

# MOTOR VEHICLE USE

**SOURCE:** Ohio Revised Code Section 125.831 through 125.833  
Department of Administrative Services Directive 06-13  
Department of Administrative Services Directive 06-14  
Department of Administrative Services Directive 06-15  
Ohio EPA Administration

## CONTACT: OFFICE OF OPERATIONS & FACILITIES

### Motor Vehicle Use Policy:

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

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

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

## AUTHORIZED USE

1. Travel between the place where the state vehicle is dispatched and the place where the official State business is performed.
2. When on official travel status, between the place of state business and a place of temporary lodging.
3. When on official travel status and not within reasonable walking distance, between either of the above places to obtain meals; places to obtain medical assistance (including drug store); place of worship; barber shops, hair salons or cleaning establishments; and similar places required to sustain the health, welfare or continued efficient performance of the driver, exclusive of places of entertainment.

4. Transport of other officers, employees, consultants, contractors or commercial firm representatives, and guests of the State when they are on official state business.
5. Transport of any persons or items in a true emergency. For example, transport of children due to the breakdown of a personal car is not a true emergency. A true emergency is one that involves life threatening or similar extreme situation.
6. Travel between the place of dispatch or place of performance of state business to your personal residence when specifically authorized by an employee's supervisor.
7. Any employee, assigned a vehicle on a permanent basis, must be approved by the Department of Administrative Services Office of Fleet Management if they desire or are directed to drive said vehicle home each night.

### **UNAUTHORIZED USE**

Be advised that any unauthorized use of state vehicles may result in disciplinary action. Such action may include, but is not limited to, suspension of all privileges to operate state vehicles. Unauthorized use includes, but is not limited to the following:

1. Any use for personal purposes, other than travel to your personal residence which has been authorized as specified in Authorized Uses.
2. Travel or tasks which are beyond the vehicle's rated capability or capacity.
3. Transport of families, friends, associates or other persons who are not employees of the State or serving the interest of the State.
4. Transport of hitchhikers or other pedestrians except in cases of extreme emergency.
6. Transport of cargo that has no relation to the performance of official State business.
7. Transport of acids, alcohol, explosives, weapons, ammunition or highly flammable material, except in the course of EPA business and in compliance with all applicable Local, State, and Federal laws.
8. Transport of any item or equipment projecting from the side, front or rear of the vehicle in a way which constitutes an obstruction to safe driving or a hazard to pedestrians or other vehicles.
9. Transport of employees from the normal place of business to restaurants or other places while not on official State business.

10. Attending sporting events, including hunting and fishing, which are not in the service of State business.
11. Extending the length of time the vehicle is in your possession beyond that which is required to complete the official purpose of the trip.
12. Operating a State vehicle while under the influence of alcohol or drugs.
13. Operating a State vehicle without a valid operator's license or while said license is under suspension or revocation.
14. Operating a State vehicle when insurance coverage has been suspended or terminated by the Office of Risk Management.
15. Smoking while in a State vehicle. Any program whose driver violates the nonsmoking requirement, while driving a motor pool vehicle, will be billed the cost of fully cleaning the interior of the vehicle.
16. Employees may not use state vehicles exclusively for union business including contract negotiations, grievance meetings, arbitration and mediation.

#### **VEHICLE USE AND EMPLOYEE RESPONSIBILITY**

1. Employees are required to take the first available defensive driving course conducted by the Agency Safety Officer.
2. Employees are expected to use State vehicles in a responsible manner.
3. Damages or other financial assessments related to State vehicles that are incurred as a result of the driver's poor judgment, irresponsibility or negligence, will be charged to the employee or the employee's office or division. Such charges or assessments may include, but are not limited to, tow charges, damage to the vehicle and all tickets.
4. All vehicles are assigned a credit card for refueling and maintenance. Employees are expected to ensure the credit card is in the vehicle prior to driving the vehicle.
5. Employees are to ensure refueling and service stations accept the credit card prior to refueling or giving authorization for service.
6. Employees are to purchase fuel at self-service pumps, unless otherwise permitted by State or Federal laws.
7. Employees are to purchase only "Regular" unleaded gasoline with an octane rating of 87 unless a vehicle requires an alternative fuel.

8. Employees are to use credit cards only for refueling the vehicle or to purchase vehicle parts or supplies necessary for the continued safe operation of the vehicle. Repairs of vehicles cannot total \$500 without Division Chief, or designee approval. Purchases of food, beverages, cigarettes, newspapers or any other item not necessary for the continued safe operation of the vehicle is prohibited.
9. Employees or divisions assigned a vehicle are required to submit to the Office of Operations & Facilities, no later than the Fifth (5<sup>th</sup>) working day of each month, a completed Monthly Automobile Trip and Mileage Reports form and all receipts for purchases made on the credit card for each assigned vehicle for the immediate past month.
10. The Office of Operations & Facilities must be notified of any tickets received or accidents involved in within one business day of occurrence. See additional information under Accident Reporting.
11. The driver shall be responsible for checking the State vehicle before operation to ensure that the vehicle lights, turn signals, brake lights, and other safety equipment are functional on the State vehicle.
12. Employees are not to drive any State vehicle with damages or defects which make the vehicle unsafe for use.
13. The use of cellular phones while driving is strongly discouraged. If a cell phone must be used while driving, employees should pull over to the side of the road at the safest opportunity or pull into a rest stop or parking lot and stop the vehicle.
14. Employees are not to unnecessarily idle vehicles. Unless the vehicle is specifically needed to be kept running for a job requirement or being driven, the vehicle should be kept or turned off.

### **COMPLIANCE WITH MOTOR VEHICLE LAWS**

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

1. The driver and all passengers shall wear seat belts.
2. The driver shall possess a valid operator's license and shall not operate a State vehicle while said license is under suspension or revocation.
3. Driving privileges may be extended when an employee has lost their personal driving privileges, but has a driving work permit issued by the court. The employee must immediately notify their supervisor and the Office of Operations & Facilities of any loss of driving privileges.

4. In the event of a violation of State or local motor vehicle laws, the driver shall be personally liable for any criminal or civil penalty incurred. All drivers shall notify the Office of Operations & Facilities of any tickets as soon after receipt as possible but no later than within one business day. Drivers shall also provide the Office of Operations & Facilities written proof that tickets received have been paid within ten (10) working days of receipt.
5. All drivers involved in two or more vehicle accidents or moving violations in one year while driving a State vehicle must repeat the Agency's first available Defensive Driving Course.
6. All drivers shall operate State vehicles in a manner appropriate for current weather and road conditions.
7. Supervisors must hold and document an interview with the employee as soon as possible after the receipt of a ticket. (excluding parking ticket, if paid as required). A copy of the interview documentation must be sent to the Office of Labor and Safety.

## **ACCIDENTS**

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

1. Seek assistance for any injured person(s);
2. Do not discuss whose fault the accident was nor limits of insurance coverage with any persons except law enforcement personnel and agency supervisors;
3. Do not discuss the details of the accident with anyone except the investigating law enforcement officer and agency supervisors;
4. Obtain the name and address of the other parties insurance company;
5. Notify your supervisor as quickly as possible;
6. Obtain the name, address and telephone number of the investigating police department if other than the State Highway Patrol;
7. Complete and submit to the Office of Operations & Facilities, within 24 hours of the accident, a State of Ohio Employee Loss Notification Automobile Accident Or Incident Form. This form may be accessed on the internet at:  
<http://das.ohio.gov/gsd/Risk/pdf/Employee%20Auto%20Accident%20Report.pdf>

8. Supervisors will be required to submit to the Office of Operations & Facilities, within 24 hours of an accident, a Verification of Authorized Use Form. This form may be accessed on the internet at: <http://das.ohio.gov/gsd/Risk/pdf/VerificationOfUse.pdf>
9. Supervisors must hold and document an interview with the employee as soon as possible after any at fault accident, damage caused to a vehicle by an employee, or receipt of a ticket. (excluding parking ticket, if paid as required). A copy of the interview documentation must be sent to the Office of Labor and Safety.

## **INSURANCE**

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

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

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

## **TERMINATION OF INSURANCE COVERAGE OF INDIVIDUALS**

In addition to any disciplinary action taken by the Agency, upon being convicted of, or pleading either guilty, or no contest to any of the following violations while operating a state vehicle, the person so charged is subject to immediate cancellation of future coverage from the insurance program by the Office of Risk Management:

1. Operating while under the influence of alcohol or drugs.
2. Operating while under license suspension or revocation.
3. Failure to stop after accident.
4. Knowingly fleeing from police.
5. Using motor vehicle in committing a felony.
6. Drag racing.
7. Operating without the consent of the owner.
8. Driving without a valid drivers license (Ohio or state in which employee is a resident).

9. The Office of Operations & Facilities must be immediately notified of all court dates and the results of those hearings.
10. Upon approval of the Director, a division may purchase coverage for any individual, if necessary, through a private insurance carrier. Requirements shall include:
  - A. Purchase of commercial insurance must be coordinated between the Office of Operations & Facilities and the Office of Risk Management.
  - B. Coverage must have a limit of at least \$1,000,000.
  - C. Proof of such coverage shall be forwarded to the Office of Operations & Facilities.

### **REINSTATEMENT OF INSURANCE COVERAGE**

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

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

### **MOTOR POOL**

The Agency has a motor pool with locations at Central Office and each district office. All employees, not having a vehicle assigned to them or one available for their use within their division, are expected to seek a vehicle from the motor pool for all driving travel while on official State business.

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

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

### **MOTOR POOL VEHICLE RESERVATION**

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

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

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

### **USE OF MOTOR POOL VEHICLES**

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

1. Return the vehicle with the copy of the reservation form completed indicating:
  - a. Return date and time;
  - b. Mileage of vehicle at completion of trip;
  - c. The amount of fuel remaining in the tank as indicated by the fuel gauge.
2. Return the vehicle with a minimum of three-fourths (3/4) full fuel tank;
3. Ensure a refueling station accepts the credit card prior to refueling the vehicle;
4. Enter the current odometer reading at the pump or provide it to a station attendant when prompted;

5. Purchase only fuel, basic car washes, or necessary automotive supplies or repairs (under \$100.00) with the credit card unless given specific authorization (see additional information in Motor Pool Breakdowns and Emergency Procedures);
6. Write the current odometer reading on the front of the gas receipt;
7. Make certain the total amount of gallons and the price per gallon are listed correctly on the gas receipt prior to signing it;
8. Remove all trash and personal items prior to returning the vehicle;
9. Park the vehicle in its designated parking spot upon return unless the designated parking spot has another vehicle in it. In this case, the vehicle should be parked at the back of the lot, the spot noted, and the motor pool coordinator notified;
10. Notify the motor pool coordinator of any maintenance or service issues or condition of the vehicle that require attention and would make the vehicle unsafe or undesirable to be used until addressed.

### **MOTOR POOL VEHICLE BREAKDOWNS**

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

1. You have authorization from your motor pool coordinator, the Office of Operations & Facilities or your District Chief or Administrator;
2. You have made sure the vendor accepts the credit card;
3. The total amount of the repair is less than \$500 unless approved by your motor pool coordinator.

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