



OREGON YOUTH AUTHORITY
Policy Statement
Part I – Administrative Services



Subject

Use of State-owned Vehicles

Section – Policy Number:

C: Personnel Management – 2.0

Supersedes:

I-C-2.0 7/22/04
I-C-2.0 (6/9/03)
I-C-2.1 (9/19/02
Info Letter)

Effective Date:

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Date of Last Review/Revision:

None

Related Standards and References:

- [ORS 283.305](#) through 283.395 (Control and regulation of state-owned motor vehicles)
- [OAR 125-155](#) (State Vehicle Use and Access)
- DAS, State Service Division, Fleet Administration policy: [107-009-040](#) (Statewide Fleet Management)
- DAS, Risk Management Division (DAS-RMD) [Travel Kit: A Guide to Managing Risks While on the Road](#)
- Applicable Collective Bargaining Agreements [AFSCME Local 191; SEIU](#)
- American Correctional Association, *Standards for Juvenile Correctional Facilities*; 3-JTS-3A-25 (Tools and Equipment)
- OYA policy: [I-A-4.0](#) (Tort Liability and Claims)
[I-C-7.0](#) (Safety Program)
[II-A-3.1](#) (Offender Transports)
- OYA forms: [YA 0029](#) (OYA Mileage Report)
[YA 0030](#) (State Vehicle Inspection Report Checklist)
[YA 8008](#) (Application for Employment – Driving Record Certification)
[YA 8300](#) (Incident/Accident/Hazard Report)
[YA 8313](#) (Supervisor Responsibilities for Filing SAIF/Workers Comp Claims)
- Other forms: SAIF 801 (Workers' Compensation Claim Form 801)

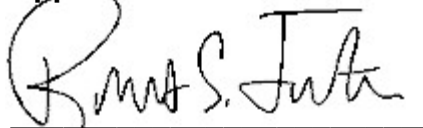
Related Procedures:

- None

Interpretation:

Business Services

Approved:



Robert S. Jester, Director

I. PURPOSE:

This policy provides OYA staff guidelines for using state vehicles in a way that promotes safety, economy, good public relations, and complies with state rules and policy.

II. POLICY DEFINITIONS:

Staff: For purposes of this policy, a person employed by the state to do state business for whom the state withholds income tax, provides workers' compensation coverage, and pays workers' compensation hour-tax. Under this definition, the following are not staff: workers provided by a temporary employment services agency, Department of Corrections' inmates, and Oregon State System of Higher Education students unless the student meets the terms of this definition.

Official state business or state business: Any activity conducted in conformance to this policy and controlled by the OYA to advance the lawful policies and purposes of the agency. State law requires a narrow interpretation of this term.

Official work station: The location designated in writing by the OYA from which a staff normally carries out his or her duties.

Private vehicle: A motor vehicle that is owned, rented, borrowed, leased, or otherwise lawfully in the possession and control of any private person or any entity other than the state. A commercial rental vehicle is a private vehicle if it is rented or used for a mix of private and state uses. Private vehicles, when in use for state business, are treated as state vehicles in this policy unless the context clearly requires otherwise. While any motor vehicle is being used to transport family or for any other personal purpose, it is not on state business. An independent contractor's vehicle being used for contract services is on the contractor's business, not on state business.

State vehicle: A motor vehicle owned, rented borrowed, leased, or otherwise under the possession and control of the state. It is licensed for highway use. A rental vehicle is a state vehicle if it is rented by a duly authorized staff at the cost of the state, solely for official state business. A vehicle, owned by DAS and lawfully rented to a local government or other non-state entity, is not a state vehicle for the purposes of this policy. Unless the context clearly requires otherwise, "state vehicle" refers to private vehicles while in use for official state business.

Vehicle custodian: OYA staff responsible for review and reconciliation of vehicle mileage logs.

Volunteer: An unpaid person appointed by the OYA to work on its behalf. Volunteers are appointed in writing to do state business under agency direction and control. They receive no remuneration. The OYA may not call people volunteers for the primary purpose of justifying their transportation in a state vehicle.

III. POLICY:

The OYA is committed to a safe work environment, including prevention of work-related automobile accidents and incidents through staff awareness and training. The use of state-owned vehicles is a privilege granted to staff for the conduct of official state business. All vehicles in use for state business will be used legally, courteously, and safely. DAS rules and policy govern the use of such vehicles by all state agencies.

Staff are expected to maintain a good driving record, and to recognize that off-duty incidents may affect employment status with the OYA. In addition, staff are cautioned that all traffic citations, citizen complaints, accidents, and vehicle incidents while on-duty will be reviewed and may result in disciplinary action, up to and including dismissal from state service.

IV. GENERAL STANDARDS:

- A. Staff and representatives will use state vehicles in a way that promotes safety, economy, and good public relations.
- B. In all cases, persons who use a motor vehicle (whether personal or state-issued) for official travel will have a valid driver's license and appropriate automobile insurance coverage.
- C. Transportation as required in performance of duties is an OYA obligation and is termed "official travel." Transportation between home and a staff's workplace is a personal obligation.
- D. OYA job announcements and position descriptions will clearly state the position's driving responsibilities, including whether driving is an essential function of the job.
- E. The use of a privately-owned vehicle for official travel may be permitted where such use benefits the OYA and is authorized by the staff's supervisor/manager in advance.
- F. State liability insurance
 - 1. State-owned vehicles

Coverage is provided to staff and authorized users of state-owned, controlled, or leased vehicles for injuries to persons and property.
 - 2. Privately-owned vehicles

Coverage is provided for OYA staff using their own vehicles only if the staff is engaged in an activity within his/her scope of employment, and is **secondary** to insurance provided by the staff's own policy.

G. Minimum driver requirements

To drive any motor vehicle on state business, a driver must:

1. Be 18 years or older, legally responsible for his or her actions and contracts, and subject to the OYA's direction and control;
2. Hold a driver's license acceptable under this policy;
3. Qualify to drive under this policy and any rules or policies of the State of Oregon; and
4. Have permission from the OYA to drive.

H. An acceptable driver's license is a regular, temporary, or commercial license that is lawful, current, and valid. It must be issued by the state where the staff actually resides. It must be legal to use in the jurisdiction where the driver is driving. It must be the kind or class or be endorsed as required by law for the kind of driving to be done.

1. An international license is acceptable if certain conditions are met in compliance with DAS rule.
2. A driver's license or permit is not acceptable if it:
 - a) Is legally invalid or unlawful due to changed residence or any other reason;
 - b) Lacks a legally required endorsement or class; or
 - c) Is issued with restrictions, except when used within those restrictions.

I. Operating state-owned vehicles:

1. Generally, only state employees are authorized to operate state vehicles.
2. In limited circumstances, supervisors/managers or superintendents/camp directors may allow persons other than state employees to operate a state vehicle for state business.

Such approval will be given prior to such use and in compliance with DAS rule. Persons approved/trained as OYA volunteers and other state employees (when appropriate interagency agreements are in place) may be allowed such use.

Contact central Business Services for clarification.

3. In some instances, staff may operate state vehicles that are assigned by DAS to another individual, such as vehicles assigned

to facilities in the name of the Superintendent/Camp Director and used by various facility staff.

The driver will complete a YA 0029 (OYA Mileage Report). See section L (Vehicle logs) of this policy regarding the YA 0029.

4. Staff may transport people or things to the extent needed to accomplish state business. Prior authorization from the OYA is required for all other passengers (including observers, minors, pets, or a staff's family members); such approval will be given in compliance with DAS rule.

Hitchhikers are not allowed in any state vehicle or private vehicle on state business.

J. Twelve-passenger vans

1. In an effort to reduce the rollover hazards of vans designed to carry 12 passengers, the OYA requires compliance with the following directives when staff drive such vehicles or when other persons transport staff or offenders in such vehicles.
 - a) Roof-top carriers will not be used on vans.
 - b) Regardless of van capacity, only 12 people (total of staff and offenders) will be transported per van.
2. Staff must complete a training course, pass a test, and receive a certificate prior to operating such vans.
3. Supervisors/Managers will ensure all staff who operate such vans are trained using the Juvenile Justice Training Academy (Training Academy) curriculum.
4. Staff or offenders are prohibited from riding in such vans if the driver has not successfully completed the OYA training or equivalent certified training course.
 - a) Supervisors/Managers are responsible for determining whether the driver has attended such training prior to transporting offenders.
 - b) Community Resource Unit staff will work with contracted residential providers to ensure that van drivers have been trained prior to transporting offenders.

K. All state vehicles are subject to traffic laws and ordinances of the State of Oregon and its political subdivisions.

1. Individuals are personally responsible for traffic tickets, citations, and fines imposed while operating a state vehicle.

2. Approved automobile safety restraints will be operational at all times and will be used by the driver and all passengers.
3. Drivers will not consume alcohol in vehicles nor operate a vehicle under the influence of intoxicants. They will not transport alcohol in state vehicles.
4. Drivers will not transport firearms, illegal drugs, or contraband of any kind in vehicles except as necessary to carry out their assigned duties of official state business.

L. Vehicle logs

1. OYA state vehicle use must be documented in a trip mileage log (YA 0029) when driving outside the official work station (facility or office).

The log will reflect the following information for each day the vehicle was used outside the official work station.

- a) Date of departure.
- b) Date of return.
- c) Name of vehicle driver.
- d) Names of any passengers.
- e) Trip destination(s).
- f) Pre-trip contraband search completed (when transporting offenders).
- g) Vehicle odometer mileage at beginning of the trip.
- h) Vehicle odometer mileage at end of the trip.

2. OYA Assistant Directors must designate, in writing, a custodian of each state-owned vehicle within their purview.

The vehicle custodian will review the vehicle mileage log each month. A notation of the custodian's review and whether the vehicle use complied with state and OYA policy must be made on the log.

- a) When the custodian also uses the vehicle, the custodian's direct supervisor will review the vehicle log for compliance with OYA policy.

- b) Potential misuse of the vehicle noted during the review of the vehicle log will be reported to the appropriate Assistant Director.
 - c) Vehicle mileage logs must be kept on file by the custodian. The logs may be destroyed four years after their creation.
3. The vehicle custodian must send copies of their monthly vehicle mileage log reviews to the appropriate Assistant Director on a quarterly basis.

M. Day use

“Day use” means the driver of a state vehicle is not staying away overnight due to state business.

1. During day use, the driver may only travel for state business. No personal business is allowed.
2. The state vehicle must not be used to reach personal recreational activity sites, personal appointments, grooming or fitness facilities, or personal visits; or for transportation of, or errands for, friends or relatives.
 - a) Staff may stop for food or breaks at sites reasonably near to their direct business destination route.
 - b) Staff may drive the state-owned vehicle within a reasonable area of the day use business destination to obtain food during their meal break.

Staff must not drive a state-owned vehicle for this purpose from their regular official work station (office or facility).

N. Overnight use

“Overnight use” means the driver of a state vehicle is staying overnight on state business.

During overnight use, state vehicles may be used for staffs’ daily necessities. The minimum necessary use of the state vehicle is permitted to meet drivers’ and passengers’ normal daily needs. Such travel must be within the local vicinity of the direct travel route or of the overnight assignment and during reasonable hours.

The driver may travel to:

1. Restaurants, stores, etc. for meals, breaks, and personal needs;
2. Facilities for grooming, medical treatment, fitness, or laundry; or

3. Recreational activity sites such as theaters, parks, or friends' or relatives' homes.
- O. Permission to operate state vehicles may be withdrawn from the following:
1. Persons with unacceptable driving histories or those who are physically incapable of driving;
 2. Persons who have used state vehicles for a purpose other than official state business or whose conduct in connection with the use of state vehicles is not in the best interest of the State of Oregon.
- P. Driving as an essential job function

The following standards affect staff whose position descriptions include driving as an essential job function.

1. Prior to employment, Employee Services will assess and review the applicant's driving record, and verify current driver license status via OYA form YA 8008 (Application for Employment – Driving Record Certification).
 - a) All employment offers will be contingent upon proof of an acceptable driving record. No offer of employment will be made if the applicant's driver's license is suspended or modified.
 - b) An assessment of the applicant's driving performance will be included in the interview process.
 - (1) This may be accomplished by asking the applicant to describe his/her record and practices.
 - (2) The reference check will include a review of the applicant's driving practices and record.
2. Staff will immediately report to his/her supervisor/manager (no later than the next working day) if his/her driver's license is suspended or modified, and decline any work-related requests to operate a motor vehicle. Upon notice, supervisors/managers will temporarily suspend the staff's work-related driving privilege and contact Employee Services to determine appropriate action. Such action may include, but is not limited to modification of duties, reassignment, or termination.
3. All new staff will enroll in a defensive driving safety class during their probationary period.

All staff will complete a refresher course every five years.

- a) If such course has been completed within the last 12 months, this requirement may be waived.
- b) The agency Risk Management Coordinator will serve as the coordinator for the defensive driving safety classes.

Q. Vehicle procurement

1. Each local office or facility will work with the appropriate Assistant Director to establish a local procedure for procuring state vehicles.
2. State vehicles may be assigned to the OYA or to a staff on a permanent basis when extended and continuous use of a motor vehicle is required, such as:
 - a) Anticipated travel requirements exceeding 750 miles per month, and
 - b) Frequent, if not daily, use of a motor vehicle; or
 - c) Anticipated vehicle usage for an extended time.

When not in use, such vehicles will be available for general motor pool use and temporary assignment.

3. For temporary use, vehicles may be reserved in advance from a state motor pool by contacting the motor pool dispatcher.
 - a) Staff must present a motor pool card and a valid driver's license to the dispatcher in order to obtain the vehicle.
 - b) Motor pool cards may be obtained from the staff's manager/supervisor.
4. The purchase or leasing of vehicles to replace or expand the OYA fleet requires prior approval from central Business Services and DAS.

Special equipment, special options, or vehicle models other than those included in the basic state specifications will not be purchased without prior approval from the OYA Director and DAS.

R. Vehicle storage

1. All state vehicles will be stored nightly in state motor pool garages or on state facility grounds except when conditions meet those outlined in DAS rules and with prior approval of a supervisor/manager.
2. When practical, a state vehicle stored at any other location will be parked off the public street in a reasonably secure setting.

3. When vehicles are missing from authorized locations and not being used for official business, they will be presumed stolen.

The responsible supervisor/manager will notify the appropriate Assistant Director of the loss so notification procedures can be followed according to DAS policy.

S. Vehicle maintenance and inspections

Maintaining state vehicles in good working order is an essential component of vehicle safety.

1. The OYA is responsible for providing reasonable operating and storage environments and may be financially liable for extraordinary damages when, in the judgment of DAS, the OYA is neglectful.
 - a) Staff will adhere to DAS maintenance schedules. Modifications to service periods may be necessary and desirable as a result of extraordinary usage, climate, and environmental factors. Such modifications must be authorized in advance by the state motor pool.
 - b) Staff with permanently-assigned vehicles will complete a monthly State Vehicle Inspection Checklist (YA 0030) and submit the checklist to the appropriate supervisor/manager.
 - (1) Supervisors/Managers will coordinate repair/replacement of deficiencies identified on the checklist and notify the state motor pool fleet maintenance office of all maintenance and repair issues.

Repairs or maintenance provided by private repair shops must be authorized in advance by the state motor pool.
 - (2) The Safety Coordinators' Committee will periodically review monthly checklists to ensure compliance.
 - c) The vehicle driver is responsible for maintaining the interior of the vehicle in a clean and orderly condition.
2. Damage to state-owned vehicles as a result of vandalism must be reported immediately to the supervisor/manager, who will contact the state motor pool and local police. The motor pool must authorize damage repair.
3. The acquisition of vehicle supplies such as tires, batteries, antifreeze and similar items will be purchased only through regular state contracts and authorized contract dealers.

- a) Motor pool credit cards are placed in vehicles for purchases of fuel and services in areas where state-owned facilities are unavailable.
 - (1) Credit card use is restricted to fuel and oil purchases, service work in instances that are authorized by the motor pool in advance, and emergency repairs as specified in the vehicle information packet located in the vehicle.
 - (a) The credit card must be used only for the state vehicle to which the card is assigned.
 - (b) Staff misuse of credit cards will result in the agency being held financially responsible for charges made, and may result in staff dismissal.
 - (2) When practical, staff are expected to use state-owned service facilities when requiring fuel in the vicinity of Portland, Salem, or Eugene (Compressed Natural Gas (CNG) only). Unless routine business takes the driver within 5 miles or 10 minutes (whichever is less) of a state-owned location, it is deemed more economical to refuel the automobile at other locations.

T. Accident reporting and review

- 1. Following an accident, staff are cautioned not to discuss the accident with anyone except the police, state officials, or a state risk management representative.

The driver will complete the following forms for every accident, regardless of damage or cost, and forward them to the appropriate supervisor/manager who will review and forward the documentation to the central Risk Management Coordinator within 20 working days of the date of the accident.

- a) For accidents occurring in state vehicles:
 - (1) The Risk Management Accident Report Packet found in the vehicle glove compartment; and
 - (2) The YA 8300 (Incident/Accident/Hazard Report).

If staff is injured, the Injured Worker's Packet should be completed. The packet may be found at local offices or facilities or requested through central Employee Services.

- b) For accidents occurring in personal vehicles while completing state business:

- (1) The YA 8300.
 - (2) If the staff is injured, the Injured Worker's Packet must be completed. The packet may be found at local offices or facilities or requested through central Employee Services.
2. Staff will promptly report to his/her supervisor/manager any vehicle accident, citation or warning, or incident that occurs while driving a state-issued or personal vehicle in the performance of state business. The Risk Management Coordinator will report citizen complaints to the appropriate supervisor/manager for discussion.
 - a) The Supervisor/Manager, Employee Services, and the staff will promptly review all such incidents and document the outcome of the review in the staff's file. The appropriate Assistant Director will be notified of such review and its outcome.
 - (1) Review of the incident will include the scope of the incident, the number of such previous or related incidents, circumstances surrounding the incident, and other related information.
 - (2) Supervisors/Managers will work with Employee Services to determine appropriate action in relation to such incidents.
 - b) Complete a vehicle orientation prior to operating a state vehicle.
 - c) The local supervisor/manager will ensure that the staff receives such orientation.
3. The Risk Management Coordinator will:
 - a) Maintain the agency repository of data relating to vehicle claims, citations, and citizen complaints.
 - b) Report citations and citizen complaints to the appropriate Assistant Director and supervisor/manager, and track closure.
 - c) Provide vehicle reports quarterly to local Safety Coordinators.
4. Employee Services will:
 - a) Work with the Risk Management Coordinator to distribute accident, injury, citation and citizen complaint data.

- b) Compile regional reports for submission to the Director's Office.
- c) Work with supervisors/managers to determine appropriate disciplinary action for staff involved in accidents.

5. Safety Coordinators will:

- a) Review quarterly reports to identify trends, build corrective action plans, and coordinate with local safety committees to implement corrective actions and/or risk reduction strategies.
- b) Develop strategies to improve vehicle safety and prevent accidents.

U. Emergency services

- 1. Staff will notify the motor pool of assignment when such service is required.
- 2. Staff will not operate an unsafe or inoperable vehicle or deliver it to a motor pool location for repair. The motor pool will determine if the vehicle can be picked up and repaired by the motor pool or if local repairs and pick-up can be authorized.

Motor pool assignments are:

- a) Eugene motor pool: Coos, Curry, Douglas, Jackson, Josephine, Klamath, Lake, Lane, and Camp Florence
- b) Salem motor pool: Benton, Crook, Deschutes, Harney, Jefferson, Lincoln, Linn, Malheur, Polk, MacLaren YCF, Hillcrest YCF, and Marion
- c) Portland motor pool: Hood River, Morrow, Umatilla, Union, Baker, Wallowa, Wasco, Washington, Yamhill, Hermiston, Grant, Clatsop, Columbia, Tillamook, Camp Tillamook, and Multnomah.

V. LOCAL OPERATING PROCEDURE or PROTOCOL REQUIRED: NO