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AGENCY INFORMATION

Agency Written
Plan/Policy/Procedure
Document # VUAT-6A
Questions for DAS Risk Management?
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Agency Process Guide/Sample (OAR 125-155-0100)

Subject: Vehicle Access and Use Policy and Procedure	Number:
Division:	Effective Date:
APPROVED:	Name:
	Title:

POLICY: It is the agency's policy to:

- Ensure anyone operating a state vehicle on official state business knows the laws, rules, policies, and procedures applicable to vehicle use;
- Consistently apply state laws, rules, and the agency's policies and procedures as they relate to vehicle access and use;
- Set the expectation employees are positive representatives of the agency whenever they operate a vehicle;
- Hold employees accountable for operating state vehicles safely;
- Be a responsible steward of agency and state resources.

PURPOSE: This procedure/policy provides:

- A consistent means of managing access to and use of agency/state vehicles operated by agency drivers while performing assigned tasks—unique or routine—to promote the agency mission;
- An outline of expectations for agency employees, contractors, and volunteers who drive vehicles to accomplish official state business;
- Oversight for the direction and control of vehicles that limits liability exposure.
- Comply with OAR 125-155-0000

APPLICABILITY: This policy and procedure applies to all agency employees, contractors, and volunteers who may operate a vehicle while on official state business.

AUTHORITY: ORS 283.310 – Control and regulation of state owned motor vehicles;
ORS 283.312 – Provision of state owned vehicle to authorized agency driver; ORS
283.340 – DAS adopt rules;
ORS 283.395 – Driving state-owned vehicles for private use prohibited
OAR 125-155-0000 – State vehicle use and access rules

DEFINITIONS:

Acceptable Driver's License: A regular, temporary, or commercial vehicle operator's license that is (1) lawful, current, and valid, (2) issued by the state or country where employee resides, (3) legal in the jurisdiction where the driver is driving, and (4) the kind/class or endorsed as required by law for the kind of driving being done.

Authorized Driver: An employee or volunteer who has completed the process required by the agency for approval to drive a private or state/agency vehicle on official state business.

Contractor: A person, business, or corporation which provides goods or services to the state under terms specified in a written contract.

Day Use: Using a vehicle during a normal shift to conduct both routine and non-routine duties. Day use does not include travel between home and the driver's duty station.

Duty Station: The location the agency designates in writing as the one from which an employee normally carries out their duties.

Emergency aid: Assistance provided at a roadside emergency (such as an obvious accident or breakdown within the borders of this state) where an individual(s) is in danger and/or stranded. Hitchhikers or someone either asking for a ride or broken-down in a urban area are not roadside emergencies.

Full time use: Using a state vehicle all day and every day for conducting official state business.

Official State Business: Any (narrowly interpreted) activity conducted according to OAR 125-155, and directed and controlled by the agency to advance the lawful policies and purposes of the agency.

Other Permitted Drivers: Drivers from other government entities (per ORS 174.116 and 174.117) or contractors who have an intergovernmental agreement or contract with DAS Fleet or a state agency and are not insured by the state's self-insurance coverage.

Overnight Use: Using a state vehicle to travel on official state business to a location that requires staying overnight.

Personal Business, Personal Use: Anything other than official state business.

State Vehicle: A motor vehicle licensed for highway use (1) owned, rented, borrowed, or leased by an agency solely for official state business, (2) commercially rented or leased by a duly authorized employee at state expense and used only for official state business, or (3) (while in use for official state business) privately owned. A vehicle owned by DAS and lawfully rented to a local government or other non-state entity is not a state vehicle during the period of the rental agreement.

Volunteer: An unpaid person who a state agency appoints to do official state business under agency direction and control.

GUIDELINES/PROCEDURE:

1. Minimum Driver Requirements (OAR 125-155-0200)

DAS-EGS Risk Management (RM) has set the following as the minimum standards for authorizing state employees to drive a state vehicle on official state business. Employee drivers

- Are 18 years of age or older, and
- Have a verified valid drivers' license, and
- Have an acceptable driving record, and
- Are authorized by the rules, and
- Are under direction and control of the agency, or
- Are specifically authorized by state statute (ORS 283.305).

2. Authorizing and Verifying Driver Qualifications (OAR 125-155-0200 and 125-155-0300)

Responsible Party	Task(s)
Agency	Establishes policy(s)/procedure(s) to <ul style="list-style-type: none"> • Acquire and assess driving history on new employee • Ensure responsible use of agency resources within state laws and rules • Routinely secure reports to monitor driving activity of existing employee drivers • Identify/address/resolve issues/concerns promptly as they arise • Consistently apply laws, rules, and policies as they relate to agency employee drivers
Supervisor	Hires new employee for position requiring operating a state vehicle with contingency that employee meets rule and agency established criteria for driving
Employee	Provides copy of driving history (official DMV) to agency/supervisor
Supervisor	<ul style="list-style-type: none"> • Verifies employee meets criteria • Assigns employee to view Driving Use and Access Webinar • Provides a copy of OAR 125-155-0000 to employee
Employee	<ul style="list-style-type: none"> • Views Driving Use and Access Webinar • Signs acknowledgement of viewing Webinar and agreement to comply with State laws, rules, and agency policies/procedures as they relate to vehicle use on official state business • Provides copy of agreement to agency designee • Operates state vehicle consistent with agency expectations

3. Monitoring Status of Driver Authority to Operate State Vehicle (OAR 125-155-0100 and 125-155-0300)

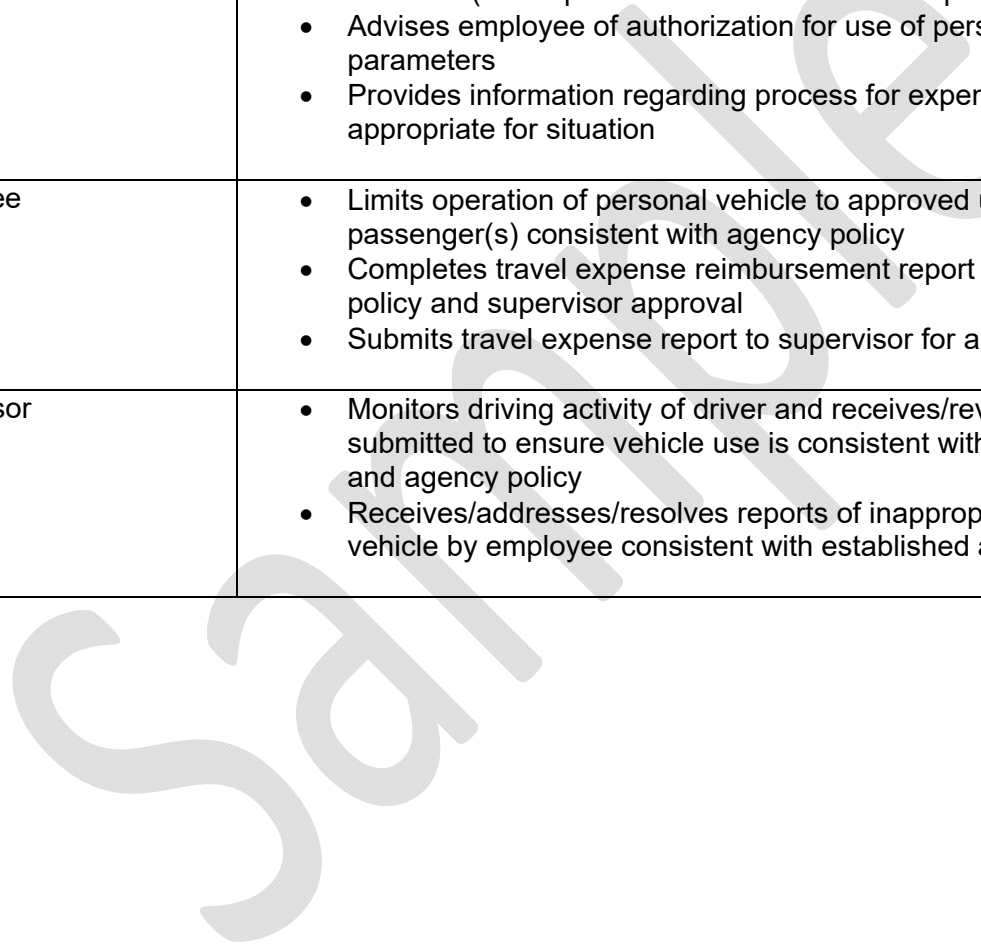
Agency	Establishes policy(s)/procedure(s) to <ul style="list-style-type: none"> • Ensure responsible use of agency resources within state laws and rules • Routinely secure reports to monitor driving activity of existing employee drivers • Identify/address/resolve issues/concerns promptly as they arise • Consistently apply laws, rules, and policies as they relate to agency employee drivers
Supervisor (or Employee)	Routinely acquires (or provides) DMV driving history consistent with agency policy
Employee	<ul style="list-style-type: none"> • Reports driving infractions (with potential to affect authority to drive on state business) to supervisor • Provides updates regarding driving status to supervisor/HR per agency policy • Complies with provisions set by agency to maintain state business driving privileges
Supervisor	Monitors employee driving and driving record to ensure compliance with agency provisions and state requirements pending successful completion of restricted driving period/provisions and reinstatement of unrestricted authority to drive on state business
Employee	Resumes operating state vehicle consistent with agency policies, expectations, and state laws

4. Vehicle Access (OAR 125-155-400, 125-155-420, 125-155-500, and 125-155-510)

Responsible Party	Task(s)
Agency	Establishes policy(s)/procedure(s) to <ul style="list-style-type: none"> • Ensure responsible use of agency resources within state laws and rules • Routinely monitor driving activity of existing employee drivers • Identify/address/resolve issues/concerns promptly as they arise • Consistently apply laws, rules, and policies as they relate to agency employee drivers
Supervisor	Routinely monitors driving activity of existing employee drivers consistent with agency policy
Employee	Limits operation of state vehicle to approved uses, operator(s), and passenger(s) consistent with agency policy
Supervisor	Receives/addressed/resolves reports of inappropriate use of state vehicle by employee consistent with established agency policies

5. Using a Private/Personal Vehicle for Official State Business (OAR 125-155-0010, 125-155-0020, 125-155-0420, 125-155-0510, 125-155-060, and 0125-155-0700)

Responsible Party	Task(s)
Agency	Establishes policy(s)/procedure(s) to <ul style="list-style-type: none"> • Ensure responsible use of agency resources within state laws and rules • Consistently apply laws, rules, and policies as they relate to agency employee drivers
Supervisor or Employee	Identifies need for employee to use a personal/private vehicle
Supervisor	<ul style="list-style-type: none"> • Verifies employee satisfies criteria for driving a vehicle for official state business (follow procedure 2 above if not completed previously) • Advises employee of authorization for use of personal vehicle and related parameters • Provides information regarding process for expense reimbursement as appropriate for situation
Employee	<ul style="list-style-type: none"> • Limits operation of personal vehicle to approved uses, operator(s), and passenger(s) consistent with agency policy • Completes travel expense reimbursement report consistent with agency policy and supervisor approval • Submits travel expense report to supervisor for approval and processing
Supervisor	<ul style="list-style-type: none"> • Monitors driving activity of driver and receives/reviews expense report submitted to ensure vehicle use is consistent with approval, expectations, and agency policy • Receives/addressed/resolves reports of inappropriate use of personal vehicle by employee consistent with established agency policies



6. Vehicle Uses (OAR 125-155-420, 125-155-500, and 125-155-510)

Responsible Party	Task(s)
Agency	Establishes policy(s)/procedure(s) to <ul style="list-style-type: none"> • Ensure responsible use of agency resources within state laws and rules • Consistently apply laws, rules, and policies as they relate to agency employee drivers
Supervisor	<ul style="list-style-type: none"> • Identifies need for employee to use state vehicle • Verifies employee satisfies criteria for driving a state vehicle (follow procedure 2 above if not completed previously) • Advises employee of authorization for use and related parameters
Employee	<ul style="list-style-type: none"> • Using agency internal or DAS Fleet external process, accesses appropriate vehicle for assigned use/task (from agency or DAS Fleet) • Limits access/use to those allowed for task assigned <ul style="list-style-type: none"> ○ Day/Fulltime/Overnight Use ○ Does not allow anyone else to drive the vehicle. ○ Does not operate the vehicle for personal business. ○ Uses safety equipment and requires same of passengers. ○ Does not smoke or consume alcohol or other intoxicants in the vehicle. ○ Does not operate the vehicle while under the influence of intoxicants. ○ Does not transport dangerous substances/equipment in the vehicle without prior approval. ○ Passengers: <ul style="list-style-type: none"> ▪ <u>Allowed</u>: people, animals, or things needed to perform state business. ▪ <u>After advance agency approval</u>: guests of the government; observers; ride-alongs; driver's or passenger's aide; wards of the state, those in custody; agents, volunteers. ▪ <u>After advance DAS and agency approval</u>: Children only for special occasions ordered by DAS ▪ <u>No family or friends</u>. ▪ <u>No hitchhikers</u>. • Maintains record of vehicle use as required • Returns vehicle in "as-received" condition (to agency or DAS Fleet) consistent with agency procedure(s) <ul style="list-style-type: none"> ○ Clean inside and out ○ Fueled (at least ¾ of a tank) • Completes/submits required vehicle use reports • Reports needed maintenance/repair or attention to appropriate authority (agency or DAS Fleet) • Reports any collision or incident to agency fleet representative, supervisor, and/or DAS Fleet

7. Reserving a Vehicle

Responsible Party	Task(s)
Agency	Establishes policy(s)/procedure(s) to <ul style="list-style-type: none"> • Ensure responsible use of agency resources within state laws and rules • Consistently apply laws, rules, and policies as they relate to agency employee drivers
Supervisor	<ul style="list-style-type: none"> • Identifies task requiring employee/driver use of a vehicle for official state business • Advises employee of assignment and either <ul style="list-style-type: none"> ○ Provides reservation “card” to use to reserve a vehicle from DAS Fleet, OR ○ Directs employee to agency policy/resources to access a vehicle from agency fleet
Employee	<ul style="list-style-type: none"> • Contacts agency or DAS Fleet representative to arrange for vehicle • During use, follows agency guidelines/policies related to vehicle care and maintenance • Upon completing use, fills out reporting documents and returns vehicle to original fleet resource • In case of vehicle from DAS Fleet, returns reservation “card” to supervisor

8. Renting a Vehicle (OAR 125-155-0010)

Responsible Party	Task(s)
Agency	Establishes policy(s)/procedure(s) to <ul style="list-style-type: none"> • Ensure responsible use of agency resources within state laws and rules • Consistently apply laws, rules, and policies as they relate to agency employee drivers
Supervisor	<ul style="list-style-type: none"> • Identifies task requiring employee/driver rental of a vehicle for official state business • Advises employee of assignment, and • Directs employee to agency policy/resources to facilitate renting a vehicle (from available vendors listed in State Procurement’s Master Price Agreement)
Employee	<ul style="list-style-type: none"> • Contacts agency or DAS-SPO (State Procurement Office) representative to arrange for vehicle rental • During use, follows agency and vendor guidelines/policies related to rental vehicle insurance, care, and maintenance • Upon completing use, fills out—and retains a copy of—vendor reporting documents, and returns vehicle to vendor • Completes and submits travel expense documentation (including rental vehicle documentation) consistent with agency policies

9. Vehicle Care and Maintenance (OAR 125-155-510)

Responsible Party	Task(s)
Agency	Establishes policy(s)/procedure(s) to <ul style="list-style-type: none"> • Ensure responsible use of agency resources within state laws and rules • Consistently apply laws, rules, and policies as they relate to agency employee drivers
Employee	<ul style="list-style-type: none"> • Using agency (internal) or DAS Fleet (external) process, accesses appropriate vehicle for assigned use/task from agency fleet or DAS Fleet • Limits access/use to those allowed for task assigned • Does not use tobacco products, or consume alcohol or other intoxicants in the vehicle • Does not operate the vehicle while under the influence of intoxicants • When operating vehicle, travels/parks in safe environment • Returns vehicle in “as-received” condition (to agency or DAS Fleet) consistent with agency procedure(s) <ul style="list-style-type: none"> ○ Clean inside and out ○ Fueled (at least ¾ of a tank) • Completes/submits required vehicle use reports • Reports needed maintenance/repair or attention to appropriate authority (agency or DAS Fleet)
Agency Fleet OR DAS Fleet	In agencies with fleet available to agency staff only, fleet representative/manager <ul style="list-style-type: none"> • Reviews mileage/maintenance reports received from employee after use • Identifies if any maintenance needed • Compares with established maintenance schedule and reservation schedule • Contacts DAS Fleet and schedules maintenance for open “window” in reservation schedule • Arranges for vehicle delivery to DAS Fleet for service • Upon receiving notice that work is completed, arranges for pickup/return to agency fleet
DAS Fleet	For agencies accessing vehicles from DAS Fleet, DAS Fleet representative <ul style="list-style-type: none"> • Reviews mileage/maintenance report received from agency/user • Notes maintenance reportedly needed • Compares to pertinent maintenance schedule and reservation schedule • Schedules maintenance and notes vehicle as unavailable for use • Upon completion of work, identifies vehicle as available for use

10. Parking of a State Vehicle at Home (OAR 125-155-0510)

Agency	<p>Establishes policy(s)/procedure(s) to</p> <ul style="list-style-type: none"> • Ensure responsible use of agency resources within state laws and rules • Consistently apply laws, rules, and policies as they relate to agency employee drivers
Supervisor	<ul style="list-style-type: none"> • Identifies official state business task requiring parking a state vehicle at a location other than state owned, leased, or controlled facility • Determines basis for unique parking arrangement • Advises employee of assignment and asks for driver participation in developing cost benefit analysis/justification • Works with agency staff to complete written cost benefit analysis and document findings/decision • Advises driver of decision and any relevant provisions for parking state vehicle at home
Employee	<ul style="list-style-type: none"> • During use/home parking, follows agency guidelines/policies and provisions related to vehicle parking • Completes and submits reporting documents consistent with agency/DAS policies • Advises supervisor if/when changes occur that no longer justify/necessitate parking the state vehicle at home

11. Emergency Aid (Agencies may choose to prohibit their employees from rendering emergency roadside aid. If so, a simple statement to that effect will suffice here.) (OAR 125-155-510)

Responsible Party	Task(s)
Agency	<p>Establishes policy(s)/procedure(s) to</p> <ul style="list-style-type: none"> • Ensure responsible use of agency resources within state laws and rules • Consistently apply laws, rules, and policies as they relate to agency employee drivers
Employee	<ul style="list-style-type: none"> • May take advantage of agency or externally provided first aid/CPR courses to be certified to provide emergency aid • Happens upon need to provide emergency roadside aid • Makes decision—providing aid is <u>always</u> voluntary—to help by (for example) <ul style="list-style-type: none"> ○ Using a cell phone to call for help ○ Using a fire extinguisher to put out a fire ○ Using flares to mark an accident ○ During a rain storm, using a state vehicle to transport an injured person from a remote area where they are exposed to a covered/protected area ○ Performing first aid within training/experience • May <u>not</u> use a state vehicle to transport an injured/ill person when appropriate professional emergency services are available

12. Collision and Damage Reporting (OAR 125-155-0700)

Responsible Party	Task(s)
Agency	Establishes policy(s)/procedure(s) to <ul style="list-style-type: none"> • Ensure responsible use of agency resources within state laws and rules • Identify/address/resolve issues/concerns promptly as they arise • Consistently apply laws, rules, and policies as they relate to agency employee drivers • Ensure routine reporting of vehicle damage(s) and access to appropriate insurance resources
Employee	<ul style="list-style-type: none"> • Performs routine survey of vehicle to assure vehicle functionality and integrity. • Reports to supervisor, agency vehicle fleet manager and/or DAS Fleet (depending on source of vehicle reservation) any collision occurring or damage(s) incurred during period the vehicle is assigned, following agency reporting policies
Supervisor	Receives/reviews vehicle collision/damage reports to determine if employee's vehicle use was careless or inappropriate
Supervisor and Employee	<ul style="list-style-type: none"> • If use was inconsistent with agency policy or inappropriate and resulted in collision or damage(s), work together to identify way(s) to address/resolve/improve driving performance • Agree on action plan for improvement and develop documentation
Employee	Follows through on action plan responsibilities
Supervisor	<ul style="list-style-type: none"> • Monitors employee compliance with provisions of action plan • Documents employee completion of action plan • Resumes routine monitoring of employee's driving activity consistent with agency policy

