehicles **only to conduct official state business.**

Personal use of a state-owned or rental vehicle for social, recreational, religious, educational **or any other purpose**, whether on duty or off, is not permitted.

For appointed officials, see the *Handbook for Appointed Officials*.

Overnight Parking of State-Owned Vehicles: In general, all state-owned and rental vehicles must be parked overnight **at state-owned or leased facilities**.

Vehicles shall be parked at the official duty station of the principal drivers. However, field personnel whose assigned geographic area is regional may park their assigned vehicles **at a state-owned or leased facility that is central to that region only if approved. This exception is only available if the agency's Agency Transportation Administrator has requested and received approval from the Director of DAS Fleet Operations.**

State-owned and rental vehicles shall not be parked overnight on any street or highway or in commuter lots, except under emergency conditions.

Overnight Parking at an Employee's Home: Only on an occasional basis may the ATA approve the garaging of a state-owned or rental vehicle at the home of an employee for a specific night, AND **only in the following situations:**

- The employee is required to attend a late-night meeting away from his or her official duty station;

- The employee is required to begin work prior to 7:00 a.m. or end work after 6:30 p.m. away from his or her official duty station;

- Other similar circumstances when the Agency Transportation Administrator determines that allowing the employee to park the state-owned or rental vehicle at his or her home for the night is essential to the conduct of agency business and is the most cost-effective and efficient method of providing transportation to employees on state business.

The agency must maintain records justifying the decision to allow the employee to park the vehicle at home for each night that the vehicle is parked at the employee's home. The Agency Transportation Administrator shall not issue open-ended or blanket authorizations for at-home garaging.

Requests for Continuous Overnight Parking of a State Vehicle at an Employee's Home: Agencies must obtain approval from the Director of DAS Fleet Operations to garage a state-owned or rental vehicle at the home of an employee **on a continuous basis** using the on-line application on the DAS website. The Director of DAS Fleet Operations will consider the merits of each request on a case-by-case basis; however, in general, permission is likely to be limited to the following situations:

- Employees whose CBA, if applicable, requires garaging of a vehicle at home;

- Employees who are subject to 24-hour calls and need a specially equipped vehicle;

- Field personnel who carry state-owned **firearms** in a vehicle that cannot be practicably garaged in a secure area **at their agency or a gated and fenced in DOT lot**. The agency head must certify that:

    - There is a reasonable basis to assume that the employee's home will provide a more secure parking; and

    - There is no other practicable alternative.

- **Field personnel whose** vehicles in which valuable equipment must be stored overnight **that cannot be practicably garaged in a secure area at their agency or a gated and fenced in DOT lot.** The agency head must certify that:

- The equipment is highly visible or is highly likely to be attractive as an object of theft;
- There is a reasonable basis to assume that the employee's home will provide a more secure parking; AND
- There is no other practicable alternative.

General Rules for Overnight Parking: An employee who lives outside the borders of Connecticut and plans to park a state-owned or rental vehicle at his or her home overnight must also obtain authorization for out-of-state travel.

Overnight parking of a state-owned vehicle at an employee's home for more than one night per month may be classified as a fringe benefit taxable as income and may be reported to the Internal Revenue Service. Agencies should contact the Office of the State Comptroller for further information and reporting requirements.

Authorization to park at home may be removed at any time, subject to collective bargaining requirements, if it is determined to be in the best interest of the State.

Transfer of Motor Vehicles: State-owned or rental vehicles may not be lent, leased or rented to any person, organization, business, or other governmental jurisdiction except when approved by the Commissioner of Administrative Services.

Use of Vehicles by Volunteers and/or Contract Employees: State-owned vehicles and rental vehicles may not be driven by volunteer workers or individuals contractually employed by the state unless and until the Director of DAS Fleet Operations grants permission. Such drivers are subject to the same rules and requirements as state employees who drive state-owned vehicles.

Fuel Purchase: Except in the limited circumstances described below, drivers of state-owned and rental vehicles shall obtain fuel and replacement oil at state-owned stations located throughout the State.

A state employee may purchase gasoline and/or oil from a commercial station only when he or she is operating the state-owned or rental vehicle outside of normal work hours, out of state, or in an emergency.

Agencies will be required to submit any reports requested by the Director of DAS Fleet Operations concerning gasoline and oil purchases.

Service and Repair of State Vehicles: DAS Fleet Operations shall conduct the service, maintenance and repair of all state-owned vehicles unless it authorizes another agency to perform some or all of these duties.

In the event of an emergency breakdown of a state-owned vehicle outside of DAS Fleet Operations' normal work hours or on weekends, the driver must call 1-877-454-4204 (toll free). The call will be answered through the Department of Environmental Protection Dispatch Office, which will provide assistance.

Accident Report Procedure: Every accident involving a state-owned vehicle shall be reported to the Comptroller's office and DAS Fleet Services. The operator of the vehicle must complete the DAS Vehicle Incident / Accident Report accident report and email the report to fleet.accidents@ct.gov and his or her supervisor within 48 hours of the incident. If a DAS vehicle must be towed from the scene, the operator must inform DAS Fleet Operations of its location by calling (860) 713-5160.

Within three days of the incident, the operator must bring the vehicle to the closest Fleet Operations garage for inspection / repair.

If the operator or any other state employee is injured in the incident, he or she should consult the State's Workers' Compensation Claim reporting procedures.

Usage Reports: Agencies shall keep daily mileage logs (Form CCP-40) for each state-owned vehicle assigned to them. The operator(s) shall certify these logs as true and correct.

On a monthly basis, each agency shall submit a usage report to DAS Fleet Operations in the format specified by DAS Fleet Operations. By submitting these reports, the agency head shall certify that the travel documented within the report was essential to that agency's official state business.

Repeated failure to provide DAS Fleet Operations with usage reports may result in the recall of the state-owned vehicle by the DAS Director of Fleet Operations.

No Smoking Policy: As articulated in the September 1, 2000, Fleet Operations Directive, **smoking is prohibited in all state-owned vehicles.** This includes the use of all tobacco products (e.g., chew, e-cigarettes / vaping, etc.).

Unrestricted License Requirement: An individual whose motor vehicle operator's license has been suspended shall not be allowed to operate a state-owned or rental vehicle, even if the individual has been issued a Special Operator's Permit for work under Conn. General Statute Sec. 14-37a.

Personally Owned Motor Vehicles Used for State Business

The Agency Transportation Administrator must authorize the use of a personally owned motor vehicle by an employee for state business

Proof of Insurance: All state employees who are authorized by their Agency Transportation Administrator to use their own motor vehicles in the performance of their duties, **must carry at least the minimum insurance coverage of**:

Third party liability: $50,000 / $100,000
Property damage liability: $25,000

If the applicable collective bargaining agreement provides for different levels of minimum insurance coverage, the Collective Bargaining Agreement controls.

Reimbursement for Use of Personally Owned Vehicles: Reimbursement for use of an employee's personally owned vehicle will be made in accordance with State Standard Travel Regulations (5-141c-1 to 5-141c-ll) and / or the applicable collective bargaining agreements.

If the use of a personally-owned motor vehicle by an employee is authorized by the Agency Transportation Administrator for official state business, the employee shall be reimbursed at an established mileage rate for travel on official state business less their normal round-trip commute from home to their official duty station, unless another method of calculating mileage has been provided under the applicable collective bargaining agreement.

No payment for use of personally-owned vehicles is permitted for the following:

- Travel from home to official duty station or field assignment, unless provided under the applicable collective bargaining agreement;
- Any activity except official state business; OR
- Participation in any activity in which an honorarium, stipend, monetary fee or gift of any value is given to the employee involved.

Penalties and Progressive Discipline

Any violation of General Letter 115 may result in disciplinary action up to and including dismissal.

The penalties and disciplinary procedures in this section are meant to operate *in conjunction with any collective bargaining agreement applicable to the state employee facing such action*. Employees who face potential discipline under this policy should consult with his or her union representative.

Violation of any policy, law or regulation governing the use of a state-owned vehicle may result in the immediate recall of the vehicle by the DAS Director of Fleet Operations.

Investigation of Alleged Offenses: the Director of Fleet Operations, or his designee, shall gather facts necessary for the resolution of any alleged violations of General Letter 115 (e.g., police reports, interviewing parties and witnesses to the incident, etc.), and, if necessary, make a recommendation for further action.

- The Director of Fleet Operations, or his designee, will notify the employee, and his or her supervisor, of the allegation or complaint against the employee. Such a notice shall reference directly the relevant policy that was allegedly breached and a reminder that the employee may consult his or her union representative.

- Once the investigation, if necessary, has been completed the Director of Fleet Operations, or his designee, will write a report documenting the evidence collected, the parties involved and a final recommendation for corrective action or no further action.

Progressive Discipline: Any recommendations for corrective action shall proceed as follows, unless an applicable CBA provides for a separate grievance process. When making a final recommendation for corrective action the Director of Fleet Operations, or his designee, will consider all relevant circumstances and facts gathered during the investigation of the alleged offense.

First Offense: Such actions may include mandatory driver safety training, guidance on how to avoid repeat offenses, and/or other actions that work to correct the offending behavior. All such meetings will be documented and maintained with Fleet Services.

Second Offense (within 3 Years of First Offense): If an employee receives a recommendation for corrective action for a second offense within three years of

receiving a corrective action for a first offense, **the employee may receive a temporary suspension of rights to use a state vehicle**.

Such a suspension shall require a meeting with **his/her supervisor, or** the Director of Fleet Operations, or his designee, where the reasons for a recommended suspension are provided to the employee. The employee shall be granted an opportunity to address all allegations before a final recommendation for corrective action on the second offense.

Third Offense (within 3 years of First Offense): If an employee receives a recommendation for corrective action for a third offense within three years of a second offense, the Director of Fleet Operations may permanently revoke the employee's right to use a state vehicle.

Other Considerations Regarding Disciplinary Action:

Any state official or employee to whom a vehicle has been assigned on a long-term basis who has received two or more recommendations for corrective action within a six-month period, or he or she has been convicted of or has made payment for two or more motor vehicle violations while driving a state-owned vehicle within the same six-month period, may forfeit the privilege of using a state-owned vehicle for one year.

Personal Liability: The willful neglect or misuse of any state-owned or rental vehicle, including false statements about the use of said vehicles, may subject the employee to civil action. (See Connecticut General Statutes § 4-165 and Regulations of Connecticut State Agencies 5-240-1a (c)(7)).

If an employee is involved in an accident as a result of his or her own **willful or wanton misconduct** while in the operation of a state-owned or rental motor vehicle, the agency head may assess the responsible party for property damage to state property.