



# 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 (12/11)
- I-C-2.0 (9/08)
- I-C-2.0 (7/04)
- I-C-2.0 (6/03)
- I-C-2.1 (9/02 Info Letter)

Effective Date:

**12/20/2013**

Date of Last Review:

**12/20/2019**

#### Related Standards and References:

- [ORS 283.305](#) through 283.395 (Control and regulation of state-owned motor vehicles)
- [ORS 806.010](#) (Oregon’s Mandatory Insurance Law)
- [OAR 125-155](#) (State Vehicle Use and Access)
- DAS, Enterprise Asset Management, Fleet and Parking Services policy:
  - [107-011-040 PO](#) (Statewide Fleet Management)
- DAS, Risk Management Division (DAS-RMD) [Travel Kit: A Guide to Managing Risks While on the Road](#)
- Oregon Accounting Manual, [40.10.00.PO \(Statewide Travel Policy\)](#)
- Applicable Collective Bargaining Agreements [AFSCME Local 191](#); [SEIU](#)
- [OYA policy](#): I-A-4.0 (Tort Liability and Claims)  
I-C-7.0 (Safety and Health Program)  
II-A-3.1 (Facility Youth Transports and Escorted Trips)  
III-D-2.1 (Youth Transports and Escorts within the Community)
- [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)  
YA 8321 (Authorization to Use Private Vehicle)
- Other forms: SAIF 801 (Workers’ Compensation Claim Form 801)

#### Related Procedures:

- None

#### Policy Owner:

OYA Physical Plant Manager

#### Approved:

  
Fariborz Pakseresht, 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:

**Official state business or state business:** Any activity conducted in conformance to this policy and controlled by 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 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. Private vehicles, when in use for state business, are treated as state vehicles in this policy.

**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.

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

**Volunteer:** An unpaid person appointed by OYA to work on its behalf. Volunteers are appointed in writing to do state business under agency direction and control. They receive no compensation.

## III. POLICY:

OYA is committed to a safe work environment, including prevention of work-related automobile accidents and incidents through staff awareness and training.

Staff may use state-owned vehicles to conduct official state business. Staff must use state vehicles legally, courteously, and safely.

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

## IV. GENERAL STANDARDS:

- A. Staff and representatives must use state vehicles in a way that promotes safety, economy, and good public relations.
- B. In all cases, persons who use a motor vehicle must have a valid driver's license.
- C. Transportation as required in performance of duties for official state business is an obligation. Transportation between home and a staff's workplace is a personal obligation.
- D. Efficient and economical use of state vehicles is required of all drivers. Each driver must select the method of transportation most advantageous to state government, when cost and other factors are considered.

The travel should be by the most expeditious means of transportation practicable and commensurate with the nature and purpose of the

employee's duties. Also considered is energy conservation, total cost to state government (including costs of per diem, overtime, lost work time, and actual transportation costs), total distance traveled, number of points visited, and number of travelers.

- E. Privately-owned vehicles may be used for official travel when such use benefits OYA and is authorized by the staff's supervisor/manager.
- F. State liability insurance coverage
  - 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
    - a) 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.
    - b) A staff member who elects to use his/her private vehicle for official travel must have a completed form [YA 8321](#) (Authorization to Use Private Vehicle) on file with Central Accounting.
- G. OYA job announcements and position descriptions must clearly state the position's driving responsibilities, including whether driving is an essential function of the job.
- H. 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 OYA's direction and control;
  - 2. Hold an acceptable driver's license;

An acceptable driver's license is a regular, temporary, or commercial license that is lawful, current, and valid.
  - 3. Qualify to drive under this policy and any rules or policies of the State of Oregon; and
  - 4. Have permission from OYA to drive.
- I. Operating state-owned vehicles:
  - 1. Generally, only state employees are authorized to operate state vehicles.

2. OYA volunteers may **occasionally** operate state vehicles under these circumstances:
  - a) The appropriate supervisor/manager has verified a business need and approved of the vehicle use in writing; and
  - b) The volunteer meets the minimum driver requirements listed in section H above.
3. Staff may transport people or things to the extent needed to accomplish state business. Prior authorization from the staff member's supervisor/manager is required for passengers who are not state employees or youth (including observers, minors, pets, or family members). Such approval must comply with DAS rule [OAR 125-155-0420](#) (Passengers).

Transporting youth is addressed in OYA policies [II-A-3.1](#) (Facility Youth Transports and Escorted Trips) and [III-D-2.1](#) (Youth Transports and Escorts within the Community).
4. 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, OYA requires compliance with the following directives.
  - a) Roof-top carriers must not be used on vans.
  - b) Regardless of van capacity, no more than 12 people (total of staff and youth) may be transported per van.
2. Supervisors/Managers must ensure all staff who operate such vans are trained using the Juvenile Justice Training Academy (Training Academy) curriculum.

K. Staff must follow all traffic laws and ordinances while driving during state business.

1. Individuals are personally responsible for traffic tickets, citations, and fines imposed while operating a state vehicle.
2. Approved automobile safety restraints must be operational at all times, unmodified, and used by the driver and all passengers.
3. Drivers must not consume alcohol in vehicles nor operate a vehicle under the influence of intoxicants. Alcohol must not be transported in a state vehicle.
4. Drivers must not transport weapons, illegal drugs, or contraband of any kind in state vehicles except as necessary to carry out their assigned duties of official state business.

L. Vehicle logs

1. State vehicle use must be documented in the trip mileage log (YA 0029) when driving outside the official work station (facility or office).
2. OYA assistant directors must designate a custodian of each state-owned vehicle within their purview.

The vehicle custodian must review vehicle mileage logs every 90 days. 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) Potential misuse of the vehicle noted during the vehicle log review must be reported to the appropriate assistant director.
  - b) Vehicle mileage logs must be retained by the custodian. The logs must be destroyed four years after their creation.
3. The vehicle custodian must send copies of their 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.
3. Staff may stop for food or breaks at sites reasonably near to their direct business destination route.

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; and

3. Recreational activity sites such as theaters, parks, or friends' or relatives' homes.
- O. A person may lose permission to drive state vehicles if the person:
1. Commits a driving-related offense or violation; or
  2. Violates this policy.

P. Driver assessment and training

The following standards apply to staff whose position descriptions include driving as a part of their job function and staff whose position descriptions include driving as an essential job function.

1. Prior to employment, Human Resources must 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). All employment offers must be contingent upon proof of an acceptable driving record.
2. A staff member must immediately report to the staff member's supervisor/manager (no later than the next working day) if the staff member's driver's license is suspended or restricted, and decline any work-related requests to operate a motor vehicle. Upon notice, supervisors/managers must temporarily suspend the staff member's work-related driving privilege and contact Human Resources to determine appropriate action.
3. All new OYA staff must complete a defensive driver training during their first year of employment with OYA.
  - a) The Training Academy must provide the defensive driver training courses.
  - b) A refresher course may be taken as determined by the staff member's supervisor/manager.

Q. Vehicle procurement

1. An assistant director may authorize procurement of a state vehicle for offices or facilities under the assistant director's purview.
2. State vehicles may be assigned to OYA or to an OYA staff member on a permanent basis when extended and continuous use of a motor vehicle is required, and use will exceed the minimum monthly mileage requirement (see section R below).
3. Vehicles may be reserved in advance from the state motor pool by contacting the motor pool dispatcher for temporary use.

R. Minimum mileage requirements

Each OYA vehicle must meet a minimum monthly mileage requirement to ensure the vehicle is used in an efficient and cost-effective way.

1. An OYA gas vehicle must be driven at least 590 miles per month.
2. An OYA hybrid vehicle must be driven at least 750 miles per month.
3. Management staff may request an exemption from the minimum monthly mileage requirement for gas vehicles (not hybrids) in writing through the OYA facilities manager.
4. The below-listed criteria may be considered by the OYA facilities manager when reviewing a minimum mileage requirement exemption request:
  - a) The vehicle requires specific identification or has special safety considerations for youth transports, site visits, or home visits;
  - b) The vehicle has a special modification, carries equipment, or carries property required to conduct the work tasks of the agency;
  - c) The vehicle supports services to a remote facility, remote area, or for a seasonal setting; or
  - d) The vehicle is required for circumstances not listed above.
5. After consultation with the appropriate assistant director, the OYA facilities manager will forward the exemption request to DAS Fleet and Parking Services for final determination.
6. Removing vehicles that do not meet the minimum mileage requirement or exemption
  - a) The vehicle user may be allowed six months to raise the vehicle mileage to or above the minimum.
  - b) If the vehicle's minimum mileage is not met within the six-month period, the vehicle must be reassigned to a work area that can meet the minimum mileage requirement, or the vehicle must be returned to DAS Fleet and Parking Services.
7. Nonexempt under-minimum-mileage vehicles may not be replaced.

S. Vehicle storage

1. Staff must store state vehicles at sites owned, leased, or controlled by the state except during travel or for other business purposes with the approval of a supervisor/manager.
2. When possible, a state vehicle stored at any other location must be parked off the public street in a reasonably secure setting.

T. Vehicle maintenance

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

1. Staff must not operate a vehicle that needs repair, or is damaged, to the extent that it is unsafe to drive.
2. Staff must adhere to DAS maintenance schedules.
3. Supervisors/Managers must ensure that staff complete a monthly [State Vehicle Inspection Report Checklist \(YA 0030\)](#) for all vehicles.
4. Supervisors/Managers must coordinate vehicle repairs or maintenance with state motor pool. Service provided by private repair shops must be authorized in advance by the state motor pool.
5. Supervisors/Managers are responsible for maintaining the interior and exterior of the vehicle in good repair and clean condition.
6. Damage to state-owned vehicles as a result of vandalism must be reported immediately to the supervisor/manager, who will contact the OYA risk management coordinator, the state motor pool, and local law enforcement.
7. The DAS motor pool credit card use is restricted to fuel and oil purchases, preauthorized service work, and emergency repairs as specified in the vehicle information packet.  
  
The credit card may only be used for the state vehicle to which the card is assigned.
8. Purchase of vehicle supplies such as tires, batteries, antifreeze and similar items must be through regular state contracts, SPOTS cards, or purchase orders.

U. 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 must 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 five working days of the date of the accident.

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



- (3) If staff is injured, staff must complete an Injured Worker's Packet.
  - b) For accidents occurring in personal vehicles while completing state business:
    - (1) Staff must complete OYA form YA 8300.
    - (2) Staff must also complete the Injured Worker's Packet if injured.
- 2. Staff must promptly report to their 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 supervisor/manager, Human Resources staff, and the staff member who was in the accident must promptly review all such incidents and document the outcome of the review in the staff member's supervisory file. The appropriate assistant director must be notified of such review and its outcome.

- 3. The risk management coordinator must:
  - 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 process to closure; and
  - c) Provide vehicle reports annually to the OYA safety manager.
- 4. Human Resources will work with the risk management coordinator to distribute accident, injury, citation and citizen complaint data.
- V. The OYA safety manager must develop strategies to improve vehicle safety and prevent accidents.

W. Staff response to roadside emergencies

A roadside emergency is an obvious accident or breakdown that leaves a vehicle's occupants **dangerously** stranded. Someone just hitchhiking or asking for a ride, or someone in a city with a mechanical breakdown are not roadside emergencies.

- 1. Staff must not stop to give emergency aid while transporting youth. Staff may call 9-1-1 or use a state mobile communication device to call for assistance.
- 2. Rendering aid is purely voluntary. Staff are not urged or expected to render aid. A staff member should do only what he or she is willing and trained or experienced to do.

3. Staff may render reasonable aid to a roadside emergency by using a state mobile communication device to call for aid. If necessary, the state vehicle may be used to transport someone to the nearest telephone, shelter, repair service or emergency medical provider. State first aid kits and blankets may be used.
4. Staff may use a state vehicle to transport an injured staff member or youth to emergency medical care. Traffic laws must be obeyed. A state vehicle must not be used for transport unnecessarily or when appropriate professional emergency services are available.

**V. LOCAL OPERATING PROTOCOL REQUIRED: NO**