

# State Human Resources Policy #E24-100.09

## Use Of State Vehicles

**THE LANGUAGE USED IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE AGENCY RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OR ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.**

### **DEFINITIONS**

Agency – The South Carolina Military Department/Office of the Adjutant General

State Vehicle - Any vehicle owned or leased by the Agency or the State of South Carolina, self-propelled or drawn by mechanical power, designed to be principally operated on the highway in the transportation of property or passengers, except devices used exclusively upon stationary rails or tracks, and requires registration and licensing in accordance with the State Code of Laws, Article 3, Section 56-3-110 through 56-3-160.

### **POLICY**

1. Only Agency employees, Agency contractors or consultants employed by the Agency, or Agency volunteers are authorized to operate State vehicles.

a. In certain cases, such as illness or extreme fatigue on the part of the driver, spouses and dependents over the age of 21 may drive the vehicle for short periods in order to complete a trip.

b. Under no circumstances shall dependent children under the age of 21 operate a State vehicle.

2. Agency employees, Agency contract or consultant personnel, or Agency volunteers may only use State vehicles for conducting official business.

a. Authorized uses of State vehicles include but are not limited to:

- Travel between place of vehicle dispatch and place of performance of official business
- When on official out-of-town travel status, travel between place of temporary lodging and place of official business.
- When on official out-of-town travel status between either of the above places and:
  - Places to obtain suitable meals
  - Places to obtain medical assistance, including drugstores
  - Places of worship
  - Barber/Beauty shops
  - Cleaning establishments
  - Similar places required to sustain health and welfare or continued efficient performance of the user, exclusive of places of entertainment
- Transportation of officers, official employees or official guests of the State
- Transportation of professional or commercial representatives when in the direct interest of the State

- Transportation of materials, supplies, parcels, luggage, kits or other items belonging to or serving the interests of the State
- Transportation of any person or item in an emergency situation, provided such movement does not endanger life or property

b. Unauthorized uses of State vehicles include but are not limited to:

- Travel or task of a personal nature having no connection with the accomplishment of official business
- Transportation of items or cargo having no relation to the conduct of official business
- Performance of tasks outside the rated capacity of the vehicle (i.e., exceeding the weight or size limit)Transport of other persons not serving the interests of the State
- Travel between home and place of employment unless authorized by regulation. The fact an employee is “on call” does not in itself justify this authorization. The urgency of employee availability and frequency of actual recall must be factually justified in order to qualify as authorized use.
- Transportation of animals or pets (with the exception of service animals)
- Transportation of hitchhikers
- Transportation of acids, explosives, weapons, ammunition, non-prescribed medicines, alcoholic beverages, highly flammable material except by specific authorization or by a duly commissioned law enforcement officer acting within his assigned duty
- Transportation of any kind of equipment or cargo projecting from the side, front or rear of the vehicle in such a manner as to constitute a hazard to safe driving, to pedestrians or to other vehicles
- Extending the length of time or travel beyond that required to complete the official purposes of the trip
- Travel to or from social events unless acting as an official representative of the State; and the Agency
- Use while in a leave status or on vacation

c. Other Prohibited Practices While Operating a State Vehicle include but are not limited to:

- Smoking or the use of tobacco products in a State vehicle
- Operation after the use or under the influence of alcohol, drugs, or other controlled substances
- Use of radar detectors

3. Agency employees, Agency contract or consultant personnel, or Agency volunteers operating State vehicles will abide by applicable State and Federal laws and posted speed limits, and are responsible for the safe operation and security of the vehicle. The State vehicle operator is responsible for all speeding and traffic violations, and is personally liable for any resulting fines.

4. Use of Cooperative Agreement Funded Vehicles

a. Vehicles purchased or leased for the purpose of supporting Cooperative Agreement operations and mission may only be used in support of their specific Cooperative Agreement.

b. State employees who are members of the National Guard or Reserve and are on Individual Duty Training (IDT) or Annual Training (AT) status may not operate or utilize a Cooperative Agreement funded vehicle.

c. Cooperative Agreement vehicles cannot be used in support of State Active Duty (SAD)/Defense Support to Civilian Authorities (DSCA) missions.

d. Service Members who are on Active Duty Operational Support (ADOS) in support of Cooperative Agreement operations may utilize/operate Cooperative Agreement funded vehicles/equipment as long as the equipment is being used to support the Cooperative Agreement to which it belongs and the Service Member meets all other State requirements to operate a State Vehicle.

5. Vehicle Inspections. Vehicle operators will inspect the vehicle for damage and/or deficiencies prior to operation.

6. Safety Belts. Agency employees and other occupants of State vehicle will wear a safety belt at all times when operating or being transported as a passenger in a State vehicle. It is unlawful to remove any safety belt or render it inoperative.

7. Use of Electronic Devices. Drivers will not operate an Electronic Device (e.g., cell phones, multi-media enabled smart phones, MP3 players, GPS devices, laptop computers, tablet computers, etc.) while the vehicle is in drive or in motion unless the Electronic Device is being operated via a hands-free mode.

a. Drivers are prohibited from watching the screen of an Electronic Device while operating a State vehicle unless the vehicle is in park. This includes reading, sending, and/or receiving text or email messages.

b. An exception to this policy is an emergency call placed to 911 for situations such as a fire, traffic accident, road hazard, or medical emergency. In such cases, the communication should be as short as reasonably necessary to communicate the nature of the emergency, location, etc.

8. Requirements to Operate a State Vehicle

a. A valid, current South Carolina driver's license appropriate to the type vehicle being operated.

(1) New Agency employees who have recently relocated to South Carolina may operate a State-owned vehicle using a valid driver's license from their former state for up to 90 days, at which time they must have obtained a South Carolina driver's license.

(2) Contract or consultant personnel who reside outside South Carolina, but must operate a State-owned vehicle while engaged in State business, may do so using a valid driver's license from their home state during the period in which their services are employed by the State of South Carolina.

(3) Agency employees who are spouses of active duty military personnel stationed in South Carolina, and Agency employees permanently residing in adjacent states, but employed in the State of South Carolina, may operate a State-owned vehicle using a current, valid driver's license from their state of residence.

b. Successfully completed the SC Department of Administration's Driver Improvement Program.

(1) Agency employees whose State positions require them to be routine drivers will complete the full 8-hour driver training course within ninety (90) days of date of employment, and must complete the 4-hour refresher course every third (3<sup>rd</sup>) year thereafter. New employees who have previously completed an approved Driver Improvement Program course within three (3) years of date of employment are not required to attend another course until the third anniversary of their attendance.

(2) Employees who are permanently assigned a State-owned vehicle must complete the full 8-session driver training course within ninety (90) days of the date of such vehicle assignment, and must complete the 4-hour refresher course every third (3<sup>rd</sup>) year thereafter as long as the employee is permanently assigned a vehicle.

(3) Other Agency employees, Agency contract or consultant personnel, or Agency volunteers must complete the full 8-hour driver training course prior to operating a State vehicle. These individuals must complete the 4-hour refresher course every third (3<sup>rd</sup>) year thereafter.

c. Maintain a safe driving record.

(1) Agency employees, Agency contract or consultant personnel, or Agency volunteers whom an Agency accident review board finds at fault in a preventable State vehicle accident must complete the full 8-hour Driver Improvement course within ninety (90) days of such finding. If the individual fails to complete the training within the 90-day period, the Department Head or the Program Manager will terminate the individual's State Vehicle driving privileges until the individual completes the required Driver Improvement Program training.

(2) Agency employees, Agency contract or consultant personnel, or Agency volunteers found to have accumulated 9-10 traffic violation points or two (2) State vehicle accidents on their motor vehicle record must complete the 8-hour driver training course within ninety (90) days of the discovery of their driving history. If the individual fails to complete the training within the 90-day period, the Department Head or the Program Manager will terminate the individual's State Vehicle driving privileges until the individual completes the required Driver Improvement Program training.

(3) Employees whose driver's licenses are suspended by the South Carolina Department of Motor Vehicles (SCDMV) are required to notify their supervisor of the suspension on the first working day following notice of the suspension, and are not authorized to operate a State-owned motor vehicle until their suspension is lifted by the SCDMV.

(4) If the Department Heads or Program Managers determine that an Agency employee, Agency contract or consultant personnel, or Agency volunteer is not operating the State vehicles in a safe manner, they may require the individual to attend additional Driver Improvement training and/or suspend/terminate the individual's State Vehicle driving privileges.

(5) Comply with the requirements of this Policy and the guidelines as published in the South Carolina Military Department State Vehicle Operator's Handbook (see State Vehicle Operator's Handbook at <https://sctag.org/regulations>).

9. Passengers

a. Operators of State vehicles may transport such passengers as are necessary to conduct official State business. Transportation of persons or items/cargo having no connection with the accomplishment of official business or not serving the interests of the State is prohibited

b. The immediate family of a State employee may accompany the employee on official out-of-town trips provided:

- The State incurs no additional cost or expense for such travel; and
- The employee receives prior approval from the Department Head or Program Manager

10. Accidents. Employees operating a State vehicle who suffers a reportable injury, vehicle accident, or damage the vehicle are required to submit to a drug screen. The employee must complete the drug screen as soon as possible, but within 48 hours of the injury, incident, or accident. (See Policy #E24-100.02 - Alcohol, Drug and Substance Abuse Policy at <https://sctag.org/policies>)

11. Individual Vehicle Assignments

a. No Agency Department or Program is authorized to assign vehicles to individuals (other than the Adjutant General) by virtue of their position or office.

b. The Adjutant General or his delegated representative may authorize assignment of a State vehicle to an individual for exclusive use based on the following criteria:

- Vehicles are essential to the performance of official duties by individuals whose remote location or total official business use requirements are such that they preclude shared or part-time use by members of the same or other work units
- Highly specialized vehicles and heavy equipment where operator training or technical skill requirements preclude use of the vehicle by individuals not possessing such training or skills
- Circumstances, as determined by the Adjutant General or his delegated representative, that warrant individual assignment in the best interests of the State

c. In accordance with Proviso: 117.82. (GP: Commuting Costs), Agency employees who use a permanently assigned State vehicle to commute from their permanently assigned work location to and from the employee's home must reimburse the Agency in accordance with IRS regulations based on guidance from the Office of Comptroller General which must use the cents per mile rule, unless they are exempted from such reimbursement by applicable IRS regulations. This requirement does not apply to a vehicle used by an employee for the purpose of a special travel assignment, for active certified law enforcement officers authorized to carry firearms, execute warrants, and make arrests, for Constitutional Officers, or for Department of Transportation employees on call for emergency maintenance.

12. Program Managers or Department Heads (or their designated representative) are authorized to approve an Agency employee taking a State vehicle home overnight if the employee is leaving directly from their residence and/or returning after business hours, and the route/destination is away from their Permanent Place of Employment.

a. This is solely for the benefit of the State to reduce overall cost, assist in ensuring the safety of the employee, and to limit the employee's time spent away from their primary mission.

b. Employees are not authorized to utilize the vehicle to conduct personal business.

13. Operators of State vehicles are required to keep monthly trip logs (State Fleet Management Form 3-78) for the operation of the vehicle, and to keep a record (with receipts) of fuel purchases.

14. Vehicle Services, Repairs or Emergency Repairs. The State Fleet Commercial Vendor Repair Program (CVRP) Office will coordinate all services, estimates, repairs, emergency repairs and repair/services locations

15. Agency employees who violate this policy may be subject to the Agency's Progressive Discipline Policy up to and including termination.

## **PROCEDURE**

### 1. Individual Assignment of a State Vehicle

a. The Adjutant General must delegate signature authority in writing for authorizing individual assignment of State vehicles. The State Operations Property Book Officer will maintain a copy of the delegation and forward a copy to State Fleet Management.

b. When an employee is authorized the individual assignment of a State vehicle, the Department Head or Program Manager (or their designated representative) will coordinate with the State Property Book Officer to complete a State Agency Support Services Form SASS-007C for each authorized employee.

c. The Department Head or Program Manager (or their authorized designee) will coordinate with the State Property Book Officer to update the Form SASS-007C whenever there is a requirement to new permanent assignment, withdrawal an existing assignment, or updating information on an existing permanent assignment

d. The State Operations Property Book Officer will maintain a copy of the Form SASS-007C in accordance with the State's Retention Schedule, and forward a copy to State Fleet Management.

### 2. Vehicle Trip Logs

a. The vehicle operators or the Department or Program Transportation Coordinators will forward the completed Trip Logs (Form SASS-007C) and fuel card receipts, through their Department Transportation Coordinator, to the State Operations Transportation Coordinator on a monthly basis.

b. The State Operations Transportation Coordinator will forward copies of the trip logs and fuel card receipts for lease vehicles to State Fleet Management and will maintain copies of all trip logs and fuel card receipts in accordance with the State's Retention Schedule.

c. The Transportation Coordinators can find the Trip Log Form (Form SASS-007C) at <https://www.admin.sc.gov/files/SASS-003C%203.06.18.docx>

### 3. Vehicle Inspections

a. Vehicle operators will notify their Department/Program Transportation Coordinator of any damage, deficiencies or issues.

b. Department/Program Transportation Coordinators will contact The State Fleet Commercial Vendor Repair Program (CVRP) Office (1-800-277-3686) which will coordinate all estimates, repairs and repair locations, and will notify the State Operations Transportation Coordinator of any issues.

### 4. Vehicle Services, Repairs or Emergency Repairs

The vehicle operator or Department/Program Transportation Coordinators will contact the State Fleet CVRP Office (1-800-277-3686) which will coordinate all services, estimates, repairs, emergency repairs and repair/services locations.

### 5. Vehicle Accidents

a. The Vehicle Operator will immediately notify their supervisor and their Department Head or Program Manager. The employee will gather copies of all documentation accident reports, and statements, as well as take photos of the vehicle(s) and surrounding areas, and will provide these to their chain of command. The employee is responsible for securing all Agency equipment and property from the vehicle.

b. The Department Head, Program Manager, or their designated representative will notify the State Operations Property Book Officer of the accident, and will provide copies of all documentation, accident reports, statements, photos, etc.

c. The vehicle operator or the Department/Program Transportation Coordinator will contact the State Fleet CVRP Office (1-800-277-3686) which will coordinate all estimates, repairs and repair locations.

d. The State Operations Property Book Officer will coordinate with the Insurance Reserve Fund to coordinate insurance coverage actions.

e. The State Operations Property Book Officer will maintain the Agency records of State vehicle accidents in accordance with the State's Retention Schedule.