



# STATE OF MISSOURI ADMINISTRATIVE POLICY

POLICY TITLE: <b>State Vehicles</b>	AUTHORIZED BY:  <b>Kenneth Zellers Commissioner</b>
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## **I. General Statement**

The purpose of the State Vehicle Policy is to ensure vehicles under the control of the State of Missouri are acquired, assigned, utilized, replaced, and maintained in the most efficient and effective manner to conduct state business.

State vehicles shall be used for official business only, in accordance with Section 301.260 RSMo. The State Vehicle Policy shall further govern the usage of state vehicles. Violations of vehicle usage policy provisions may be subject to disciplinary action. Agencies may adopt additional policies provided they do not conflict with the provisions of this policy.

This policy applies to all state agencies or other unit of the executive branch of state government.

## **II. Definitions**

**“Agency”** means a state department, office, board, bureau, commission or other unit of the executive branch of state government.

**“Authorized passenger(s)”** means state employees or other individuals involved in the conduct of state business.

**“Authorized Emergency Vehicle”** is any vehicle as defined in section 304.022 RSMo and includes but is not limited to; law enforcement vehicles of the Highway Patrol, Park Rangers, and Conservation Agents; Ambulances; Fire Trucks; and hazardous materials emergency response vehicles.

**“Commuting”** means the use of state vehicles by state officers or employees for the purpose of traveling between the employee’s official work station and residence. Commuting shall only be authorized if it is considered “exempt commuting”, in that the employee is exempted from federal and state taxation reporting requirements. Included is “De minimis” use and work related use of a “Qualified non-personal use vehicle” as defined by this policy.

**“De minimis”** means the personal use of a state vehicle that is of so small a value that accounting for it would be unreasonable or administratively impractical. De minimis personal use does not include unauthorized use as defined in Section F: Vehicle Usage of this policy.



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**“Lease”** means a written agreement in which the owner of the property (automobile) allows use of the property for a specified period of time (term) for specific periodic payments and other terms and conditions.

**“Purchase”** means to take possession of a given asset (automobile) by paying a predetermined amount of money for the transaction to be completed successfully. Includes vehicles acquired through the Master Lease Financing contract.

**“Hands-free portable electronic device”**, a communications device that has an internal feature or function by which a user engages with the device without the use of either hand; provided, however, this definition shall not preclude the use of either hand merely to activate, deactivate, or initiate a function of the device;

**“Hand-held portable electronic device”** includes any hand-held cellular phone, tablet, or other portable electronic device used to communicate verbally or by text or electronic messaging, but shall not apply to any device that is permanently integrated into the architecture and design of the motor vehicle or two-way radios.

**“Illegal drugs”** include any drug requiring a medical prescription, for which the employee does not have a lawful medical prescription; and any other drug that is illegal under Missouri or federal law, including marijuana and medical marijuana.

**“Official state business” or “state business”** means any activity conducted in conformance to these rules and directed and controlled by a state agency to advance the lawful policies and purposes of the agency.

**“Operator”** means any authorized state employee, elected official, appointee, or other individual as provided by law, who is in control of a state vehicle and who possesses a valid driver’s license for the type of vehicle operated.

**“Operating”** means physically driving or operating a motor vehicle, including operation while temporarily stationary because of traffic, a traffic light, or stop sign. A person is not "operating" a motor vehicle for purposes of this policy when the vehicle has pulled over to the side of, or off, a highway and has stopped in a location where it can safely remain stationary.



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**“Portable Electronic Device(s)”** – is a device designed to perform a special function or to communicate with others such as a cellular telephone, laptop, tablet, or other hand-held electronic item.

**“State vehicle”** means any licensed motor vehicle owned, rented, borrowed, or leased by the State of Missouri and used primarily to transport people or property over roads, highways, or state property. Rental vehicles are considered state vehicles when rented by a duly authorized employee and while used for official state business.

**“Specialty use vehicle”** means state vehicles especially equipped for a specific function or purpose.

**“Qualified non-personal use vehicle”** is any vehicle the employee is not likely to use more than minimally for personal purposes because of its design including but not limited to:

- Clearly marked police and fire vehicles
- Unmarked law enforcement vehicles when used for authorized purposes by a full-time law enforcement officer
- Delivery trucks with seating for only the driver
- Flatbed, dump, and garbage trucks
- School and passenger buses with more than a 20-person capacity
- Ambulances
- Specialized utility repair trucks
- Pickup trucks or vans with a gross vehicle weight rating of 14,000 pounds or less are also considered to be qualified non-personal use vehicles if they are modified with permanently affixed state agency decals or insignia and meet one of the following requirements:
  - Pickup trucks must be equipped with at least one of the following:
    - A hydraulic lift gate
    - Permanent tanks or drums
    - Permanent side boards or panels that materially raise the level of the sides of the truck bed
    - Other heavy equipment



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- Pickup trucks used primarily to transport a particular type of load (other than over the public highways) in a construction, manufacturing, processing, farming, mining, drilling, timbering, or other similar operation for which it was specially designed or significantly modified.
- Vans must be equipped with one of the following:
  - Permanent shelving that fills most of the cargo area
  - An open cargo area and the van always carries material or equipment used for state business

### **III. Guidelines and Procedures**

#### **A. Vehicle Records**

1. All state vehicles owned by the state must be properly titled and licensed with the Missouri Department of Revenue.
2. To the extent possible, all direct costs of owning and operating state vehicles must be fully documented, including original purchase price, sale price, fuel, maintenance, and other expenses.
3. Vehicle usage records must be maintained for each state vehicle and should include information such as: name of driver, date(s) used, beginning and ending odometer readings, destination and purpose of use. Vehicles equipped with telematics technology are exempt from this requirement.
4. Agencies are highly encouraged to utilize the fuel card data import to eliminate manual data entry for fuel cost and odometer reading tracking.
5. Appropriate managerial review of vehicle cost and use information should be conducted on a regular basis.



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## B. Vehicle Acquisition

1. Prior to purchasing or leasing new or previously owned vehicles, agencies should first review utilization of their existing vehicle fleet to determine if vehicle reassignments would best meet agency needs.
2. Agencies should evaluate the cost effectiveness and suitability of previously owned state or federal vehicles prior to purchasing or leasing new vehicles.
3. The State Fleet Manager must pre-approve the purchase or lease of state vehicles with the exception of law enforcement pursuit vehicles operated by POST (Peace Officer Standards and Training Program) certified law enforcement officers. Prior to ordering vehicles, agencies shall submit order information in a format determined by the State Fleet Manager for review.
4. Agencies shall purchase or lease the most economical, fuel-efficient vehicles appropriate for the mission the vehicle will be supporting. Agencies shall limit four wheel drive vehicles to those absolutely necessary for emergency response or off-road requirements, and consider lower cost, more fuel-efficient passenger vehicles or light duty pickup trucks in lieu of SUVs, full-size sedans and large trucks.
5. The purchase or lease of all sport utility vehicles, four wheel drive pickup trucks under 10,000 GWVR, full-size sedans and police-equipped vehicles not operated by POST-certified law enforcement officers must meet additional preapproval criteria as determined by the State Fleet Manager.
6. The expansion of agency vehicle fleets requires approval by the State Fleet Manager. Agencies must demonstrate a compelling need for expansion vehicles and that existing agency vehicles are utilized according to minimum utilization requirements outlined in this policy.
7. All state vehicles shall be purchased in accordance with Chapter 34, RSMo or other controlling statutes.
8. Agencies shall comply with Section 414.410 RSMo establishing requirements for the acquisition of alternative fuel vehicles.



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9. Agencies shall acquire vehicles consistent with budgetary intent.
10. Subject to availability of funds, vehicles may only be purchased if current vehicles are being used according to utilization requirements, the agency is otherwise operating in compliance with this policy and it can be demonstrated that the:
  - a. Vehicle to be replaced was destroyed; or
  - b. Cost to repair a damage vehicle is deemed uneconomical and the state's interest's would be better served by disposing of the vehicle rather than repairing it; or
  - c. Vehicle's age and/or mileage have rendered the vehicle in such condition or its operating costs have risen to the point that it cannot reliably, safely, and/or economically serve its intended purpose or be used in a reasonable alternative capacity; or
  - d. Passenger vehicle is eligible for replacement when it has reached 75,000 miles. Passenger vehicles include sedans, sport utility vehicles, light-duty pickup trucks, and minivans. Specialty use vehicles are exempt from these criteria.
  - e. Alternatively, agencies may consider replacement of vehicles prior to the eligibility criteria if cost analysis demonstrates that it is the financial interest of the State of Missouri to do so.

## C. Vehicle Maintenance

1. At a minimum, agencies should follow the manufacturer's recommended maintenance schedule for each vehicle.
2. Each agency must have a vehicle preventative maintenance policy listing the required maintenance activities for each class of vehicle the agency owns. Agencies may elect to follow the preventative maintenance schedules available on the State Fleet Management website at:  
<https://oa.mo.gov/general-services/state-fleet-management/maintenance-state-vehicles>



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3. All maintenance and repairs performed on state vehicles must be documented and retained for the life of the vehicle.
4. The Office of Administration Vehicle Maintenance facility or other authorized state maintenance facility shall coordinate all repairs and maintenance on state vehicles owned by the state and primarily stationed in the Jefferson City area. Subject to agency policy, emergency repairs to these vehicles may be performed by another repair facility when the breakdown occurs outside the Jefferson City area. The OA Vehicle Maintenance facility may issue waivers for specific vehicles, vehicle types, and/or for certain repairs.

#### D. Vehicle Assignment

1. State vehicles may be assigned to one of three classifications: pool, assigned to an individual, or assigned to a single job function. Each assignment classification has unique assignment criteria and requirements for agency review. Agencies should attempt, where feasible, to consolidate vehicles into pools to maximize utilization of vehicles.
2. Vehicles assigned to an individual are dedicated to a single individual based on travel needs for a semi-permanent time period and must meet the following criteria:
  - a. Individuals traveling at least 12,500 miles per year in the conduct of state business; or
  - b. Employees requiring specialty use vehicles; or
  - c. A person specifically identified by a department director or agency head and subsequently approved by the State Fleet Manager. The department director or agency head must determine there is a compelling benefit to the state and document in writing that they support and approve of the assignment. This information shall be submitted to the State Fleet Manager for approval prior to the assignment.



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- d. Agencies should attempt to use pool vehicles or fleet rotation to meet the needs of individuals travelling less than 12,500 miles per year in the conduct of state business. The State Fleet Manager may approve the assignment of state vehicle to an individual who travels less than 12,500 miles per year but greater than the mileage reimbursement breakeven point established by the State Fleet Manager when:
    1. Access to a pool vehicle is not readily available or economically feasible;
    2. The frequency of travel warrants an assigned vehicle; or  
Other compelling reason is demonstrated to and approved by the State Fleet Manager.
  - e. Agencies must review utilization of vehicles permanently assigned to individuals on a quarterly basis. If during any year of assignment, an employee assigned a vehicle fails to drive 12,500 miles, the agency shall revoke the vehicle's assignment to the employee and reassign the vehicle to a pool or another individual that will travel 12,500 miles annually; document justification for continued individual assignment; or eliminate the vehicle from the fleet.
3. Vehicles assigned to a pool are general use vehicles available for temporary assignment to multiple individuals and must meet the following criteria:
    - a. Pool vehicles should average at least 12,500 miles per year.
    - b. Pool vehicles should be used when available and where more cost effective than other options.
    - c. Agencies must review utilization of pool vehicles on a quarterly basis to ensure proper utilization in accordance with standards set forth in this policy.
  4. Vehicles assigned to a function are dedicated use vehicles based on travel needs for a semi-permanent time period. Vehicles assigned to a function must have justifiable reasons why they cannot be used in other applications and must meet one of the following assignment criteria:





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- a. Job functions requiring frequent transportation in the performance of specific duties (e.g. mail, delivery, facility support vehicles, etc.); or
- b. Vehicles without permanent major equipment modifications primarily used in the transportation of clients; or
- c. Job functions requiring specialty use vehicles; or
- d. Agencies must annually review and maintain appropriate documentation to retain any vehicle assigned to a function that is driven less than 5,000 miles a year.

## E. Commuting in State Vehicles

1. Commuting in state vehicles is prohibited where the use of the vehicle is taxable to the employee as wages, per regulations set forth by the Internal Revenue Service.
2. Employees shall not drive vehicles between their personal residence and work station unless such use:
  - a. Has been specifically authorized by the department director or agency head, and;
  - b. Is considered exempt commuting and therefore not taxable to the employee as wages, per regulations set forth by the Internal Revenue Service. Exempt commuting may be allowed under the following circumstances:
    - i. The employee works from his/her home and the agency head has determined that it is unreasonable for the employee to pick up and drop off the vehicle each day, or;
    - ii. The employee is subject to 24-hour call and must operate a qualified non-personal use vehicle as defined by the Internal Revenue Service; or
    - iii. It occurs in conjunction with official travel and is considered occasional and de minimis.

## F. Vehicle Usage

1. State vehicles shall be operated only for the performance of state business in accordance with Section 301.260 RSMo. Violations of vehicle usage policy provisions may be subject to disciplinary action.



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2. The operator of a state vehicle must be a state employee, elected official, appointee or other individual as provided by law, who possesses a valid driver's license for the type of vehicle operated. Contractors conducting state business may operate state vehicles provided they adequately indemnify the State of Missouri.
3. Only authorized passengers are permitted to ride in state vehicles. Non-state individuals such as volunteers, spouses, and children should not be passengers in a state vehicle unless they are involved in the conduct of business.
4. State vehicles are highly visible to the public and their use is scrutinized. Thus, poor driving manners and inappropriate use reflect on all state employees. Operators must exercise the highest degree of prudence and courtesy. The following are responsibilities of the operator while driving state vehicles or private vehicles on state business:
  - a. All occupants shall use safety restraints where equipped.
  - b. Established speed limits and all other traffic regulations must be followed. Parking and moving violation citations are the personal responsibility of the individual operating the vehicle at the time of the violation.
  - c. Consumption of alcohol or use of illegal drugs is prohibited. Further, operators must not drive while impaired by alcohol, illegal drugs, or any other substance. Transportation of alcohol in state vehicles is prohibited except when necessary in the conduct of state business.
  - d. Use of tobacco products is prohibited in state vehicles.
  - e. State vehicles shall be used for state business only. However, it is permissible to use a state vehicle for travel to meals or to attend to other necessities of the operator or authorized passenger when away from their official domicile on state business. Some examples of unauthorized use are:



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1. Sightseeing or trips for personal pleasure unless the trip is part of the official agenda for a business conference.
2. Transporting family members, dependents, or friends to school, daycare, medical appointments, social events, or other personal activities.
3. Conducting other personal business.
4. Agencies shall investigate complaints for alleged improper operation or use of a state vehicle. The operator may be subject to disciplinary action if the complaint is verified.
5. State vehicles should not be used for out-of-state travel, unless specifically authorized by the agency.
6. Animals are not allowed in state vehicles unless they are transported in the conduct of state business or are required by a passenger's disability.
7. No operator or authorized passenger shall carry or transport a firearm or other weapon in a state vehicle unless required by their official job duties related to their employment with the State of Missouri.

## G. State Safety and Emissions Inspections

1. Safety inspections of state vehicles are required a minimum of every two years.
2. A state safety inspection may also be required according to Section 307.350 RSMo when license plates or/and ownership of a vehicle changes.
3. Vehicles assigned and housed in areas where regular emissions inspections are required by statute (Section 643.345 RSMo) or local ordinance (e.g., St Louis Area) must have emissions inspections performed in accordance with program requirements.



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## H. Refueling

1. State vehicles should not be fueled at full service stations where the price per gallon exceeds the price of self-service gasoline.
2. State vehicles shall not be fueled with premium blends of gasoline, unless priced the same as regular unleaded or unless specifically recommended by the manufacturer.
3. Unless specifically prohibited by manufacturer warranty or recommendations, all state vehicles that operate on gasoline shall use a ten percent ethanol blend as defined in Section 142.028, RSMo, when available and competitively priced, in accordance with Section 414.412.3, RSMo.
4. Vehicles capable of using alternative fuels shall use them exclusively except in certain cases such as:
  - a. The alternative fuel is not readily available; or
  - b. The alternative fuel costs more than conventional gasoline or diesel; or
  - c. Operating exclusively on an alternative fuel is contrary to the vehicle manufacturer or alternative fuel conversion equipment vendor recommendations.

## I. Liability and Accident Reporting Procedures

1. Liability to other persons (bodily injury and property damage) due to employee negligence in the operation of a state vehicle will be covered by the state, provided the employee was operating the vehicle while conducting state business. The operator assumes full responsibility for bodily injury and damages to the vehicle and/or third party damages if an accident occurs during any unauthorized use of a state vehicle.
2. Personal property in state vehicles is not insured for loss or damage by the state. Coverage for these items may be provided by the employee's personal insurance.



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3. Agencies must inform vehicle operators of liability issues and accident reporting procedures by providing information contained in the *Guide for Drivers on State Business* at <https://oa.mo.gov/general-services/riskmanagement/liabilityauto-claims/drivers-guide>.
4. Operators must report any accident involving a state vehicle causing property loss or injury to their agency within one business day. Agencies must report accidents to OA/Risk Management within two business days in conformance with accident reporting guidelines prescribed in the *Guide for Drivers on State Business*.
5. Agencies should investigate accidents involving state vehicles in an effort to avoid reoccurrence. Employees found to have operated a vehicle in a careless manner or in violation of state law or departmental policy or procedures may be subject to disciplinary action.

## J. State Vehicle Driver Qualifications

1. Agencies must ensure operators of state vehicles possess a current valid driver's license appropriate to the class of vehicle to be operated. Employees with a suspended, revoked, or expired driver's license are prohibited from operating state vehicles.
  - a. New state employees who have recently relocated to Missouri may operate a state vehicle using a valid driver's license from their former state for up to 90 days from their day of employment, at which time they must obtain a Missouri driver's license.
  - b. Employees permanently residing in adjacent states, but employed by the State of Missouri, may operate a state vehicle using a current, valid driver's license from their state of residence.
  - c. Contract personnel who reside outside Missouri, but must operate a state vehicle while engaged in official business, may do so using a valid driver's license from their state of residence during the period in which their services are employed by the State of Missouri.



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2. Employees are responsible for reporting a driver's license suspension or revocation before close of business on the first workday after they are notified of the change in their license status. Employees driving with a suspended or revoked license while conducting state business may be subject to disciplinary action up to and including termination.

## K. Safety and Use of Portable Electronic Devices

1. Operators of state vehicles or private vehicles on state business must adhere to applicable traffic laws and should operate the vehicle in a safe and attentive manner. The operator should avoid activity that may hinder safe operations such as eating or reading while driving; and any other activity that may hinder the driver's attentiveness.
2. Use of Portable Electronic Devices
  - a. Use of hand held portable electronic devices while operating a nonemergency state vehicle is prohibited except to contact emergency services in an emergency. Prohibited uses include, but are not limited to: reading, composing, viewing, or posting any electronic message; initiating, receiving, or conducting a conversation by text or email; or manually typing into any hand-held electronic device.
  - b. Use of hands-free devices while operating a state vehicle is discouraged but allowed provided the device is not in the operator's hands and the operator's attention is not diverted from the lawful operation of the vehicle. Use of either hand only to activate, deactivate, or initiate a function of a hands-free device is allowed.
  - c. Global Navigation Satellite Systems/Global Positioning Systems (GPS) may be used provided it can be done in a hands-free manner by preprogramming routes while the vehicle is not in motion or through voice commands.
  - d. This section does not apply when operating an authorized emergency vehicle.



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2. All occupants of state vehicles must wear seat belts, and when provided, shoulder harnesses. Operators should check that passengers are properly secured before putting the vehicle into motion and encourage seat belt use as necessary.
3. At a minimum, all state vehicles owned by the state shall receive inspections in accordance with Section 307.350 RSMo and Section 643.315 RSMo.

## L. Vehicle Idling

1. State vehicles should not be allowed to sit idling for extended periods of time (longer than 5 minutes) except when required to protect driver or passenger safety and health.
2. For safety and resource protection reasons, no vehicles should be allowed to idle when left unattended.
3. Emergency response vehicles are exempt from idling restrictions but operators should keep idling to a minimum considering vehicle use and situation.

## M. Telematics

1. Agencies are encouraged to implement telematics programs as a means of modifying driver behavior to improve safety, reduce fuel costs/consumption, analyze utilization by time (in addition to mileage), and reduce maintenance costs.