



Chapter 12 - Transportation

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12.10 About Transportation Policies

12.10.05

April 15, 2004

Who must comply with these policies?

All drivers on official state business must comply with the policies in this Chapter including:

1. All state officers, employees, and volunteers that agencies have legal authority to utilize, unless otherwise provided by law.
2. Students as defined in Subsection 12.10.30.
3. Department of Corrections inmates under the control of the Department of Corrections.
4. Contractors, unless there are specific contractual arrangements.

12.10.10

April 15, 2004

Agency responsibilities

12.10.10.a

In complying with these policies, agency heads, or authorized designees, are to:

1. Establish an effective system for management and control over transportation activities.
2. Promote state vehicle and driver safety and loss prevention.

12.10.10.b

Agencies may adopt internal transportation policies that are more restrictive than those contained in this Chapter.

12.10.20

April 15, 2004

State driver responsibilities

State drivers authorized to drive state vehicles or privately owned vehicles on official state business are responsible to:

12.10.20.a Comply with all policies in this Chapter. Failure to follow these policies may result in disciplinary action, including deductions from salaries or other allowances due, suspension without pay, or termination of employment.

12.10.30

April 15, 2004

Special definitions

15-Passenger Van Driver - Employees, student-employees, students and volunteers operating 15-passenger vans under the direction of a state agency, university, or community or technical college. (Refer to Subsection 12.20.25.)

Authorized Passengers - Individuals authorized by the agency head or authorized designee to ride as passengers in a state vehicle driven by a state driver conducting official state business. Authorized passengers can include students, volunteers, contractors, clients, and private citizens.

Student - A student, as used for the purposes of this Chapter, is a person that a high school, or state university or community/technical college determines meets their criteria for student status. A student who performs work for compensation by an agency or college meets the state employee definition. Per WAC 296-125-030(2) minors (those under 18 years of age) are prohibited from performing jobs that require motor vehicle operation. All student drivers must have a minimum of two years of driving experience.

Volunteer - A volunteer is a person, other than an emergency services worker as described by chapter 38.52 RCW, who, of his/her own free choice, performs any assigned or authorized duties for the state or any agency thereof. A volunteer receives no wages, and is registered and accepted as a volunteer by the state or any agency thereof, for the purpose of engaging in authorized volunteer service. A volunteer may be granted reimbursement for actual expenses necessarily incurred in performing his or her assigned or authorized duties.



12.20 Agency Motor Vehicle Management

12.20.05

April 15, 2004

A state vehicle may only be used for official state business

A state vehicle is to be used only for official state business of state agencies (refer to Subsection 12.30.20.a).

12.20.10

July 1, 2006

Agency requirements related to motor vehicle management

Every state agency having jurisdiction and control of motor vehicles shall:

1. Authorize state drivers and passengers for:
 - a. State-owned and leased motor vehicles (including commercially rented vehicles as required by most rental contract provisions).
 - b. Privately owned vehicles used on official state business in accordance with applicable policies.
2. Maintain a log of all state-owned vehicle usage. Agencies should consult Internal Revenue Service (IRS) regulations regarding the level of detail required in the log and IRS "Safe Harbor Rules." Agencies should also track accident data for statistical and vehicle loss control purposes.
3. Be financially accountable for all costs resulting from the authorization and use of state-owned or leased motor vehicles, including costs for damage to state-owned vehicles and property, and costs charged through the Washington Self-Insurance Liability Program for third-party injuries and vehicle damage.
4. Continuously review staffing assignments and field operations with the objective of minimizing travel.
5. Establish policies and procedures designed to operate these vehicles at the lowest effective cost per mile for the life of the vehicle.

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6. Exercise maximum energy conservation practices in conducting official state business. All agencies are to consolidate trips where possible, ensure adequate maintenance of assigned vehicles, provide employee orientation on the necessity for driving within legal speed limits, and employ other means as necessary to achieve energy conservation.
7. Establish procedures to ensure prompt payment of citations, tickets or fines generated by drivers authorized to operate state vehicles. Under these circumstances, payment of fines or citations is solely the personal obligation and responsibility of the driver, and is NOT a qualified reimbursable obligation of the employing agency. Refer to Subsections 10.20.20 and 12.30.20.c.
8. Inform all state drivers that:
 - a. Subsection 12.30.10 requires all authorized state drivers operating state vehicles, or privately owned vehicles on official state business, to have in their possession a license that is valid under Washington state law.
 - b. All authorized state drivers assigned driving duties are to report to their manager or supervisor by the next business day any time the applicable license-issuing agency notifies that driver their driver's license has been revoked, suspended, or otherwise determined to be invalid.
9. Emphasize safe driving practices by establishing a driving safety program. Refer to Subsections 12.20.15 and 12.20.20.
10. Advise employees of state and agency policies addressing disciplinary action for inappropriate or unsafe use of state vehicles.
11. Establish procedures for prompt review and appropriate follow-up to all citizen complaints regarding agency drivers.
12. Establish and maintain a preventive maintenance program for all agency owned vehicles.
13. Inform state employees to direct any third party drivers/vehicle owners who wish to file a claim for damages allegedly sustained as a result of an accident involving a state vehicle to the Department of Transportation, Risk Management Office (WSDOT-RMO) at 1-800-737-0615 or (360) 704-6355. Indicate that WSDOT will respond directly to their questions or concerns, and provide a claim form if necessary.

12.20.15

July 1, 2006

Basic driving safety program requirements

The basic driving safety program requirements are applicable to all state drivers authorized by the agency to operate a state or privately owned motor vehicle for use on official state business, regardless of frequency of driving.

The basic driving safety program as described below must be implemented no later than one year from the effective date of this subsection and consists of the following:

At the initial driving assignment and prior to vehicle operation, agency managers/supervisors must:

- Visually check that state drivers have in their possession a license valid under Washington State laws per requirements of Subsection 12.30.10. (The Department of Licensing website provides information on valid licensing requirements at <http://www.dol.wa.gov/drivers.htm>.) The visual check is to verify that the driver's license (1) has not expired; (2) photo matches employee/operator and name matches agency records; and (3) birth date indicates driver is at least 18 years of age.
- Obtain verbal verification from the driver that he/she has two years of driving experience, particularly if he/she is 18 years of age.
- Inform state drivers about the policy to report to the manager/supervisor anytime the applicable license-issuing authority notifies them of invalid license status as outlined in Subsection 12.30.20.b #4.
- Indicate how state drivers can access Chapter 12 Transportation to review all other policies, as needed, pertaining to the authorized, safe, and efficient operation of vehicles used on official state business.
- If the employee/operator is assigned to drive a 15-passenger van, he/she must also comply with Subsection 12.20.25 15-Passenger Van Drivers Safety Program.

To promote safety awareness, agencies should consider having state drivers view the Risk Management Division 12-minute video "*Safe Driving Habits: A State of Mind*" as part of new employee/operator orientation. The video is available at <http://www.ofm.wa.gov/rmd/loss/videos.asp>.

12.20.20
April 15, 2004**Driving safety program requirements for specified drivers**

Requirements of the driving safety program for specified drivers apply only to state drivers who (1) are state employees; (2) operate state vehicles, and (3) meet the high mileage driving OR frequent alleged state driver error accidents criteria described below. (Washington State Patrol troopers are exempt from this requirement.)

The driving safety program for specified drivers should be completed no later than one year from the effective date of this subsection or within the first year the employee meets the following criteria:

1. High mileage driving

- Operates state vehicles 1,000 or more miles per month at least six months out of the year (need not be consecutive), regardless if the mileage is generated by local or long distance driving, **OR**

2. Frequent alleged state driver error accidents

- Is involved in either, or both, of the following alleged state driver error outcomes, regardless of miles traveled or law enforcement action taken.
 - Two alleged state driver error accidents involving state or third party vehicle/property damage (other than damaged windshields) within a 24-month period.
 - One or more alleged state driver error accidents resulting in injuries to the state driver, passenger(s), or third party within a 24-month period.

It is the responsibility of the manager/supervisor to identify drivers meeting the above criteria, and to:

1. Provide identified state employee drivers with a review of Chapter 12 Transportation policies that includes at a minimum:
 - Agency motor vehicle management (Section 12.20).
 - State driver requirements related to driving a state vehicle (Subsection 12.30.20) and accident reporting (Subsection 12.30.40).
 - Insurance coverage and requirements (Section 12.40).

A sample state driver checklist for manager/supervisors is available on the Administrative and Accounting Resources website at <http://www.ofm.wa.gov/resources/default.asp>. This checklist is not mandatory and can be adapted and used as desired.

2. Provide identified state employee drivers defensive driver/safe driving training. Training curriculum, method of delivery, duration, renewal intervals, and attendance documentation are at agency discretion. (The Department of Personnel's Training and Development Services is one source for defensive driving training, with information and training schedules at <http://hr.dop.wa.gov/training/default.htm>.)

To promote safety awareness, it is recommended that drivers view the Risk Management Division 12-minute video "*Safe Driving Habits: A State of Mind*." The video is available at <http://www.ofm.wa.gov/rmd/loss/videos.asp>.

12.20.25

April 15, 2004

Driving safety program requirements for 15-passenger vans

12.20.25.a

Driver safety awareness. Agencies, universities, and colleges are required to place and maintain in a conspicuous spot in each 15-passenger van vehicle a copy of the National Highway Traffic Safety Administration (NHTSA) "Reducing The Risk of Rollover Crashes in 15-Passenger Vans" - **Hangtag** and "Reducing The Risk of Rollover Crashes in 15-Passenger Vans" - **Flyer**.

- **New Vehicles:** Dealers should provide the above named documents upon delivery per the state contract.
- **Existing Vehicles:** Copies of the above documents can be printed from the NHTSA website at <http://www.nhtsa.dot.gov/cars/problems/studies/15PassVans/index.htm>.
- **Rental Vehicles:** Provide each driver a copy of the above named documents to maintain in the 15-passenger van rental vehicle for the duration of the rental period.

Note: The state rental vehicle contract does not require the rental agency to provide these documents to state employees using rental vehicles.

12.20.25.b **Minimum age/driver experience.** All 15-passenger van drivers must be a minimum of 18 years old and have a minimum of two years of driving experience with any type of motor vehicle.

12.20.25.c **Required documents for driver and manager/supervisor signature.**

- Agencies, universities, and colleges are required to have all 15-passenger van drivers sign the following documents *at the time of their initial 15-passenger van driving assignment*.

Managers/supervisors must also sign the documents under the manager/supervisor responsibilities checklist section.

- *15-Passenger Van Driver* Valid License to Drive and Driving Experience Statement
- *15-Passenger Van Driver* Safe Driving Practices Acknowledgement Statement
- Agencies are required to maintain the above documents in appropriate agency files.

Note: Recommend the two documents be printed on one page back to back.



State of Washington
15-PASSENGER VAN DRIVER
SAFE DRIVING PRACTICES ACKNOWLEDGEMENT STATEMENT

Definition: 15-Passenger Van Driver - Fifteen (15)-passenger van driver refers to employees, student-employees, students, and volunteers operating 15-passenger vans under the direction of a state agency, university, or community/technical college. All Washington state agency, university and community/technical college 15-passenger van drivers are required to complete this form prior to **initial** operation of a 15-passenger van. A copy of the signed form will be maintained on file with the agency, and a copy provided to the driver.

Risks Associated with Operating a 15-Passenger Van

1. Washington State law requires seat belt use. The 15-passenger van driver must ensure all passengers have buckled their seat belt prior to moving the van.
2. Fifteen-passenger vans have a rollover risk similar to other light trucks and vans.
3. The risk of rollover increases dramatically as the number of occupants is increased from six to nine. Fifteen-passenger vans should be loaded by filling the **front seats first**.
4. The weight of the van, particularly when fully occupied, causes the center of gravity to shift rearward and upward increasing the likelihood of rollover.
5. The shift in the center of gravity will also increase the potential for loss of control in panic maneuvers.
6. The weight of the van when fully occupied requires additional stopping distance, an especially important factor in rain, fog, or other difficult driving situations caused by weather conditions.
7. The width of the van allows for less lane room.
8. The length of the van increases distance needed for making turns, changing lanes, and braking.
9. General maintenance of the vehicle, including proper tire pressure is important to safety, and can be referenced in the vehicle owner's manual.

Considering the above described van characteristics, safe operation of vans increases when drivers apply the following **SAFE DRIVING PRACTICES**:

- Adhering to posted speed limits.
- Adjusting to lower speeds than posted during conditions of rain, snow, fog, or other conditions that affect visibility, stopping distance, or general safe handling of the vehicle.
- Minimizing potential driver distraction by using cell phone or other electronic devices when the van is safely stopped, asking passengers to assist with calls when needed, etc.
- Properly loading passengers and equipment, and never placing equipment on the top of vans.
- Minimizing driver fatigue on long trips by one or more of the following: driving rested, taking appropriate breaks, or sharing driving with authorized drivers.
- Not using alcohol or drugs, including prescription medicine that warns of drowsiness or similar effects.

* I have read and understand the possible risks involved while operating a 15-passenger van. (Initial) _____
 * I am aware the handling characteristics of a 15-passenger van may change dramatically, especially when fully loaded. (Initial) _____
 * I understand that extra caution is required when operating 15-passenger vans. (Initial) _____
 * I understand that seatbelt use by driver/passengers in 15-passenger vans is mandatory at all times. (Initial) _____

Driver's Name (print): _____ Date: _____
 Driver's Signature: _____ Agency/Section: _____



State of Washington
15-PASSENGER VAN DRIVER
VALID LICENSE TO DRIVE AND DRIVING EXPERIENCE STATEMENT

Definition: 15-Passenger Van Driver - Fifteen (15)-passenger van drivers refers to employees, student-employees, students, and volunteers operating 15-passenger vans under the direction of a state agency, university, or community/technical college.

In an effort to promote safe driving practices for the protection of state employees, students, and the citizens and drivers in Washington State, all 15-passenger van drivers are required to sign this statement verifying: (1) they possess a license that is valid under Washington State law that is current and reflects information consistent with the applicable state licensing department records; (2) they have a minimum of two years of experience driving motor vehicles; (3) their Washington State (or out-of-state) driving record is free of violations (as described below) that excludes 15-passenger van driving assignments; and (4) they agree to advise the appropriate manager or supervisor by the next business day if their legal status to drive changes.

Manager/Supervisor Responsibilities Checklist

- Complete License Check/Verification:** Visually check to ensure everyone assigned or authorized by the agency to drive 15-passenger vans has in their possession and can present to you a license that is valid under Washington State law. A visual check will include verification that: (1) license has not expired and (2) picture matches person.
- Have Employee Answer Questions Below and Sign:** After verification of a valid license, have potential 15-passenger van driver answer the questions below and verify the accuracy of their responses by signing at the bottom of the form. *Note: Drivers, who mark "no/don't agree" in any box below, shall not be considered for 15-passenger van driver assignments. The above process and completion of this form can be repeated when a potential driver can verify by signature "yes/agree" responses to the questions below.*
- Provide Education/Training:** Provide agency designated 15-passenger education or training prior to the initial 15-passenger van driving assignment.
- Provide Documentation:** Maintain a copy of this completed form in appropriate agency files.

Completion of Items 1-4

Supervisor Signature: _____ **Date** _____

15-Passenger Van Driver Responsibilities

Anyone authorized to drive a 15-passenger van for a state agency, university or community/technical college is required to fill out the form below by placing a check in the box indicating their response to each statement, and signing and dating to verify responses in the space provided at the bottom of this form.

I have a license that is **valid** under Washington State law that is current and reflects information consistent with the applicable state licensing department records. Yes No

I have at least two years of experience driving motor vehicles. Yes No

My DOL driver's record is free of all the excluding driving criteria listed below. Yes No

As a condition of driving a state-owned or rented 15-passenger van, I agree to inform my supervisor by the next business day if my status to legally drive changes at any time I am assigned to drive 15-passenger vans.

Agree Don't Agree

Criteria for Excluding a Driver from Driving 15-Passenger Vans

Within the past three (3) years, any suspension/revocation of license for reckless driving, hit and run, leaving an accident scene, failure to appear, DUI, or other vehicle-related felony; or for multiple traffic offenses (4 moving violations/infractions in 12 months/5 moving violations/infractions in 24 months) resulting in a Conditional Status driving record or subsequent suspension/revocation of license, or 6 or more moving violations within a 12-month period resulting in license suspension.

Name (Print) _____ **Date** _____

Signature _____

12.20.25.d

Required safety education or training.

- Agencies, universities and colleges are required to provide employees, student-employees, students and volunteers with 15-passenger van safety education or training *prior to their initial operation* of an agency-owned, motor pool, or commercially rented 15-passenger van vehicle.
- Training is to be documented by the agency, university or college and records maintained in appropriate agency files.
- Renewal training must be provided every two years. Renewal training should consist of a review of initial training information with updates as appropriate.
- Renewal training must be documented and maintained in appropriate agency files.
- Safety education or training provided must minimally include (1) review of all National Highway Traffic Safety Administration (NHTSA) advisories, (2) review of the NHTSA Hangtag and Flyer for 15-passenger vans, and the Risk Management Division's "15-Passenger Van Drivers Basic Loss Prevention Guide," available on Risk Management Division's web site at:
<http://www.ofm.wa.gov/rmd/loss/passenger.asp>

Note: Due to varying needs of agencies, universities and community and technical colleges, the minimum requirement can be augmented with additional training information or training courses as desired. Length of training, training mode, type of training materials or audio-visuals used is at agency discretion.

12.20.25.e

15-Passenger van seat reduction recommendation. Agencies are encouraged, when feasible, to reduce the number of passengers in 15-passenger vans by at least five to reduce the weight in the back of the van. Agencies may remove the seats and/or require the driver to ensure passengers sit in the forward seats.

12.20.30

July 1, 2006

When may an agency permanently assign a state motor vehicle?

12.20.30.a

At least one of the following conditions is to exist prior to each assignment of a motor vehicle on a permanent status to an individual or agency/office:

1. The agency can demonstrate, or reasonably estimate:
 - For vehicles less than five years old or with less than 75,000 miles, the travel requirements average at least 1,000 miles per month.
 - For vehicles greater than five years old or with more than 75,000 miles, the travel requirements average at least 500 miles per month.

This mileage is not to include any travel by the assignee between home and duty station. Those permanently assigned motor vehicles that do not maintain these mileage minimums over a twelve-month period must be returned to the supporting motor pool.

2. Individuals requiring the vehicle are on 24-hour call and **all** of the following conditions exist:
 - A state-owned or leased motor vehicle is not available on a 24-hour trip dispatch basis.
 - It is not practical to provide for such transportation by the use of other agency vehicles.
 - The frequency of such travel on call is greater than would justify requiring the person to use such individual's own personal vehicle. Frequency of calls established under this paragraph is to be submitted by each agency to the Director of the Office of Financial Management.
3. A need exists for a specially equipped or special purpose motor vehicle which limits the use or which is essential to a particular agency, program, individual, or purpose.
4. The motor vehicle is used by a statewide elected official in the Executive Branch of state government.

12.20.30.b The permanent assignment of a motor vehicle for any purpose other than those listed above is to be done only after justification for such assignment has been approved by the Director of the Office of Financial Management. The permanent assignment of a vehicle to an employee for use on official state business is not in itself sufficient justification to utilize that vehicle for travel between duty station and home.

12.20.35

July 1, 2006

When may an agency permit an employee to use a state-owned or leased vehicle between duty station and home?

12.20.35.a

Travel between the duty station and official residence may be approved by the **agency** head or authorized designee for **any one** of the following reasons:

1. When storing the vehicle at an employee's residence is more advantageous or economical to the state than the purchase, lease, or rental of a commercial garage or other parking facility. The security and safety of state property is to be considered in determining the storage location of state-owned or leased vehicles.
2. When an employee's home is also the official station.
3. When an individual commences a trip prior to the opening time of a motor pool or when the individual returns from or completes a trip later than the closing time of the state or agency motor pool.
4. When, because of darkness, late hour, isolated location, the area has a record of crime, there is a threat to the personal security of the employee, or there is a reasonable basis for fear or uneasiness of personal safety in returning a motor vehicle to a motor pool or to its customary storage area.
5. When it is economical or advantageous to the state to allow such incidental travel in a state-owned or leased motor vehicle, or as part of a commute trip reduction program as required by RCW 70.94.551. (Also refer to RCW 43.41.140).

- 12.20.35.b The following situations of travel between duty station and official residence are in the best interests of the state and are exempt from the provisions of Subsection 12.20.35.a above:
1. Use of motor vehicles by statewide elected officials in the Executive Branch of State Government.
 2. Use by commissioned Washington State Patrol personnel who regularly enforce traffic regulations on the public highways and other state employees whose primary assignment is to provide law enforcement.
 3. Use by other law enforcement or investigative employees or emergency highway maintenance employees who are on 24-hour call and whose duties require use of assigned motor vehicles during what would be classified as other than scheduled working hours. In this situation actual off-duty calls requiring use of the motor vehicle must average a minimum of ten (10) times per month per calendar quarter.
- 12.20.35.c Requests for exceptions to the above criteria are to be submitted to the Director of the Office of Financial Management, with justification for each such exception. Refer to Subsection 1.10.40 for information on how to request a waiver.
- 12.20.35.d Agencies should review current Internal Revenue Service (IRS) Publication 15B fringe benefit rules regarding the reporting, taxability, and value of operating a state motor vehicle between the employee's official duty station and official residence. Agencies should also review IRS regulation 1.274-5t(e) regarding special commuting rules for "control employees," as defined by the IRS.

12.20.40

July 1, 2006

Maintenance and repair of state-owned or leased motor vehicles

- 12.20.40.a All state agencies having jurisdiction and control of state-owned or leased motor vehicles must establish and maintain a preventive maintenance program.
- 12.20.40.b Agencies are to ensure all maintenance and repair of state-owned or leased motor vehicles is performed at a state facility whenever possible. When the repairs to be done are beyond the capabilities of state facilities, the operator/agency is to receive authority from the vehicle-issuing agency to have the repairs accomplished at a local contract facility. Procedures for having contract or repair work performed may be obtained through the

Department of General Administration. For more information about maintenance services, including emergency roadside assistance, visit the State Motor Pool website at <http://www.ga.wa.gov/mp/services.html>.

12.20.40.c Within 48 hours of a vehicle accident that results in damage to a state vehicle, the owning agency must forward a copy of the State of Washington Vehicle Accident Report (SF137) completed by the state driver to the Office of Financial Management, Risk Management Division. The form is available at <http://www.ofm.wa.gov/rmd/vehicles/default.asp>.

12.20.40.d Agencies are to contact the Department of Transportation Risk Management Office when repair is needed for vehicle damage resulting from an accident. The owning agency should work with staff to determine whether any other party has liability for the agency's damages before proceeding with repairs. If recovery of some or all of the cost of repairs can be allocated to the liability of other parties, claims should be filed against those parties and authorization to proceed with repairs obtained before repairs are made. If a fleet vehicle is damaged, also contact the appropriate motor pool.

12.20.45
July 1, 2006

Agencies must ensure information is available in the motor vehicle

Agencies must ensure the following information is available in every state-owned or leased **motor vehicle not used in undercover work**:

- Information regarding state repair and servicing facilities of state-owned or leased motor vehicles.
- Statement of operator's responsibilities.
- Accident and insurance report forms with instructions as to their preparation and disposition.
- Instructions for use of agency credit card.
- Emergency instructions.
- A copy of the State of Washington "Proof of Liability Insurance Washington State Agency Vehicle" card. This card provides a brief review of liability coverage provisions for state vehicles, and is available at <http://www.ofm.wa.gov/rmd/vehicles/default.asp>.

12.20.50

July 1, 2006

What are the restrictions and responsibilities for using privately owned motor vehicles for official state business?

12.20.50.a

The agency head, or authorized designee, may authorize the use of a privately owned motor vehicle in the conduct of official state business when it is more advantageous or economical to the state that a person travel by a privately owned vehicle rather than a common carrier or a state-owned or leased motor vehicle. The state motor pool may provide cost comparison data to agencies as one guideline for assisting in making such a determination. Agencies, as part of their required, positive system of control over travel, may adopt and use other guidelines for satisfying the "more advantageous or economical" (refer to Subsection 10.10.20) criteria contained in RCW 43.03.060.

12.20.50.b

The agency will not reimburse for out-of-pocket costs for parking tickets, moving violations, or damages and insurance deductibles relating to privately owned vehicles used on official state business (refer to Subsection 10.20.20 for additional non-reimbursable costs).

12.20.55

April 15, 2004

Commute trip reduction

State agencies may, subject to appropriation and under the Internal Revenue Service (IRS) rules, use public funds to financially assist *agency*-approved incentives for alternative commute modes if the financial assistance is an element of the agency's commute trip reduction program as required under RCW 70.94.521 through 70.94.551. Alternatives may, include, but are not limited to carpools, vanpools, purchase of transit and ferry passes, and guaranteed ride home programs. This policy does not permit any payment for the use of state-owned vehicles for commuter ride-sharing (refer to Subsection 12.20.60). Agencies should consult IRS regulations regarding the taxation of these benefits.

12.20.60

April 15, 2004

When may an agency allow a state-owned motor vehicle to be used for commuter ride-sharing?

Agencies may allow for the use of state-owned motor vehicles for commuter ride-sharing so long as the pro-rata capital depreciation and operational expense of the commuter ride-sharing arrangement is paid by the commuters, and does not infringe upon the use of the vehicle for other official state business. Refer to RCW 43.41.130.



12.30 State Motor Vehicle Driver Requirements

12.30.10

July 1, 2006

State drivers must have valid driver's license

When driving on official state business, all state drivers are to have a driver's license recognized as valid under Washington state law. **This license must be in the driver's possession while operating any motor vehicle used for official state business purposes.** (The Department of Licensing website provides information on valid licensing requirements at <http://www.dol.wa.gov/drivers.htm>.)

Refer to Subsection 12.30.20.b.(4) regarding reporting requirements if license is suspended, revoked, or otherwise determined to be invalid.

12.30.20

July 1, 2006

State driver responsibilities - state-owned or leased motor vehicles

12.30.20.a

Except as otherwise provided by law or by regulations of the Office of Financial Management, state-owned or leased motor vehicles are to be used only for official state business. When a state-owned or leased motor vehicle is being operated, any person exercising control over and/or operating the vehicle is expressly prohibited from engaging in the transportation of unauthorized passengers. Unauthorized passengers are those passengers not engaged in performing official state business and/or not specifically authorized by the agency head or authorized designee. Unauthorized passengers can include, but are not limited to, family members, relatives, friends, and pets. Refer to Subsection 12.10.30 for a definition of authorized passengers.

12.30.20.b

The driver is to:

1. Operate the vehicle at all times in a professional and safe manner, and comply with applicable traffic laws and regulations.
2. Promptly pay fines to the appropriate jurisdiction for all parking tickets, citations or infractions received while operating a state vehicle. Payment of fines and citations under these circumstances is the **sole obligation and responsibility of the driver** and is NOT to be reimbursed or paid by the state. Refer to Subsection 10.20.20.

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3. Hold a valid driver's license and present it when requested by the manager/supervisor.
4. Notify the manager/supervisor by the end of the next business day upon notification by the applicable licensing agency that his/her driver's license has been suspended, revoked, or otherwise determined to be invalid.
5. Adjust driving speed and vehicle equipment (i.e., use of lights, tire pressure, etc.) to changing weather conditions. Additionally, the driver is to alter travel plans as needed for personal safety due to inclement weather or sudden illness (refer to Subsection 10.10.35 for per diem travel expense allowances for these situations).
6. Purchase gas, oil, and other items with a state credit card and acquire emergency repairs to motor vehicles in accordance with applicable Department of General Administration motor vehicle regulations. For more information, visit <http://www.ga.wa.gov/mp/services.html>.
7. Follow agency policies for reporting vehicle mechanical problems and arranging for service repairs or maintenance.
8. Be responsible for maintaining good appearance of the motor vehicle.
9. Complete the State of Washington Vehicle Accident Report (SF 137) when an accident results in either, or both, of the following:
 - Injuries to a state driver, authorized passenger(s), and/or others.
 - Damages to a state vehicle, POV, and/or other vehicle.

The completed SF 137 must be mailed within two working days to the Office of Financial Management Risk Management Division and the Safety and/or Risk Management Office of the reporting agency.

The SF 137 may be found in the glove compartment of the motor vehicle and/or is available on the Office of Financial Management Risk Management Division website at <http://www.ofm.wa.gov/rmd/vehicles/default.asp>.

12.30.20.c

Safety is a priority when driving a state vehicle on official state business. To promote safety, all state drivers shall:

- Comply with state policies that prohibit smoking in state vehicles and facilities, absent a specific agency waiver. (Executive Order 88-06).
- Not drive while under the influence of intoxicating beverages or drugs (including prescription drugs) that may affect the driver's ability to operate motorized equipment.
- Not transport alcohol/intoxicating substances in the passenger compartment of a vehicle unless transporting such substances is within the scope of the driver's official state duties. Alcohol containers should be stored in the trunk or otherwise contained in accordance with state law regarding open containers as referenced in RCW 46.61.519.
- Not transport firearms, weapons, or explosives (concealed or otherwise) unless the transportation of such devices is in accordance with performance of official state business.
- Not use radar or speed detecting devices in state vehicles.
- Properly wear and require passengers to wear provided safety belts at all times the vehicle is in operation. Also, ensure that authorized passengers under the age of 16 years of age are properly restrained in safety belts or car seats. Refer to the Washington Traffic Safety website at <http://www.wtsc.wa.gov> for guidance.
- Avoid cell phone use while driving as much as possible – preferably making calls while the vehicle is safely stopped.
- Avoid the use of ear phones/buds to minimize distraction and inability to hear emergency warnings.
- Safely organize and store equipment/supplies in the vehicle so they are secure in the event of a sudden stop.
- Select well-lit, safe areas, for parking state vehicles, if possible. Place valuable equipment out of view and lock the vehicle when unattended.

12.30.30

April 15, 2004

What are the driver responsibilities and insurance requirements when using privately owned motor vehicles for official state business?

- 12.30.30.a When driving privately owned vehicles (POVs) on official state business, state drivers are to comply with the state of Washington's liability insurance laws, chapters 46.29 and 46.30 RCW. If an accident occurs when the state driver is operating a POV, the state driver's personal automobile insurance is primary and will be utilized prior to any possible provision of the state's excess liability protection. Insurance deductibles are the **responsibility of the POV driver and are not reimbursable by the state**. In the event the driver's personal insurance coverage is exhausted, the state of Washington can provide excess insurance for the benefit of the employee.
- 12.30.30.b Transporting of unauthorized passengers as described in Subsection 12.30.20.a in a POV while driving on official state business is considered a personal decision. The state of Washington will not provide excess liability protection to any unauthorized passengers in the event of an accident.
- 12.30.30.c The driver is to operate a POV at all times in a professional and safe manner, and comply with Washington traffic laws and regulations.
- 12.30.30.d A POV driver involved in an accident is to complete a State of Washington Vehicle Accident Report (SF137) as outlined in Subsection 12.30.20.b #9 and follow the procedures in Subsection 12.30.40.
- 12.30.30.e The driver is to comply with Subsection 12.30.20.c related to making safety a priority when driving a POV on official state business.
- 12.30.30.f Reimbursement for the use of a POV is not to exceed the private vehicle mileage reimbursement rate specified in Subsection 10.90.20 as authorized by RCW 43.03.060.

12.30.40

July 1, 2006

Procedures for reporting accidents

For all accidents resulting in property damage or injuries involving any motor vehicle in use for official state business, state drivers are to follow procedures below, as applicable.

- Take whatever steps are necessary to protect yourself from further injury.
- Assist any injured party, giving only the first aid you are qualified to provide.
- Call 911 for medical assistance if needed.
- Cooperate with local law enforcement. Provide factual information, limiting responses to questions asked.
- Provide factual information about yourself and the state vehicle to the other driver(s), e.g., name, agency, phone number, vehicle identification number (VIN), etc.
- Obtain needed information from other driver(s). Identify witnesses and obtain addresses and phone numbers.
- Do not discuss your actions with parties other than law enforcement. **Do not admit fault** to other parties or make any statements about the State's response to the accident, financial or otherwise.
- Collect all required information necessary to complete the State of Washington Vehicle Accident Report (SF 137) located in the vehicle's glove box or other information needed for agency accident reporting purposes.
- Contact the Accident Management Service, CEI, if your agency has contracted for their vehicle repair services. Report accidents or state vehicle damage to CEI (consult pamphlet in the vehicle's glove box for CEI phone number.) Contact your agency's transportation officer if unsure whether CEI is a contracted service.

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Transportation

- Contact GA Motor Pool if you have a State Motor Pool vehicle. Report accidents to them at (360) 459-6378 (reporting information is in the vehicle glove box.) Motor Pool staff will report the accident to CEI if appropriate.
- Report the accident to your manager/supervisor.
- Have the state vehicle towed from the scene if not drivable.
- Complete the State of Washington Vehicle Accident Report (SF137) and any other *agency*-required accident report forms or procedures. The completed SF 137 must be mailed within two working days to the Office of Financial Management Risk Management Division and the Safety and/or Risk Management Office of the reporting agency.
- Complete a Vehicle Collision Report if any injuries are sustained as a result of the accident or if damages to vehicles/property exceed \$700. This form is available from local law enforcement offices.



12.40 Insurance Coverage and Related Requirements

12.40.10

July 1, 2004

Insurance programs for state drivers

The following insurance programs relate to state driving activities:

12.40.10.a

Self-Insurance Liability Program (SILP) for vehicle tort claims.

The Office of Financial Management Risk Management Division (RMD) administers the SILP for all agencies, except the University of Washington (which has its own insurance program), and certain boards and commissions that elect not to participate. The RMD:

- Assigns claims for investigation, coordinates their defense, approves settlements, and pays covered state agency tort claims from the Self-Insurance Liability Fund.
- Administers the Washington Self-Insurance Liability Program fund.
- Covers state employees who have been involved in an accident with a third party while driving on official state business in foreign countries (including Canada).
- Provides excess insurance coverage on behalf of state employees whose private commercial auto insurance coverage has exceeded policy limits.
- Assigns most vehicle claims for investigation and resolution to the Washington State Department of Transportation (WSDOT), Risk Management Office, or to the Tort Claims Division of the Attorney General's Office.
- Maintains a centralized claims database system to track the status of all state agency auto and other tort claims and reported vehicle losses where a claim has not been filed.
- Makes all tort claim payments for third party injuries and damages.

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- **Does not pay or cover damage to state vehicles.** Payment for damage to a state vehicle is the responsibility of the agency authorizing its use.
- Does not provide uninsured or underinsured coverage for state employees who have been injured while in a state vehicle.

For more information, visit the Risk Management Division website at <http://www.ofm.wa.gov/rmd/default.asp>.

12.40.10.b

Workers' compensation for job-related injuries and illnesses.

The Department of Labor and Industries (L&I) administers a “no-fault” workers’ compensation insurance system in accordance with Title 51 RCW, Industrial Insurance. The workers’ compensation program:

- Provides “sole financial remedy” coverage for state employees who sustain injuries (or death) as a result of accidents or occupational diseases that occur while “in the course of business” for the state.
- Provides wage and medical benefits to permanent, temporary, seasonal and part-time employees in agencies, universities and colleges, and medical only benefits to volunteers.
- Assigns a claims manager to adjudicate claim allowance, and payment of medical, time-loss, disability awards and vocational benefits, and survivor’s benefits in the event of a job-related death.
- Coordinates with the medical provider and employing agency in adjudicating claim allowance, claim benefits and return-to-work.
- Provides an established appeals process as described in Title 51 RCW.
- Coordinates third party recovery actions as appropriate.

For more information, visit the Department of Labor and Industries website at <http://www.lni.wa.gov/claimsins/default.asp>.

12.40.10.c

Insurance coverage for commercially rented vehicles.

12.40.10.c.(1) **State contract rental company.** In all cases, contract language specifically requires that state rental car drivers be authorized by the agency's agency head or authorized designee to rent and/or operate the rental vehicle.

Liability and loss damage waiver (LDW) insurance coverage is generally provided under the base rate charged to state agencies who rent vehicles through the state's vehicle rental contract administered by the Department of General Administration. (Insurance coverage is not covered under the base rate for some specialty vehicles rented from the contract company.) LDW coverage provided under the base rate includes:

- Third party liability insurance coverage for payments made to other parties who sustain injury or property damage as a result of an accident caused by a state driver *authorized* to operate a rental vehicle.
- Repair costs for the rental vehicle.

More information is available at Department of General Administration's website at http://www.ga.wa.gov/pca/travel/vehicle_rental.htm. Consult rental contract agreements for any restrictions (i.e., age, in the case of student drivers).

12.40.10.c.(2) **Non-State contract rental companies.** Depending on the current State of Washington corporate travel card agreement, LDW coverage may be procured for a rental vehicle. For this reason, it is recommended that non-state contract vehicle rentals be placed on the State of Washington corporate travel card to take advantage of possible vehicle insurance coverage. To view the most current coverage terms of the state corporate credit card, visit <http://www.ga.wa.gov/pca/travel/index.html>.

It is a business decision on the part of each agency to determine the need or advantage of purchasing LDW coverage when renting a vehicle that is not included under the state's rental contract. If liability coverage is not procured on a rental vehicle, the Washington SILP can provide coverage for third party liability claims, but will NOT cover damage to the rental vehicle. Agencies are responsible for all repair costs to a rental vehicle if LDW coverage is not acquired on the vehicle. The Office of the Attorney General *may* represent the state driver if a lawsuit was filed against the operator.

12.40.20 Insurance requirements and coverage for state drivers

July 1, 2006

12.40.20.a **State Employees**12.40.20.a.(1) **State Employee Drivers - State Vehicles**

- The agency of the state employee driver causing damage to a state vehicle is responsible for payment or replacement costs of the vehicle. No vehicle repair/replacement costs are covered by the Washington Self-Insurance Liability Program (SILP).
- Repair/replacement vehicle costs of Department of General Administration's Motor Pool vehicles are also the responsibility of the vehicle operator's agency, and are **not paid** from the Washington SILP.
- The Risk Management Office of the Department of Transportation (WSDOT) will attempt to recover the cost of vehicle damage caused by third parties. These financial recoveries are forwarded to the agency owning the vehicle.

12.40.20.a.(2) **State Employee Drivers - Privately Owned Vehicles (POVs)**

- Authorized drivers of POVs used for official state business are **required** to comply with the state of Washington **mandatory liability insurance requirements** as defined in chapters 46.29 and 46.30 RCW.
- A driver of a POV involved in an accident while on official state business is covered by his/her private insurance policy. This insurance policy is considered **“primary” for payment of all losses/recoveries arising from an accident while driving a POV**. The cost of insurance is considered to be covered by the state's mileage reimbursement rate.

Note: The state does not reimburse state drivers for insurance deductibles.

- The Washington SILP will act as an “excess policy” in the event limits of the private insurance policy are exhausted. Under certain circumstances, the state may assist in the defense and settlement of claims, including possible lawsuit defense, if warranted.

12.40.20.b **Contractors**

12.40.20.b.(1) **Contractor Drivers – State Vehicles**

The agency head or authorized designee must **authorize** contractors to use state vehicles for official state business. The agency head or authorized designee should formally document the approval.

Most Commercial Auto or Business Auto Liability insurance policies contain “Other Insurance” provisions in Section IV – Business Auto Conditions which provide that “For any covered “auto” you don’t own, the insurance provided by this Coverage Form is excess over any other collectible insurance.” In order to ensure auto coverage for all tiers for borrowed autos from the state, contractor/consultant agreement auto insurance provisions should provide for coverage as follows:

Business auto liability insurance written under ISO Form CA 00 01 10 01 or equivalent providing coverage for any “Auto” (Symbol 1) used in an amount not less than a one million dollar (\$1,000,000) combined single limit each occurrence. If the CONTRACTOR/ CONSULTANT or any SUB-CONTRACTOR/SUB-CONSULTANT is to use borrowed “auto(s)” from the STATE, the first sentence of the “Other Insurance” provisions in SECTION IV.B.5a. of each of their respective auto insurance policies is to be amended by endorsement to read:

“a. For any covered “auto” you borrow from the State of Washington, this Coverage Form provides primary insurance, except when the primary cause of the accident is determined to be a defect of the borrowed auto.”

Provisions for liability insurance and industrial insurance must be included in agency contracts. Insurance provisions for personal service contracts are covered in Subsections 15.10.50 and 15.10.55, and for client service contracts in Subsections 16.10.35 and 16.10.40.

12.40.20.b.(2) **Contractor Drivers – Privately Owned Vehicles (POVs)**

In situations where contractors are required to use POVs in performance of their contracted duties, agencies are required to:

- Include indemnification language in contractual agreements limiting the state’s liability for the action of the contractor. (Risk Management Division’s Contract Manual is available at <http://www.ofm.wa.gov/rmd/risk/default.asp> and contains sample hold harmless and indemnification agreements.)

- Require the contractor to:
 - o Name the State of Washington as an “additional insured” in their insurance policy.
 - o Meet the state’s legal requirements for auto insurance.
 - o Provide Department of Labor and Industries workers’ compensation coverage for drivers, as applicable and/or as required by Title 51 RCW.

12.40.20.c

Student Drivers – State Vehicles and Privately Owned Vehicles (POVs)

The agency head or authorized designee must **authorize** students to use state vehicles and POVs used on official state business (prior authorization is generally a condition in the state’s commercial rental contracts.)

Rental contract language generally excludes drivers under the age of 25. Consult the appropriate rental contract agreement for policy restrictions/exclusions that may apply to student drivers using commercial rental vehicles on official state business. The Department of Labor and Industries’ Employment Standards Rules preclude youths under the age of 18 from operating vehicles or business purposes.

12.40.20.d

Volunteer Drivers – State Vehicles and Privately Owned Vehicles (POVs)

The agency head or authorized designee must **authorize** volunteers to use state vehicles and POVs for official state business. Prior authorization is generally a condition in the state’s commercial rental contracts.

Agencies should contact the Department of Labor and Industries to inquire about workers’ compensation insurance coverage for personal injuries of volunteers or other non-paid operators of motor vehicles used for official state business.



12.50 Acquisition, Rental, and Disposal of Motor Vehicles

12.50.10

July 1, 2006

Specifications and requirements for motor vehicle purchases

The Department of General Administration has the following responsibilities related to the purchase of motor vehicles:

- Determine the specifications for the most efficient and cost effective motor vehicles available on the market (RCW 43.19.1905).
- Identify the standard motor vehicles and alternate types of vehicles and accessory equipment that may be purchased by the state.
- Establish a contract from which new motor vehicles may be purchased based on the above specifications, through its Office of State Procurement.

12.50.20

July 1, 2006

How to purchase a motor vehicle

1. Submit a purchase requisition to the Office of State Procurement. Agencies requesting an alternate type of vehicle or accessory equipment must provide a justification, approved by the requesting agency head or authorized designee, that the alternative is required to meet a special need.
2. The Department of General Administration will review vehicle availability from state resources and advise the requesting agency of vehicles that could meet its requirement. If a vehicle satisfactory to the agency is not available, the Office of State Procurement will process a purchase requisition at the contract price. If the vehicle provided is not new, the vehicle purchase price will be established by the NADA value.

12.50.30

April 15, 2004

When may a rental motor vehicle be used?

A rental motor vehicle may be used for official state business under the following conditions:

- A state-owned motor vehicle is not available; or
- The use of the rental motor vehicle is advantageous to the state, or more economical than other conveyance, or necessary state business cannot be accomplished otherwise (e.g., mail, telephone, etc.); and
- Use has been approved in advance by the agency head or authorized designee through a State Charge Card System. (Refer to Subsection 10.10.45 for a description.)

12.50.40

July 1, 2006

How to rent a motor vehicle for less than 30 days

Subsection 10.50.35 describes under what conditions a motor vehicle may be rented.

12.50.50

July 1, 2006

How to lease a motor vehicle for 30 days or more

1. Submit a lease request, with justification approved by the agency head or authorized designee to the State Motor Pool. Agencies requesting an alternate type of vehicle or accessory equipment must provide a justification, approved by the requesting agency head or authorized designee, that the alternative is required to meet a special need.
2. The Department of General Administration will determine if the requirement can be satisfied from state motor pool vehicles. If the State Motor Pool cannot provide the required vehicle, the request will be approved for processing by the Office of State Procurement.

12.50.60

July 1, 2006

Disposing of motor vehicles

12.50.60.a

Agencies may dispose of a motor vehicle when one of the following criteria is met:

- The state agency no longer has a need for the vehicle.
- The vehicle has been wrecked or damaged beyond the point of being economically repairable.
- The vehicle is at least five years old or has 75,000 miles or more. Vehicles exceeding the age or mileage criteria may be disposed of at the discretion of the agency head or authorized designee.
- The vehicle has been determined to be uneconomical to retain, regardless of age or mileage.

12.50.60.b

To dispose of an agency-owned motor vehicle, the agency submits a report, on a form designated by the Department of General Administration, to the Department of General Administration.

12.50.60.c

All vehicles submitted to the Department of General Administration's State Surplus Property Section for surplus sale are, as a first option, to be made available for transfer to any state agency at the NADA value for a period of not less than 30 days. Agencies will be reimbursed as follows:

1. When the Division of Transportation Services can utilize a surplus motor vehicle for assignment to another state agency or within a state motor pool, the motor vehicle will be transferred to the Division of Transportation Services.
 - When the vehicle was previously purchased with dedicated, revolving or trust funds, and if surplus funds are available, the relinquishing state agency may be paid in cash unless the agency elects to receive credit. When surplus funds are not available, the value at the time of transfer will be entered upon the accounts of the Division of Transportation Services as an amount due the agency and fund from which the vehicle was purchased and maintained.

2. When a state agency desires a state-owned vehicle processed through the State Surplus Property Section, the vehicle will be transferred at the NADA value. The relinquishing agency is to be paid in cash by the purchasing agency (other than the Division of Transportation Services) without service or handling charges by the State Surplus Property Section.
3. For those vehicles disposed of at an auction sale, state agencies will be reimbursed for the vehicles, in cash, in the amount obtained for the vehicles, less service and handling charges.

12.50.60.d The average trade-in value quoted in the most current issue of the NADA guide is to be the maximum allowable reimbursement for vehicles transferred between all state agencies.