Massachusetts Department of Correction **POLICY**	Effective Date: 1/21/2025	Responsible Division: Deputy Commissioner, Prisons
	Annual Review Date: 9/17/2026	
Policy Name: 103 DOC 122 VEHICLE USAGE AND CONTROL	Regulation Reference: M.G.L. c. 90, §§ 7A, 13A, & 13B; M.G.L. c. 89, § 7B; M.G.L. c. 124, §§, 1 (c), & (g).	
	DOC Policy Reference: 103 DOC 502; 103 DOC 530	
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Attachments: Yes ☒ No ☐ / Library: Yes ☒ No ☐	Applicability: Staff	
Public Access: Yes ☒ No ☐	Location: Department Central Policy File; Each Institution's Policy File; Central Transportation Unit's Policy File	

PURPOSE:
To establish Department of Correction (Department) Policy concerning the use and control of motor vehicles owned or operated by the Department.

RESPONSIBLE STAFF FOR IMPLEMENTATION AND MONITORING OF POLICY:
Director of the Central Transportation Unit
Superintendents

CANCELLATION:
103 DOC 122 cancels all previous Department policy statements, bulletins, directives, orders, notices, rules and regulations regarding vehicle usage; to the extent they are inconsistent with this policy.

SEVERABILITY CLAUSE:
If any part of 103 DOC 122 is for any reason held to be in excess of the authority of the Commissioner such decisions shall not affect the validity of any part of this policy.

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122.01 DEFINITIONS

Central Transportation Unit (CTU): The unit within the Operational Services Division primarily responsible for the transportation of incarcerated individuals and civil commitments to/from Department of Correction institutions, including out-of-state transportation.

Central Transportation Unit Dispatcher: Staff member assigned to send, receive, and record all radio communications at the CTU.

Commissioner: The Commissioner of Correction.

Confidential Registration: State vehicle with a private state plate issued by the Massachusetts Registry of Motor Vehicles (RMV) to protect the identification of the operator.

Department Duty Officer: Those individuals designated by the Deputy Commissioner of the Prison Division to work at the Department Duty Station. These individuals shall ordinarily be responsible to work approximately fourteen (14) calendar days or two tours of duty per year in this capacity, and during their tour of duty evaluate information provided by an institution to the Department Duty Station of an incident that occurred during non-business hours. The Duty Officer coordinates and ensures appropriate action has been taken and directs any follow-up that may be needed.

Department Duty Station: The station within the Department through which all significant occurrences shall be reported twenty–four (24) hours per day, seven (7) days per week. The Department Duty Station is located at Milford Headquarters.

Department Gas Facilities: Fueling stations owned and operated by the Department located at North Central Correctional Institution (NCCI), CTU in Norfolk, the Bridgewater Complex Storehouse, , MCI-Shirley and Milford Headquarters.

Department Motor Pool: Vehicles available for all Department employees for the performance of their duties if their work assignment for the day calls them away from their permanent work location.

Executive Director of Administration and Finance: The unit director who reports directly to the Deputy Commissioner of the Administration whose responsibilities include the oversight of Fiscal Services.

Director of the Central Transportation Unit: The unit director who reports directly to the Director of Operational Services whose responsibilities include, but are not limited to, the management of the Central Transportation Unit (CTU).

Director of Operational Services: The Department staff person who reports directly to the Deputy Commissioner of Prisons and who is responsible for the oversight of the Central Transportation Unit (CTU) and Community Work Crews and the daily operations of the Special Operations Division (SOD).

General Issue Keys: Any key ring with no designated restriction in accordance with 502.02 and issue requirements in accordance with 502.04. They are coded white on the main key board and can be issued to any staff member.

Head Farmer: The staff member who oversees growth, harvest, and production of foodstuffs at institutions that have such operations.

Institution Duty Officer: The staff person assigned by the Superintendent who is responsible to evaluate information received from the institution during off duty hours, coordinate and ensure appropriate action has been taken, and direct any follow-up that may be needed.

Operational Services Division (OSD) Fleet Administrator: Manager within the OSD assigned to procure, manage, and maintain all vehicles for state agencies with/in the Commonwealth of Massachusetts.

Security Vehicles: Any Department vehicle equipped with a secure incarcerated individual and civil commitment containment system.

Special Unit Director: Staff members responsible for the administration and daily operation of the various divisions throughout the Department.

Superintendent: The chief administrative officer of a state correctional institution.

1-800 "How am I Driving" Program: A sticker displayed on the left rear bumper of all unmarked Department vehicles that display a State Plate, with the exception of security vehicles utilized to transport incarcerated individuals, civil commitments and surveillance vehicles, to encourage citizens to dial the 1-800 number to provide positive and negative comments on the driving of any state employee.

122.02 OPERATORS OF STATE VEHICLES

A. With the exception of certain equipment intended for use in growing, harvesting or production of food stuffs, or in conjunction with vehicle maintenance activities, state vehicles may only be operated by an employee. The employee must possess a valid license of the correct type and class to operate a motor vehicle.

B. The Head Farmer at a Department institution containing facilities or land

to grow, harvest, or produce food stuffs, may make recommendations to the Superintendent concerning those incarcerated individuals and civil commitments whom the Head Farmer believes should have the authority to operate certain farm equipment. The Superintendent, or their designee, shall designate in writing those incarcerated individuals and civil commitments who may be permitted to operate such equipment. The Head Farmer or the employee in charge of the equipment maintenance activities for the institution or division shall ensure that documented training is conducted in the safe operation of such equipment. State equipment shall not be operated on the public ways of the Commonwealth by incarcerated individuals and civil commitments.

122.03 STATE VEHICLES

A. Department Business: State vehicles shall only be used by employees to conduct Department business. Operator employees must possess a valid driver's license. Due to liability considerations, consultants or intern contractors are prohibited from using state vehicles unless a waiver is granted by the Operational Services Division (OSD), Fleet Administrator. A state owned, leased, or rented vehicle may never be used for personal reasons.

B. Commuting Use: The use of a state vehicle to commute between work site and personal dwelling shall only be allowed in those situations outlined in 103 DOC 122.13, Overnight Travel or 103 DOC 122.14, Domicile Travel. Employees may not at any time carry any passenger not affiliated with the employee's Department business use of the vehicle.

C. Security Inspection: Superintendents and Special Unit Directors shall develop written procedures to ensure that prior to a vehicle being utilized, the vehicle is inspected for security issues, and mechanical issues i.e. lights and gas, and proper documentation.

D. Windows During Transport: All security vehicles provided to transport incarcerated individuals and civil commitments who are medium or maximum-security level shall require that the rear side windows be disengaged to remain in the up position.

E. Security Bars: All security vehicles provided for medium or maximum-security level incarcerated individuals and civil commitment passengers should have Security Bars attached to rear side windows to prevent incarcerated individual and civil commitment passengers from kicking glass out of the door.

F. Security Screen: All security vehicles provided for medium or maximum-security level incarcerated individual and civil commitment passengers

shall have a security screen between front and rear seats that is ventilated at least by half.

122.04 PRIVATE VEHICLES

A. Authorized Use: Employees may obtain prior authorization from Department Heads, the Director of the CTU, Superintendents or their designees to use privately owned vehicles for official business, subject to the following conditions:

1. Department Motor Pool: Employees must first attempt to obtain a vehicle from the Department Motor Pool.

2. Transportation of Incarcerated Individuals and Civil Commitments: Under no circumstance shall a private vehicle be used for incarcerated individual and civil commitment transportation.

3. Insurance Liabilities: Any use of private vehicles for official business shall be strictly at the risk of the operator of the vehicle. The Department shall assume no liability for damages to the vehicle or other related costs, if any, in connection with the use of private vehicles other than any liability occurring to the Commonwealth pursuant to the Tort Claims Act, M.G.L. c. 258, or the Workmen's Compensation Laws, M.G.L. c. 152, §§ 26 and 69. In the event of an accident using a private vehicle on official state business, the accident shall be reported to the individual who authorized the use of the private vehicle.

4. Travel Expense Reimbursement: If an employee has verified a motor pool vehicle is unavailable and has received prior approval, they shall be reimbursed for expenses incurred for authorized use of their private motor vehicles at the approved rate of their respective bargaining agreement. Management Employees shall be reimbursed for authorized use of their private motor vehicles in accordance with the Rules Governing Paid Leave and Other Benefits for Managers and Confidential Employees (Red Book). The employee must complete a Reimbursement Form and submit the form to Human Resources for payment. Employee Reimbursement Forms shall be completed and submitted in accordance with procedures issued by the Executive Director of Human Resources and must be submitted on a monthly basis. Employee Reimbursement forms can be found on the Department intranet page under applications online forms.

122.05 SEAT BELTS

A. All state employees and their passengers must use seat belts when traveling in state vehicles. M.G.L. c. 90, § 13A; Seat Belt Use Required; Exemptions; Penalty. Exceptions may be granted in certain instances; involving the use of emergency vehicles pursuant to M.G.L. c. 89, § 7B; for the transportation of those persons who would be unable to release themselves from any form of passenger restraint due to physical disability; or those persons being transported under the provisions of 103 DOC 530, *Inmate Transportation*, where it would be reasonable to assume that they would be unable to release themselves from passenger restraints. All incarcerated individuals and civil commitments in a state vehicle who are not in restraints must use the seatbelts.

B. The operator of the state vehicle shall visually confirm that unrestrained incarcerated individuals and civil commitments have the seatbelt engaged prior to moving the vehicle.

C. All incarcerated individuals and civil commitments traveling in vehicles equipped with the officer safety belt system must be secured with the seat belt system prior to moving the vehicle.

122.06 DOCUMENTATION

A. Superintendents and Special Unit Directors shall develop written procedures to ensure that all Department vehicles have the following documents in the vehicles at all times:

1. State registration
2. Driver log
3. OSD Policy and Procedures Manual (Attachment #11)
4. Blank accident report

B. If applicable, the vehicle must also carry:

1. A completed overnight travel authorization form, OSD-10 (Attachment #2)
2. Confidential registration (if applicable)
3. Standard state plate (if confidential registration authorized)

122.07 ACCIDENTS

A. If physically able, any employee involved in an accident while operating a state vehicle, whether or not the state vehicle was damaged, shall fill out an accident report. In addition, the employee shall contact the Superintendent, Special Unit Director, or their respective designee as soon as possible, unless the operator is incapacitated due to injury. In the event

the accident occurs during other than business hours, the operator shall contact the Department Duty Station or Institution Duty Officer as appropriate, unless incapacitated due to injury.

B. At the scene of the accident, the employee shall:

1. Call for medical assistance if necessary, using the Department security radio network mobile radio, if available, or by telephone;
2. Call for additional security assistance in the event incarcerated individuals and civil commitments are being transported, using the Department security network mobile radio, if available, or by telephone;
3. Notify the institution or the CTU dispatcher via the Department security network mobile radio, if available, and request that state or local police be notified as appropriate;
4. Obtain all information necessary to fully complete the accident report;
5. If towing is required for the state vehicle, the Director of the CTU, or their designee, shall be notified.

C. At the scene of the accident, the employee shall not:

1. Argue, make accusations or admit guilt;
2. Sign anything or make any promises.

D. Any incarcerated individual and civil commitment passengers are to be examined by appropriate Department medical personnel following any accident, whether or not they reported any injuries. Copies of the medical reports shall be attached to any accident or incident reports filed.

E. The Superintendent or Special Unit Director, or their respective designee, shall ensure that the Director of the CTU, or their respective designee are telephonically notified within one (1) business day of any accident involving a state vehicle.

F. The Superintendent or Special Unit Director shall develop written procedures to ensure that an original copy of all accident reports, employee incident reports regarding the accident, and medical examinations of incarcerated individuals and civil commitments following the accident, are submitted to the Director of the CTU within five (5) business days. Any and all correspondence received by a Superintendent or Special Unit from insurance companies regarding any accident involving a state vehicle shall be forwarded by the Superintendent or Special Unit Director, to the Director of the CTU within five (5) business days. The Director of the CTU or their designee shall ensure that copies of all accident reports involving an excess of $1,000 property damage to a

state vehicle, injury, or death to any party, or potential claim against the Commonwealth, are forwarded to the Deputy Commissioner of the Administration and the Department's General Counsel as soon as possible.

122.08 OUT OF STATE TRAVEL

Out of state travel in a state vehicle is permitted only with a pre-approved Travel Authorization Form (TAF) which is available on intranet forms. For out of state travel for the purpose of attending a conference or training, a completed TAF must be submitted to the Director of Administrative Services at least forty-five (45) days before planned travel. Those vehicles assigned to members of the Department's Investigations/Apprehension Unit, Employee Services Unit (ESU), and the CTU shall be exempt from the advance notification requirements only for this section. The Chief of Investigations/Apprehension Unit, the Director of the ESU, and the Director of the CTU or their respective designees shall ensure that notification is provided to the Director of Administrative Services as soon as practicable in the event a vehicle assigned to their Unit or Division has been required to travel out of state. All submissions of TAF for out of state travel shall be made in accordance with procedures issued by the Director of Administrative Services.

122.09 STOLEN VEHICLES

A. Stolen vehicles shall be reported immediately. During business hours, the report shall be made to the Superintendent, Special Unit Director, or their respective designee. During non-business hours, the report shall be made to the Department Duty Station or Institution Duty Officer, as appropriate. The Superintendent, Special Unit Director, or their designee shall ensure that appropriate law enforcement agencies have been notified to include the Governor's Anti-Theft Unit.

B. No later than the next business day, the Superintendent, Special Unit Director, or their designee shall ensure that the Director of the CTU is notified of the theft of any vehicle. The Director of the CTU or their designee shall ensure that the Fleet Administrator, OSD is notified of the theft within two (2) business days of the theft.

C. In the event the vehicle is recovered, the same notifications shall be made, utilizing the same time frames.

122.10 STATE AND LOCAL MOTOR VEHICLE LAWS AND REGULATIONS

A. Operating under the influence: Any employee arrested for, or charged with, operating a vehicle, whether a state vehicle or not, under the influence of alcohol or other illegal substances and subsequently temporarily loses their driver's license, shall lose all privileges to operate a

state vehicle pending the outcome of the trial. In the event the operator is convicted of operating under the influence of alcohol or other illegal substances, and the operator was driving a state vehicle at the time of the offense, the employee shall permanently lose their privileges to drive a state vehicle. This policy statement is not subject to appeal and there shall be no exceptions. Additionally, any employee convicted of operating a state vehicle under the influence of alcohol or other illegal substance may be subject to disciplinary actions, up to and including termination.

B. Traffic violations including speeding tickets: The Department does not pay nor reimburse the payment of traffic violations incurred by operator employees of state vehicles or operators of non-state vehicles being used for state business. These monetary penalties are the personal responsibility of the employee. Employees are responsible for promptly paying any fines.

C. Annual Safety Inspection: Superintendents and Special Unit Directors shall develop written procedures to ensure all motor vehicles undergo an annual safety inspection by qualified individuals as required Pursuant to M.G.L. c. 90, § 7A.

D. Tolls: Superintendents and Special Unit Directors shall develop written procedures for issuance and tracking of E-ZPASS MA. E-ZPASS MA shall be used in all state vehicles traveling along the Massachusetts Turnpike to avoid toll violation.

E. Unless authorized by the Superintendent/Director, vehicle emergency equipment shall not be used, except in cases of emergency. Employees utilizing vehicle emergency equipment are subject to provisions M.G.L.c.89, § 7B, *Operation of Emergency Vehicles*. All uses of emergency equipment shall be documented in an incident report.

F. Hands Free Law: Pursuant to M.G.L. c. 90 § 13B, no operator of a motor vehicle shall hold a mobile electronic device. No operator of a motor vehicle shall use a mobile electronic device unless the device is being used in hands-free mode.

122.11 PARKING TICKETS

The Department does not pay nor reimburse the payment of parking violations incurred by operator employees of state vehicles or operators of non-state vehicles being used for state business. These monetary penalties are the personal responsibility of the employee. Employees are responsible for promptly paying any fines.

122.12 PREVENTATIVE MAINTENANCE

A. Each Superintendent and Special Unit Director shall develop procedures to ensure that preventative maintenance is performed on all Department vehicles in accordance with the following schedule (Attachment #3): Superintendents and Special Unit Director shall be responsible to monitor vehicles utilizing the Fleet Management database and ensure that the service is performed.

B. Every Four(4) months or 5,000 miles:
1. Change engine oil and filter;
2. Lubricate chassis.

C. Every 10,000 miles:
1. Inspect tires and rotate if needed;
2. Check charging system;
3. Check and clean battery.

D. Every 15,000 miles:
1. Inspect automatic transmission fluid;
2. Inspect brake pads/shoes/rotors/drums/brake lines and hoses, and parking brake system;
3. Inspect engine cooling system and hose;
4. Inspect steering linkage, suspension and if equipped drive shaft and ball joints;
5. Replace cabin air filter, if equipped.

E. Every 30,000 miles:
1. Inspect exhaust system and shields;
2. Replace engine air filter;
3. Replace fuel filter.

F. Every 50,000 miles:
1. Change transmission fluid and filter;
2. Change PCV valve.

G. Every 100,000 miles:
1. Complete tune up;
2. Replace spark plugs;
3. Replace plug wires, if needed;
4. Inspect ignition system.

H. Documentation of completion of preventative maintenance as well as of immediate completion of safety repairs shall be maintained in the Fleet Management database and a hard copy shall be maintained on file at the Norfolk garage site. Superintendents and Special Unit Directors shall develop written procedures to ensure that vehicles are not used again until

safety repairs are made.

122.13 OVERNIGHT TRAVEL

A. An employee may be permitted to drive a state vehicle home on a given day if the Department business of the employee requires that he attend a meeting or perform other work outside the office either after regular hours on the given day, or before regular office hours the following morning.

B. The use of state vehicles for occasional overnight travel requires the prior written approval of the Superintendent, Special Unit Director, or their respective designee, using form OSD-10 (Attachment #2). The approved form shall be held by the Superintendent or Special Unit Director. A copy of the form shall be kept with the vehicle during the relevant period.

122.14 DOMICILE TRAVEL

In limited situations, an employee may be authorized to use a state vehicle for domicile travel when the nature of an individual's duties requires it. The Superintendent or Special Unit Director shall submit a request in writing to the Department of Correction Fleet Administrator stating in detail the reason that an employee requires the use of a state vehicle for domicile travel. The Fleet Administrator shall forward the request to the Deputy Commissioner of the Prison Division who shall make a recommendation to the Commissioner. The Commissioner shall be the sole authority to approve or disapprove such requests.

122.15 INTERNAL REVENUE SERVICE REPORTING

A. Federal law requires employers, including the Commonwealth of Massachusetts, to include "fringe benefit income" on annual W-2 forms submitted to the IRS for each employee. Such fringe benefit income includes an amount reflecting an employee's use of any "employer provided vehicle for commuting."

B. Employer provided vehicles include state owned or leased vehicles or those provided to state employees by a contractor in connection with a state contract. The Internal Revenue Service (IRS) provides exemptions for use of employer provided vehicles; it defines as a "qualified non-personal use vehicle". Employees who have questions regarding these exemptions are advised to contact their tax advisor. Two (2) specific exemptions include law enforcement and fire vehicles.

C. All state employees who have used an employer provided vehicle to commute a minimum of fifteen (15) commutes, either as a driver or passenger, at any time during the calendar year must be listed on the Certification of Employee Motor Vehicles Use form OSD-IRS,

(Attachment #4).

The certificate shall be submitted to the Director, Administrative Services, who shall forward it to OSD by the OSD due date. A copy of the "Summary Certification for Department of Employee Motor Vehicle Use" shall be forwarded to the Department's Division of Human Resources Payroll Director in order for payroll earnings to be adjusted via the Human Resources Computer Management System (HRCMS).

122.16 CONFIDENTIAL REGISTRATION

A. Each Superintendent or Special Unit Director may request that a vehicle assigned to their unit be supplied with confidential plates and registration. Requests for such plates will only be considered if they are necessary for undercover investigatory work or to protect the physical safety of personnel using the vehicle. The request must be submitted to the Director of the CTU, using form OSD-CC (Attachment #5). The Director of the CTU shall forward such request to the Deputy Commissioner of the Prison Division. Upon approval by the Commissioner and the Under Secretary of Public Safety, the Director of the CTU or their designee shall ensure that the form is processed by the OSD, Fleet Administrator. The Director of the CTU shall ensure the pick-up and delivery of confidential plates and registration when received from the Registry of Motor Vehicles.

B. The confidential registration shall be valid for two (2) years. If the Superintendent or Special Unit Director wishes to renew the confidential registration, they shall submit a request at least thirty (30) days before the expiration date. The procedures shall be followed in order to renew a registration. In the event the confidential registration should expire before the renewal process has been completed, the confidential plate shall be removed and replaced with the standard state plate until the renewal has been received.

C. All vehicles with confidential registration shall simultaneously have state registration and state plate. The state registration and state plate shall be carried in the vehicle at all times.

122.17 INVENTORY

Each Superintendent or Special Unit Director shall ensure that vehicles which are excess to needs or no longer serviceable are quickly removed from the institution's property. The Superintendent or Special Unit Director shall utilize Attachment #9 to notify the Director of the CTU. The Director of the CTU shall be responsible for the removal of the vehicle and for transfer or disposal in accordance with the OSD Procedure.

122.18 PURCHASE OF VEHICLES

All purchases of vehicles shall be approved in advance by the Director of the CTU. All purchase documents shall state that delivery is to be made to the CTU Fleet Maintenance Facility at MCI-Norfolk. The Director of the CTU or designee, shall ensure that a vehicle inspection is completed prior to acceptance by the Department.

122.19 VEHICLE CONTROL

A. Each Superintendent or Special Unit Director shall develop procedures for and designate one (1) employee to be the Vehicle Control Officer. This employee shall be responsible to:

1. Keep a record of all vehicles assigned to the institution or division. This record shall identify each vehicle and shall indicate the name of any employee using the vehicle, the date and time of issue, the date and time of return, the outgoing mileage, and the return miles as well as the purpose of the trip. (Maintain on file for three (3) years)

2. Ensure that an inventory and mileage of all vehicles assigned to the institution or unit is completed on a monthly basis and reported by the fifth day of each month. The Director of the CTU shall develop reporting mechanisms for this process.

    a. For those Institutions/Divisions that are online with the Fleet Management database, the Vehicle Control Officer shall be responsible for entering odometer readings online.

    b. For those Institutions/Divisions not currently online, the Vehicle Control Officer shall be responsible for submitting odometer readings to the CTU Service manager.

3. Ensure that all security vehicles have roof decal numbers that reflect the plate number of that vehicle.

4. Inspect all vehicles at least weekly and document.

5. Ensure that all proper paperwork is in each vehicle.

6. Ensure the preventative maintenance schedule is followed.

7. Develop and maintain a cleaning schedule for all vehicles.

122.20 DEPARTMENT MOTOR POOL

A. The Director of the CTU shall be responsible to maintain regional motor pools for the Department. Department Motor Pools shall be located at:

1. Old Colony Correctional Center for the Southern Sector
2. Milford Headquarters;
3. Souza Baranowski Correctional Center for Northern Sector

B. The Department Motor Pool shall be available for all Department employees for the performance of their duties. The Department Motor Pool shall not be utilized by staff as a means to commute back and forth from a permanent work location. An employee is only authorized to utilize a Department Motor Pool vehicle if their work assignment for the day calls them away from their permanent work location.

C. Prior to a vehicle being assigned to a Department Motor Pool, a Vehicle Inspection Sheet (Attachment #6) shall be completed by the staff member accepting the vehicle.

D. The vehicle shall then be serviced to ensure proper maintenance of the vehicle is completed. The completed vehicle inspection sheet shall be forwarded to the Director of the CTU.

E. The keys for the vehicle shall be turned over to the locksmith for the area and a key ring shall be made and placed on a separate and distinct key board which provides easy viewing to determine whether Department Motor Pool vehicles are currently available.

F. Staff should contact the institution and give a seventy-two (72) hour in advance notice to request a vehicle. Superintendents of institutions with Department Motor Pool vehicles shall develop written procedures for staff to reserve a vehicle in advance.

G. Each Institution is responsible for maintaining an Outer Control Motor Vehicle Log Book, which shall contain at a minimum the following information of the Staff Member requesting the vehicle:

1. Operator's Name;
2. Vehicle number;
3. Destination;
4. Time Out;
5. Time In;
6. Signature of Operator;
7. Signature of issuing officer.

H. The driver of the vehicle shall be responsible to complete a Vehicle Driver's Log (Attachment #7). The log shall contain:

1. Start Date and Time;
2. End Date and Time;
3. Odometer Reading Start;
4. Odometer Reading End;
5. Beginning Location;
6. Destination; and
7. Driver.

I. When a staff member has temporary approval for overnight travel in accordance with 103 DOC 122.13, a copy of the form shall be submitted prior to taking the vehicle.

J. A vehicle gas card shall be available in the glove compartment of all Department Motor Pool vehicles. Staff utilizing the vehicles shall use the Department's Gas Facilities as their primary source for gas.

K. The Vehicle Control Officer at each designated site shall be responsible to complete an inspection of all motor pool vehicles monthly utilizing the "Motor Pool Monthly Vehicle Inspection Sheet" (Attachment #8). The completed form shall be forwarded to the Director of the CTU.

L. The Director of the CTU shall review the use of all vehicles to ensure the proper distribution of vehicles to the different regions.

M. The Director of the CTU shall ensure an audit is conducted on all Department Motor Pool vehicles on an annual basis.

122.21 DESIGNATED VEHICLES

The Commissioner of Correction may authorize certain staff members or Divisions access to "designated vehicles" for official business only. These vehicles shall be assigned to a particular employee or Division for official business only. Employees or Divisions with "designated vehicle" authorization shall allow other staff members within the agency or division to utilize the vehicle when not in use for official business only. These vehicles should be located at the permanent work site of the employee or at the Division offices. Employees may submit a written request to the Commissioner of Correction to locate the vehicle at an alternative site for easy access purposes if their work duties routinely call them away from their permanent work location.

122.22 1-800 "HOW AM I DRIVING" PROGRAM

A. In accordance with the OSD's Policy and Procedures, all Department vehicles that display a State Plate, with the exception of security vehicles

utilized to transport incarcerated individuals and civil commitments and surveillance vehicles, shall display the State's "How am I Driving", 1-800 telephone number. The sticker shall be displayed on the left rear bumper. This sticker encourages citizens to dial the 1-800 number to provide positive and negative comments on the driving of any state employee. The OSD shall monitor all calls as outlined in the OSD Policy and Procedures (Attachment #14).

B. When notified by the OSD, the Director of the CTU shall have ten (10) business days to investigate, identify the driver, and respond to the OSD.

C. If complaints continue to occur after this initial warning within the same fiscal year, the OSD's Fleet Administrator shall direct the Director of the CTU to revoke the driving privileges of the driver.

122.23 OPERATION OF DEPARTMENT VEHICLES DURING EMERGENCY RESPONSES

A. Purpose: Emergency Response vehicular operation has become an increased focus of attention for public safety officials, the media, and the public at large. High speed, Emergency Response driving may present a danger to the lives of the public and Department staff. In order to assist Department staff members in the safe performance of their duties with regard to vehicle operation during Emergency Responses, the Department provides guidelines for the manner in which Emergency Response vehicle operation is undertaken and performed. This section sets forth guidelines for making decisions with regard to the operation of motor vehicles during an Emergency Response. These guidelines create an acceptable balance between the expeditious operation of vehicles in Emergency Responses, and the responsible and safe operation of vehicles, in order to protect the general public, as well as Department staff members operating the vehicle.

B. Definitions: For purposes of this section, the following terms shall apply:

1. Emergency Response: The operation of an authorized emergency vehicle by a Department staff member in response to a life threatening or a violent situation in progress, using due regard for the safety of others. This differs from operating an emergency vehicle in normal situations and includes, but is not limited to:

   a. When a situation involves imminent potential for serious injuries or death to persons.
   b. When there is, or there is a threat of, potential crime of violence.
   c. When there is a threat, or is a potential threat to the public interest, i.e., institution disturbance, escape, elopement, etc.

d. When there is an authorized need for mutual aid response.

2. Emergency Vehicle: A Department vehicle that is equipped with operable emergency equipment as designated by state law.

C. Procedures:

1. Beginning September 1, 2020, the OSD will install and use a Telematics system (a general term that refers to any device which merges telecommunications and information technology) in all vehicles under the purview of the OSD's Office of Vehicle Management (OVM). This data will be used for any business purpose including: (i) improving OSD's Agencies' Emergency Response capabilities; (ii) increasing driver and crew safety; (iii) reducing fuel consumptions; (iv) improving utilization efficiencies; (v) reducing greenhouse gas emissions; (vi) providing location information for health and safety reasons, and (vii) ensuring both accountability and fair treatment of Department employees.

2. Neither OSD nor the Department shall use any such system to conduct live surveillance of employees either on a random or scheduled basis except in emergency situations where there is concern regarding the safety of Department employees, incarcerated individuals or civil commitments. However, where the Department has received a credible complaint or possesses other independent reliable information, the Department may use stored data to investigate allegations of misconduct or policy violations. In any disciplinary proceedings where the Department relies on the Telematics data to establish employee misconduct or a policy violation, it shall provide a copy of the data to the employee's respective Union as may be required by M.G.L.c.150E.

3. All vehicles with installed and active Telematics will be identified by a conspicuously placed sticker or other indicator.

4. Operators of Department vehicles shall follow the requirements of this policy, and must also follow M.G.L. c. 89, § 7B. *M.G.L. c. 89, § 7B states: The driver of a vehicle of a fire, police or recognized protective department and the driver of an ambulance shall be subject to the provisions of any statute, rule, regulation, ordinance or by-law relating to the operation or parking of vehicles, except that a driver of fire apparatus while going to a fire or responding to an alarm, or the driver of a vehicle of a police or recognized protective department or the driver of an ambulance, in an emergency and while in performance of a public duty or while transporting a sick or injured person to a hospital or other*

destination where professional medical services are available, may drive such vehicle at a speed in excess of the applicable speed limit if he exercises caution and due regard under the circumstances for the safety of persons and property , and may drive such vehicle through an intersection of ways contrary to any traffic signs or signals regulating traffic at such intersection if he first brings such vehicle to a full stop and then proceeds with caution and due regard for the safety of persons and property, unless otherwise directed by a police officer regulating traffic at such intersection. The driver of any such approaching emergency vehicle shall comply which the provisions of section fourteen of chapter ninety [of the General Laws] when approaching a school bus with has stopped to allow passengers to alight or board from the same, and whose red lamps are flashing.

5. Each vehicle equipped with Telematics also has a "hide location" feature. This option takes the vehicle off tracking temporarily. This setting is intended for use during investigation and surveillance. To activate this setting the Chief of the Office of Investigative Services (OIS) and the Professional Standards Unit (PSU) shall make the request to the Deputy Commissioner of Prisons who shall make the determination as to whether and how long the hide location feature may be activated.

6. Only vehicles equipped with audible and/or visual warnings are authorized to respond to an incident or request for assistance over the posted speed limit.

D. Communications During Emergency Response: Communications during Original Pursuits will be conducted on an "Emergency Transmit" basis only.

E. Driving Practices: The following driving practices shall be adhered to whenever any member of the Department becomes engaged in a motor vehicle Emergency Response.

1. Seat Belts: Seat belts shall always remain fastened during the Emergency Response.

2. Hands on Wheel: Both hands shall be kept on the steering wheel at all times, except in the case of a one (1) man unit, when it becomes necessary to have a free hand (for example, to make a radio transmission).

3. Distance from Vehicles: The vehicle should be kept at such a distance from the other vehicles that a sudden stop of that vehicle will not result in a collision or accident.

4. Traffic Signals: If it is necessary to enter an intersection contrary to a traffic signal or posted sign, the operator of the vehicle shall bring the vehicle to a stop, in compliance with M.G.L. c.89, § 7B, and proceed only when certain that the way is clear.

5. Initiation or Continuation of Emergency Response: When deciding to initiate or continue driving in an Emergency Response, staff members shall drive with due regard for the safety of all persons. Consideration must be given to:

    a. Urgency of the situation
    b. Weather and roadway conditions
    c. Visibility
    d. Volume and speed of other vehicle traffic
    e. Ability to control the vehicle at the speed driven
    f. Whether or not the vehicle is equipped with emergency lights and siren.
    g. Condition of the vehicle

6. During Emergency Response operation of emergency vehicles, staff shall consider such factors as articulated above and determine the appropriate response action.

7. Emergency Lights and Siren: It is highly recommended that staff members driving in connection with an Emergency Response activate emergency lights and/or siren; however, there may be situations in which doing so may not be necessary or required.

    a. In the following situations, it is highly encouraged that the emergency lights and siren be activated:

        i. When operating within an intersection contrary to traffic control sign and signals;
        ii. When traveling in excess of the speed limit.

8. Speed: Officers engaged in an Emergency Response may exceed the speed limit if traffic conditions permit such speeds without causing unreasonable risk, taking into consideration those factors articulated in 122.23 (A).

9. Passing Cars: Staff members are discouraged from passing to the right of a vehicle in traffic during an Emergency Response. However, there may be situations where passing to the right may

be necessary and/or passing to the left may not be practical. In those situations, staff members should anticipate the possibility of a citizen's vehicles moving suddenly to the right and in front of the vehicle, and pass with caution, and with due regard for safety.

122.24 EMERGENCIES

Whenever, in the opinion of the Commissioner, Deputy Commissioner or Superintendent of a state correctional institution, an emergency exists which requires suspension of all or part of these regulations, they may order such suspension provided that any suspension lasting beyond forty-eight (48) hours must be authorized by the Commissioner.

Part I ADMINISTRATION OF THE GOVERNMENT

Title XIV PUBLIC WAYS AND WORKS

Chapter 90 MOTOR VEHICLES AND AIRCRAFT

Section 13A SEAT BELT USE REQUIRED; EXEMPTIONS; PENALTY

Section 13A: Seat belt use required; exemptions; penalty

Section 13A. No person shall operate a private passenger motor vehicle or ride in a private passenger motor vehicle, a vanpool vehicle or truck under eighteen thousand pounds on any way unless such person is wearing a safety belt which is properly adjusted and fastened; provided, however, that this provision shall not apply to:

(a) any child less than twelve years of age who is subject to the provisions of section seven AA;

(b) any person riding in a motor vehicle manufactured before July first, nineteen hundred and sixty-six;

(c) any person who is physically unable to use safety belts; provided, however, that such condition is duly certified by a physician who shall state the nature of the handicap, as well as the reasons such restraint is inappropriate; provided, further, that no such physician shall be subject to liability in any civil action for the issuance or for the failure to issue such certificate;

(d) any rural carrier of the United States Postal Service operating a motor vehicle while in the performance of his duties; provided, however, that such rural mail carrier shall be subject to department regulations regarding the use of safety belts or occupant crash protection devices;

(e)anyone involved in the operation of taxis, liveries, tractors, trucks with gross weight of eighteen thousand pounds or over, buses, and passengers of authorized emergency vehicles.

(f) the side facing seat on which the factory did not install a seat belt in any car owned for the purpose of antique collection.

Any person who operates a motor vehicle without a safety belt, and any person sixteen years of age or over who rides as a passenger in a motor vehicle without wearing a safety belt in violation of this section, shall be subject to a fine of twenty-five dollars. Any operator of a motor vehicle shall be subject to an additional fine of twenty-five dollars for each person under the age of sixteen and no younger than twelve who is a passenger in said motor vehicle and not wearing a safety belt. The provisions of this section shall be enforced by law enforcement agencies only when an operator of a motor vehicle has been stopped for a violation of the motor vehicle laws or some other offense.

Any person who receives a citation for violating this section may contest such citation pursuant to section three of chapter ninety C. A violation of this section shall not be considered as a conviction of a moving violation of the motor vehicle laws for the purpose of determining surcharges on motor vehicle premiums pursuant to section one hundred and thirteen B of chapter one hundred and seventy-five.

OVERNIGHT TRAVEL

Driver Responsible for Vehicle (First and Last Name):			
Driver Type (Check One):	☐ Regular Employee ☐ Contracted Employee ☐ Contractor ☐ Seasonal Employee	**Driver's License Number:**	
Agency:		**Org Code:**	
Email:		**Phone:**	

Check One State/Rental:	☐ State Vehicle, if checked provide State License Plate No.:		☐ Rental Vehicle
Travel Destination:			
Dates of Travel:			

Justification for Overnight Use:

If typing in Word, this text box will expand (please attach additional documentation if necessary).

The vehicle will be parked during off-duty periods at the Following Location (address, city, state):	
Check one:	☐ **Garage** ☐ **Driveway** ☐ **Street**

☐ By signing below I hereby certify that I have read and agree to abide by the *OVM Policies & Procedures Manual*.

Driver Signature:_____ **Date:** _____

☐ By signing below I hereby certify that use of this vehicle outside of normal business hours is required for official state business.

Agency Head Signature:_____ **Date:** _____

☐ By signing below I hereby certify that the driver of this vehicle has been provided with a copy of the *OVM Policies & Procedures Manual*, that the driver possesses a valid driver's license and that the individual complies with OVM's Safe Driver Program.

Agency Fleet Manager Signature _____ **Date:** _____

The original Overnight Travel form must be kept on file with the Agency Fleet Manager. In addition, a copy of the approved form must be sent to the Office of Vehicle Management, and a copy must be kept in the vehicle at all times.

FOR OVM USE ONLY

OVM Fleet Director: _____ Date Received: _____

OVERNIGHT TRAVEL – Revised 11/2022

From OVM Polices & Procedures Manual:

Overnight Travel

1) An Employee may be permitted to drive a State Vehicle home on a given day if the employee is conducting **official state business before and/or after Normal Business Hours*.**
2) **Short-Term Rentals:** An Employee may be permitted to drive a Vehicle rented for State business home on a given day if the employee is conducting **official state business before and/or after Normal Business Hours*.**
3) If a State vehicle has been assigned to a Department and an employee will be using the vehicle for Overnight Travel where it will be housed away from a State facility or the employee's residence then, the operator must fill out an **OVM-10** Form and have prior approval of the Department Head. The approved form must be initialed and held by the Department Fleet Manager and a copy must be kept with the vehicle during the relevant time period. In addition, a copy shall be forwarded onto OVM for the Fleet Administrator's file.
4) Any Employee found using a vehicle outside of normal business hours without the proper authorization as specified in this section will automatically lose his/her privilege to drive a State vehicle for not less than three months. In addition, if the vehicle has been assigned to a Department, the vehicle will be permanently returned to OVM and the Department will not be issued a replacement vehicle.
5) OVM will randomly audit vehicles to determine if employees have the proper authorization to use a vehicle after Normal Business Hours.

Instructions: Complete the form in its entirety.

Driver Responsible for Vehicle – Provide the first and last name of employee that will be responsible for the vehicle

Driver Type: Check the box which best describes the Driver identified above:

Regular Employee
Contractor
Contracted Employee
Seasonal Employee

Driver's License Number: Provide the Driver's license number of the driver responsible for the vehicle.

Agency: Provide the complete name of the Agency to which the vehicle is assigned.

Org Code: Provide the Organizational Code for the Agency.

Email: Provide the Email address of the driver of the vehicle.

Telephone: Provide phone number (including area code) of the driver of the vehicle.

Check One box for **Either A State Vehicle** or a **Rental Vehicle**

If State Vehicle is checked: provide the State Vehicle License Plate No. issued by the Registry of Motor Vehicles and assigned to the vehicle.

Travel Destination: Provide the street address city and state for the destination which the vehicle will be traveling to.

Dates of Travel: Provide the month date and year (m/d/y) for the dates that the vehicle will require the Overnight Travel Authorization.

Justification for Overnight Use: Provide a validation for the need to utilize a state vehicle for overnight travel.

The vehicle will be parked during off-duty periods at the Following Location (address, city, state): Provide the complete address including street and city where vehicle will parked when not in use.

Check one: check one Garage, Driveway or Street for item which best describes the location where the vehicle will be parked during off duty periods.

Provide Signatures and dates as listed for:

Driver: Identified as Driver Responsible for Vehicle above. Must check off box indicating they haves read and agrees to abide by the *OVM Policies and Procedures Manual.*

Agency Head: Must check off box certifying that use of this vehicle outside of normal business hours* is required for official state business.

Agency Fleet Manager: Must check off box to certify that the driver of the vehicle has been provided with a copy of the *OVM Policies and Procedures Manual*, possess a valid driver's license and that the individual complies with OVM's Safe Driver Program.

Check the box to affirm that the Agency will file the proper documentation in accordance per the OVM Policies and Procedures, original signed OVM-10 at the agency, copies sent to OVM and kept with the vehicle during the dates of travel.

Return completed form to the Office of Vehicle Management via email to Vincent.Micozzi@mass.gov. OVM will accept the signed form in Word or via Adobe pdf format.

***Normal Business Hours are defined as** Monday through Friday from 7:00 a.m. to 5:00 p.m. EST, excluding Commonwealth holidays.

Vehicle Maintenance Record

Vehicle Number _____ Year & Make _____ Model _____	500	1000	1500	2000	2500	3000	3500	4000	4500	5000	5500	6000	6500	7000	7500	8000	8500	9000	10000
Lube Oil & Filter 5,000																			
Check for Tire Rotation 10,000																			
Charging & Start Systems Check 10,000																			
Battery Clean & Check 10,000																			
Check Breaks 15,000																			
Check Cooling System 15,000																			
Change Fuel Filter 30,000																			
Change Air Filter 30,000																			
PVC Valve 50,000																			
Transmission Fluid & Filter 50,000																			
Major Tune up 100,000																			

The Commonwealth of Massachusetts
OPERATIONAL SERVICES DIVISION
Office of Vehicle Management

CERTIFICATION OF EMPLOYEE MOTOR VEHICLE USE
Form OVM-IRS

PART A*- Usage:

I hereby certify that, during the period from November 1, 2021 to October 31, 2022, I used a non-exempt vehicle provided in connection with my employment by the Commonwealth of Massachusetts for no more than:

_____ One-way Commuting Trips.

OR

PART B - Exemption:

_____ All (how many?) _____ Some (how many?)

of my continuing use of my employer-provided vehicle in 2022 was exempt from IRS reporting requirements because of:

_____
_____
_____
_____

(Refer to the IRS Publication - *Business Use of a Car*, for authorized exemptions.)

Name: _____
Employee ID Number: _____
Position: _____
Agency: _____ Agency Code #_____

Signature of Employee _____

Signed under the pains and penalties of perjury _____day of _____, 2022

or

This form must be returned by November 21, 2022 to your Department's Fleet Manager.

FAILURE TO RETURN THIS FORM BY THE DEADLINE WILL AFFECT YOUR INCOME AS REPORTED TO THE IRS FOR 2022.

* Everyone should fill out **Part A** of this certification. If you made no commutes in employer-provided vehicles, *or* if all of your commutes are exempt, please place a zero in the blank. Otherwise, list the numbers of non-exempt **one-way** commutes you have made in employer-provided vehicles. Your W-2 will reflect this number multiplied by $1.50.

Charles D. Baker, Governor
Karyn E. Polito, Lieutenant Governor
Stephanie Pollack, Secretary & CEO
Jamey Tesler, Acting Registrar

massDOT
Massachusetts Department of Transportation
Registry of Motor Vehicles

CONFIDENTIAL REGISTRATION APPLICATION

☐ NEW TITLE & REG ☐ RENEWAL ☐ PLATE SWAP

NAME OF REQUESTOR: _____ TITLE: _____

DEPARTMENT/AGENCY: _____

VEHICLE INFORMATION:

VIN #:

_____

YEAR: _____ MAKE: _____ MODEL: _____ COLOR: _____

PLATE REGISTRATION NUMBER: (If renewal or swap) _____

THIS VEHICLE IS (Check One):

☐ **GOVERNMENT OWNED (GOV)**

BUSINESS ADDRESS: (Street, State, Zip)

_____

_____

BUS TEL: (_____) _____ - _____

☐ **PERSONALLY OWNED (POV)**

HOME ADDRESS: (Street, State, Zip)

_____

_____

TEL: (_____) _____ - _____

CELL: (_____) _____ - _____

EMAIL: _____@_____

PLEASE TAKE NOTE:
If POV, Section 1 below is to be completed by owner/operator and Section 2 by Executive Head of Agency
If GOV, Section 1 and Section 2 must both be completed by Executive Head of Agency

Section 1 To be completed by Requestor

The Requestor certifies the following:

- This vehicle shall not be used to pass through toll requirements unless the requestor's or agency's transponder is attached and functioning. _____ (Initials)
- This vehicle shall not accumulate unpaid parking violations. _____ (Initials)
- Unless extraordinary circumstances exist, the requestor shall be the sole vehicle operator. _____ (Initials)

If the requestor fails to meet the above conditions and/or it is revealed to the RMV any violations of the above conditions, then the RMV reserves the right to revoke confidential plate status.

REQUESTOR SIGNATURE: _____ DATE: _____

Effective January 1, 2020

Section 2 To be completed by Executive Head of Agency

Does the Requestor qualify to remain in or enroll in confidential status? Yes _____ No _____
If No, then any existing confidential plates must be immediately returned to RMV Enforcement Services.

Is the Requestor currently in an employment disciplinary suspension status, or the subject of a domestic violence investigation? Yes _____ No _____ *If Yes, then any existing confidential plates assigned to the Requestor must be immediately returned to RMV Enforcement Services.*

Upon signature of this request, the Executive Head of Agency/Approving Official is certifying an immediate need for confidential plates to be issued to the Requestor and is directly responsible for oversight of proper usage.

NAME OF APPROVING OFFICIAL: _____ TITLE: _____
Approving official must be the Executive Head of the Agency, District or Field Office (Please Print)

APPROVING OFFICIAL'S EMAIL & PHONE # FOR VERIFICATION:

Email: _____ Phone #: _____

APPROVAL:
Signature below assures veracity to the above statements and that both the Requestor and Approving Official have reviewed the requirements for the use and issuance of Confidential Plates and agree to full compliance.

APPROVING OFFICIAL SIGNATURE: _____ DATE: _____

JUSTIFICATION:
Check which category applies to the Requestor and elaborate on the justification in the space provided.

___ **Undercover Law Enforcement**
Note: Standard uniformed law enforcement officers that primarily work in Patrol capacities do not meet the criteria for POV Confidential Plates unless other circumstances exist.

___ **Certain members of the Judiciary**

___ **Certain Probation Officers**

___ **Individuals identified to the Registrar as needing confidential status due to extraordinary circumstances.**

Explain: (attach additional documents if necessary)

_____

_____

_____

RMV USE ONLY: Approved _____ Yes _____ No *Initials of RMV Official: _____*

If NO, provide reason:

Mail, with payment of to: RMV Enforcement Services Unit P.O. Box 55889, Boston, MA 02205
Email: MASSDOTConfidentialPlates@dot.state.ma.us - Tel 857-368-9500 / Fax 857-368-0650

Vehicle Inspection Sheet

Date: _____ **Location:** _____

State Plate #: _____ **Registration:** ☐ **yes** ☐ **no**

Confidential Plate #: _____ **Registration:** ☐ **yes** ☐ **no**

Mileage: _____ **# Keys:** _____

Make: _____ **Type:** _____ **Year:** _____ **VIN#:** _____

Vehicle Operation Manual Policy and Procedures: ☐ **yes** ☐ **no**

Accident Reports: ☐ **yes** ☐ **no**

Daily Use Logs: ☐ **yes** ☐ **no**

Gas Card: ☐ **yes** ☐ **no**

Tires (condition): ☐ **Excellent** ☐ **Good** ☐ **Needs replacing**

Clean: _____

_____

Damage: _____

_____

What service was done: _____

_____

Date services were completed: _____

_____ _____

Staff Signature **Date**

Note: Submit a copy of this form (Vehicle Inspection Sheet) with the confidential plate and registration and any E-ZPASS MA found in the vehicle to the Central Transportation Unit in Norfolk.

Investigations: **Vehicles will keep confidential plate on vehicle**

Vehicle Driver's Log

Plate #: _____
VIN: _____
Agency Assigned: _____

Start Date/Time	End Date/Time	Odometer Reading Start	Odometer Reading End	Beginning Location	Destination	Driver

This form must remain in the vehicle at all times.

Motor Pool
Monthly Vehicle Inspection Sheet

Location: _____ Date: _____

1. Plate #: _____ Mileage: _____
Make: _____ Model: _____
Year: _____
VIN: _____
Condition:
Service completed during month: _____

First Aid Kit: ☐ Yes ☐ No
Fire Extinguisher: ☐ Yes ☐ No
OSD Policy: ☐ Yes ☐ No
Vehicle Driver's Log: ☐ Yes ☐ No

2. Plate #: _____ Mileage: _____
Make: _____ Model: _____
Year: _____
VIN: _____
Condition:
Service completed during month: _____

First Aid Kit: ☐ Yes ☐ No
Fire Extinguisher: ☐ Yes ☐ No
OSD Policy: ☐ Yes ☐ No
Vehicle Driver's Log: ☐ Yes ☐ No

3. Plate #: _____ Mileage: _____
Make: _____ Model: _____
Year: _____
VIN: _____
Condition:
Service completed during month: _____

First Aid Kit: ☐ Yes ☐ No
Fire Extinguisher: ☐ Yes ☐ No
OSD Policy: ☐ Yes ☐ No
Vehicle Driver's Log: ☐ Yes ☐ No

4. Plate #: _____ Mileage: _____
Make: _____ Model: _____
Year: _____
VIN: _____
Condition:
Service completed during month: _____

First Aid Kit: ☐ Yes ☐ No
Fire Extinguisher: ☐ Yes ☐ No
OSD Policy: ☐ Yes ☐ No
Vehicle Driver's Log: ☐ Yes ☐ No

Vehicle Control Officer's Signature: _____

Forward to Director of CTU monthly upon completion.

DEPARTMENT OF CORRECTION
CENTRAL TRANSPORTATION UNIT

Request for Disposal/Turn in of Vehicle

From: _____
Institution/Division

_____
Authorized by, Superintendent or Fiscal Officer Only

Date: _____

I request authorization to dispose of/turn in the below listed vehicle.
It has been determined that the vehicle is:

_____ No longer serviceable, due to excessive maintenance cost

_____ Excess to institution or division needs

PLATE	MAKE/MODEL/TYPE/YEAR	VIN NUMBER

Approved:

Fleet Manager

Disposition:

_____ Auctioned: _____

_____ Transferred To: _____

Date: _____

Approved _____ _____
Superintendent Date

Master Institution Trip Log

Institution: _____ Week Ending: _____

DATE	DESTINATION	TIME OUT	TIME IN	# OF COS	CO'S NAMES	TRIP TYPE (1)	# OF I/I's or C/C's	ORIG.INST.	VEH.REG.	VEH. TYPE (2)	MILAGE OUT	MILAGE IN	O.T. PER C.O.	SUMMARY FOR THE WEEK	
														NO.OF TRIPS BY AREA	
														COURT	
														MEDICAL	
														TRANSFER	
														ESC.FURLOUGH	
														OTHER	
														TOTAL	
														OVERTIME SUMMARY	
														COURT	
														MEDICAL	
														TRANSFER	
														ESC.FURLOUGH	
														OTHER	
														TOTAL HOURS	
														REQUESTED BY C.T.U.	

(1) TYPE OF TRIP

A- COURT
B- MEDICAL
C- ESC. FURLOUGH
D- TRANSFER

(2) TYPE OF VEHICLE

A- BUS
B- VAN
C- SEDAN
D- STATION WAGON

PREPARED BY: _____

SUPERINTENDENT'S REVIEW & SIGNATURE _____

POLICIES AND PROCEDURES

FOR VEHICLES UNDER THE OVERSIGHT

OF THE OFFICE OF VEHICLE MANAGEMENT

Commonwealth of Massachusetts
Operational Services Division
Office of Vehicle Management
One Ashburton Place, Room 1017
Boston, MA 02108

Michael J. Heffernan, Secretary
Executive Office for Administration and Finance

Gary Lambert, Assistant Secretary for
Operational Services

Vincent Micozzi, Director of Fleet Policy and Administration
Office of Vehicle Management

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INTRODUCTION

OVM Legal Authority and Oversight Role

By statute, the Office of Vehicle Management ("OVM") within the Operational Services Division ("OSD"), under the direction of the Secretary for Administration and Finance ("A&F Secretary") and the Assistant Secretary for Operational Services, is responsible for the management of state acquired Executive Branch vehicles and related assets that do not require a commercial driver's license to operate, including the use and maintenance thereof. In addition, OVM is charged with overseeing the registration, application of 1-800-How Am I Driving and POW/MIA decals, transfer of vehicles between agencies, redeployment of vehicles from the OVM holding lot, review and approval of department-owned and leased vehicle acquisitions, facilitation of fuel cards or equivalent, vehicle audits, the review and provision of motor vehicle records ("MVR"s) for Drivers operating a State Vehicle, administration of extraneous vehicle notifications, vehicle disposal, telematics management, and review of annual domicile requests.

These Policies and Procedures for Vehicles That Fall Under the Oversight of The Office of Vehicle Management ("OVM Policy") are adopted under the authority of M.G.L. c. 6A ss. 2, M.G.L. c. 30 ss. 36 ss. 51 ss. 52, M.G.L. c. 7 ss. 4A (St. 1989 Ch. 731) ss. 9A and 22, and 815 CMR 6.00. OVM follows and enforces additional statutes, general laws and regulations related to State Vehicle operation, such as M.G.L. c. 90 ss. 7 ss. 7i ss. 16, M.G.L. c. 33 ss. 50 and 540 CMR 22.00. This is not an exhaustive list and may change over time.

OVM Policy shall not be subordinate to any Agency policy. Agencies may issue policies which enhance or support this document, however, OVM reserves the right to enforce specific language within this document at their sole discretion.

Application, Purpose, and Scope

The OVM Policy is adopted to ensure that State Vehicles, as defined herein, are procured, allocated, operated, marked, repaired, and maintained in an efficient and economical fashion that is consistent with applicable legal requirements, Administration and Finance ("A&F") requirements, and OVM requirements.

This document shall apply to all State Vehicles and related assets, as defined herein, Agencies utilizing State Vehicles, and the individual drivers and passengers of those vehicles that are: owned, leased, rented, transferred to, or received as gifts by the Commonwealth of Massachusetts. This includes vehicles rented pursuant to Statewide Contracts for short-term vehicle and equipment rentals.

Non-compliance with any portion of the OVM Policy may result in corrective action to Agencies or drivers, including but not limited to, verbal and/or written warnings from Agency to driver, immediate suspension or revocation of driving privileges, immediate suspension or revocation of vehicle acquisition privileges, and/or immediate removal of vehicle(s) or related asset(s) from the Agency's fleet.

The following entities are exempt from the OVM Policy: those under the jurisdiction of the Commonwealth's Constitutional, Legislative and Judicial Offices, public institutions of higher learning and independent authorities, which are exempt by statute. Sworn State Police Officers, Environmental Police, and the Massachusetts Department of Transportation ("MassDOT") are not required to follow OVM Policy, but must establish, and abide by, vehicle fleet policies and procedures established for the State Police, Environmental Police, and MassDOT, respectively, as in effect from time to time.

How this Document is Organized

This document summarizes the authorized methods of acquisition and use of vehicles by Agencies, as defined herein. OVM's primary objective is to ensure that vehicles owned by the Commonwealth or driven by its employees in the scope of their employment are maintained and used in a safe and efficient manner. Accordingly, the document defines the responsibilities of Agencies, Agency Fleet Managers and oversight personnel, individual employees or other authorized drivers, and OVM. First, the document outlines the process for acquisition and assignment of State Vehicles to Agencies. Second, the document addresses in detail the respective roles and responsibilities of: (1) Agency designated Fleet Managers responsible for the oversight of vehicle use and maintenance; (2) State employees and others authorized to operate State Vehicles, and (3) OVM. This document also addresses remedial measures that will apply for failure to follow applicable OVM Policy.

VEHICLE ACQUISITION, ASSIGNMENT, MODIFICATION, ALTERATION, REPLACEMENT, and DISPOSAL

The Executive Office for Administration and Finance is the titled and registered owner of all vehicles and related assets acquired by Executive Branch agencies. These assets are assigned to the Agency at which they're being utilized.

The Office of Vehicle Management is solely responsible for reviewing and approving the acquisition method, number, type, and schedule for acquiring vehicles for all Agencies governed by OVM Policy. Additionally, OVM reserves the right to remove or reallocate any asset under its purview at any time.

OVM will ensure vehicle acquisitions comply with all applicable environmental mandates. In accordance with the Electric Vehicle First Acquisition policy, OVM shall direct Agencies to acquire the most fuel-efficient and/or least carbon-emitting vehicles able to perform the primary use function.

Agencies under the purview of OVM are directly responsible for complying with environmental mandates. Failure to meet goals or objectives established by these regulations may result in the immediate removal of vehicle(s) from the Agency's fleet.

Links to applicable environmental mandates may be found on the OVM webpage.

A. Acquisition and Assignment of OVM Managed Vehicles

Electric Vehicle First Acquisition Requirements (Effective July 1, 2022)

Whenever possible, agencies must select Battery Electric Vehicles (BEVs) to fulfill their business needs. If a BEV does not meet these needs, based on the EV First Exemption Process, Agencies shall select the most fuel-efficient and/or least carbon-emitting option based on their justified needs and primary use/function of the vehicle. OVM will adjust vehicle selections made by an agency that do not meet these requirements.

a) Acquisition Hierarchy:
   The acquisition hierarchy noted below shall be followed when selecting vehicles:
   1. Battery Electric Vehicle (BEV)/Fuel Cell Electric Vehicle (FCEV).
   2. Plug in Hybrid Vehicle (PHEV).
   3. Hybrid Electric Vehicle (HEV), Alternative Fuel Vehicle (AFV), or other innovative technologies as determined and approved by OVM.
   4. Internal Combustion Engine Vehicle (ICE) that is the most efficient in its class.

b) Other Considerations:

When selecting a vehicle to fulfill the intended primary use/function, agencies shall prioritize the following:

1. Acquisition hierarchy is followed.
2. Vehicles are sized appropriately.
3. Vehicles are the most fuel-efficient models that serve the vehicle's primary use/function.
4. Fleet optimization evaluation is conducted to combine vehicle functions and reduce fleet size.

Agency Request for a Vehicle Acquisition

OVM will approve vehicle purchase requests for Agencies that can effectively demonstrate, in writing, to the satisfaction of the OVM Director of Fleet Policy and Administration ("OVM Director") or designees, that each of the following conditions has been met:

- Agency provides a justification outlining obligations which can only be met with the use of a vehicle.
- The primary purpose that the vehicle will be used for cannot be accomplished cost effectively with the use of a short-term rental vehicle or employee personal vehicle, with applicable reimbursement.
- Estimated annual usage meets or exceeds currently posted utilization standards, excluding Domicile and Overnight Travel, or for usage of less than posted utilization standards, with a demonstration of hardship.
- Agency has sufficient funds to cover the established acquisition cost, and operating expenses, for each vehicle.

Agencies must submit an official request to the OVM Director, the Deputy Fleet Administrator, and/or Lease Administrator, including the following information:

a) A written statement which justifies need, including but not limited to:
   - How the vehicle will be utilized (primary business function being met), including whether and how often the vehicle will be responding to emergencies
   - Information demonstrating the financial advantage to the Agency through the use of the vehicle and/or operational hardship which would occur without the vehicle
   - Approximate annual mileage
   - Identification of assigned office and primary garage location
   - How frequently the vehicle will be driven
   - A commitment to meeting minimum annual utilization standards (unless a waiver has been granted by OVM).
b) Name of employee(s) that will be using the vehicle if applicable.
c) Any special or additional equipment the Agency requires for the vehicle with a justification for the additional equipment.
d) Identification of the current vehicle that will be retired upon receipt of the new vehicle:
   - Agency may only identify currently active vehicles as turn-ins. Any non-active vehicle used as a turn-in will be reviewed by OVM on a case-by-case basis
   - It is not an acceptable practice to retain an inoperable or unsafe vehicle, which will not be repaired, for use as a future turn-in. Agencies found holding unused or non-operational vehicles may have assets removed from their fleet.
e) The appropriation to be used to cover the costs of acquiring the vehicle.

f) Certification from the Agency's financial signatory authority ("Agency CFO") that the Agency has sufficient funds to cover the cost of acquiring the vehicle.

g) Name, title, and electronic signature of the Agency Fleet Manager.

The OVM Director, operating under the direction of the Assistant Secretary for Operational Services, has the sole authority to approve or deny a vehicle purchase request.

OVM Lease Program -Additional Criteria

If an Agency has insufficient funds to directly procure vehicles, or wishes to direct those funds elsewhere, OVM has the ability to procure State Vehicles on behalf of other Agencies. This financing option is available only with the approval of the OVM Director, or the designated lease administrator, and when each of the conditions within Section III.A.2 are met, with the exception of replacing e) and f) above with the below:

e) Funding is available and written confirmation of lease payment commitment is received from the Agency CFO.
    a. In this case, the appropriation to be used to cover the costs of repayment shall be provided with the request.

f) The Agency agrees to and executes OVM's Master Vehicle Lease and Assignment Agreement that will govern the terms of State Vehicle assignment and must be signed by the Agency CFO.

The OVM Lease Administrator will work with each Agency to determine the total number of vehicles that will be acquired for use by that specific Agency.

For each new vehicle(s) placed into service with the Agency, the OVM Lease Administrator will calculate the Total Cost of Ownership. The components associated with the Total Cost of Ownership model include, but are not limited to the following criteria:

- Vehicle financing costs and purchase pricing through statewide contracts
- Coordination of maintenance, repair (including tires) and accident subrogation services, and provision of vehicle packets (Statewide Contracts for Maintenance Management, Tires & Accident Subrogation Services)
- Costs of preventive maintenance and repair for the lease term

Once the calculation is complete, the OVM Lease Administrator will prepare a Lease Schedule that will outline the required lease payments.

Availability and Assignment

If a request for vehicle acquisition is approved, OVM will determine whether a vehicle meeting the approved specifications is available in the existing fleet. If so, OVM will assign the Agency that vehicle. If not, OVM will either approve the request to purchase, or if financing was requested and funding is available, procure an appropriate vehicle for lease and assignment to the Agency.

OVM shall notify each Agency Fleet Manager of the estimated delivery date of their specific vehicle(s) and will work to establish the logistics for the pick-up of new vehicle(s) and the return of any currently assigned vehicle(s) that will be replaced. Agencies are responsible for providing OVM with one complete set of original keys from the manufacturer which will be retained at the time of delivery. Agencies wishing to order an additional set of keys must do so as part of their initial request.

OVM has the authority to stipulate the length of service for each leased and department-owned vehicle assignment. During the service term, the Agency is required to submit reports

to OVM (see Section V.B). OVM will monitor Agency activity to ensure that all requirements are met.

Exemptions

a) EV First Exemption:
The EV First exemption process applies to any agency subject to the EV First Acquisition Policy (EV Policy) that wishes to receive an exemption from the EV Policy for one or more vehicle acquisitions. Exemptions are provided under limited situations, predominant reasons outlined below, and at the sole determination of OVM. Acquisitions of non-EVs will be evaluated on a case-by-case basis.
Acceptable exemption example reasons are as follows:

Criteria	Description
Emergency Response	The vehicle is primarily used to respond to emergencies and use of an EV would pose a unreasonable safety risk. Agencies must demonstrate the acquisition of an EV would obstruct said response.
Prohibitive Upfits	The vehicles primary job function requires upfits or modifications which cannot be accommodated in the EV options currently available on SWC.
Vehicle Range	Expected daily mileage, verified whenever possible through telematics data, exceeds the EPA estimated range of suitable EV options and adequate charging infrastructure is not currently in place to support mid-trip fast charging.
Vehicle Availability	No currently produced EV option on SWC which meets Agency needs.

Agencies requesting exemption shall complete the EV First Exemption Request Form, detailing the criteria and reasoning for requesting an exemption.

As a condition of exemption and to offset the carbon emissions of a newly acquired ICE vehicle, OVM reserves the right to require the agency to simultaneously purchase an EV for incorporation elsewhere in its fleet. Should additional procurement funds not be available, the agency may be required to surrender an additional ICE vehicle.

When OVM has deemed an EV acquisition is not feasible, OVM will select the most fuel-efficient option for the agency based on the justified need and primary use/function of the vehicle. OVM reserves the right to determine the fuel type of all assets within its purview.

B. Rules Governing Vehicle Alterations and Identification

i.Alterations and/or Modifications

Prior to vehicle acquisition, Agencies must identify any internal or external modifications or vehicle upfits (e.g., adaptive devices for persons with disabilities, two-way radios, emergency lights and sirens, etc.) that will be required, as part of the vehicle request process. In addition, this modification or vehicle upfit request must be approved in writing by an Agency Head. The application and use of any vehicle modification or upfit must follow RMV regulations and Commonwealth laws.

Based on the information provided, OVM will determine whether alterations may be obtained as part of the vehicle acquisition. **OVM must be notified, in writing, of any intended alterations to any vehicle after assignment to an Agency. This alteration and upfit must**

be requested in writing by the Agency Head and submitted to OVM for review. Only upon approval will OVM coordinate the purchase and installation of the approved modifications with the Agency Fleet Manager. Non-compliance may result in the immediate removal of vehicle(s) from the Agency's fleet.

Any State Vehicle, public safety or otherwise, that has approved lights and sirens, shall not use those lights or sirens in an inappropriate manner. Lights and sirens shall only be used in emergency response circumstances in accordance with applicable RMV regulations and Commonwealth laws. Non-compliance may result in immediate loss of state driving privileges, and potential termination of employment.

Vehicle Identification

All State Vehicles acquired, whether by an Agency or through OVM, shall be issued Official State registration and plates, except in limited circumstances. Agencies may request alternate registration and plate types, such as Conventional, Confidential or Official State Disability; however, the type of registration issued is determined by OVM, and/or the Registry of Motor Vehicles (RMV), based on the justification provided with the request. See sections 3 & 4 below.

Regardless of registration type, plates shall be clearly displayed on the front and rear of the vehicle, in accordance with the RMV guidelines.

Vehicles must be affixed with Decals and other markings as required by State law or OVM Policy.

All State Vehicles, except law enforcement, and undercover vehicles, must display the "HOW AM I DRIVING," 1-800 telephone number sticker on the left side of the rear bumper. All State Vehicles must also display POW/MIA decals in the lower right corner of the rear window, or the lower left of the rearmost passenger side window, if there is no rear glass.

Within 30 days of being placed into service, Agencies must affix an EZ-Pass transponder to all vehicles owned by the Commonwealth in order to operate on toll roads.

Confidential Registration

State Vehicles may be issued a confidential registration if such vehicles are in the possession of law enforcement personnel or have received a waiver through A&F and such registration is necessary either for undercover investigatory work or to protect the physical safety of law enforcement personnel using the vehicle. Such registrations will be issued on an individual basis for the sole use of the approved employee.

a) Each request for a confidential registration must be submitted on an official Confidential Registration Request Form at least thirty days before the proposed effective date of the registration. The Confidential Registration Request Form must be filled out in its entirety and signed by the Cabinet Secretary, Agency Head, and Agency Fleet Manager.
b) The request must be reviewed and approved by the OVM Director and A&F prior to submission to the RMV for final authorization. If a request is denied for any reason, OVM will return the application to the requesting Agency with the reason for denial. An Agency may resubmit a denied request for reconsideration if the re-submission responds to the issues raised in the denial.
c) The confidential registration will be valid for a two-year period from the date of the original registration. If the Agency wishes to renew the confidential registration, it must submit a new request to OVM at least thirty (30) days prior to the expiration date. If the

Agency does not renew the confidential registration, it must immediately return the plate to OVM, request a new registration, and attach a standard State plate to the State Vehicle.

Agencies must also request OVM authorization on the Confidential Registration Request thirty (30) days in advance to 1) change the identity of a Driver with a confidential registration; or 2) change the vehicle assigned a confidential registration.

Any Agency that is non-compliant with the confidential registration process will be subject to revocation of the confidential plate and may result in the immediate removal of vehicle(s) from the Agency's fleet.

Official State Disability Registration

State Vehicles may be issued an Official State Disability Registration (State disability plate) if such vehicles are in the possession of agencies within the Executive Office of Health and Human Services that substantially and regularly provide care and transportation to persons with disabilities. Such persons (clients) must qualify as a person with a disability by meeting one or more of the criteria defined in 540 CMR 17.03(2). The requesting agency must demonstrate to the satisfaction of OVM that the vehicle in question will be used to transport qualified clients and that such registration is necessary to protect the physical safety of those clients and the personnel using the vehicle. These registrations will be issued on an individual basis for the sole use of the approved vehicle.

a) Each request for a State disability plate must be submitted to the OVM Director on Agency letterhead at least thirty days before the proposed effective date of the registration. The request must detail the justification criteria to be considered for the request, including, but not limited to, the expected number of qualified clients to be transported by the vehicle, the length and frequency of instances where a State disability plate would be beneficial to these clients, and a description of said benefits. The letter must be signed by the Cabinet Secretary, Agency Head, and Agency Fleet Manager, and must be approved by the OVM Director.
b) Once submitted, OVM will review the request and facilitate A&F review. If a request is denied, OVM will respond to the requesting Agency with the reason for denial. An Agency may resubmit a denied request for reconsideration if the re-submission responds to the issues raised in the OVM denial.
c) Vehicles with State disability plates must be used for conducting state business only and not for personal use. Drivers of vehicles marked with State disability plates may only park such vehicles in a designated parking space when transporting qualified clients.
d) OVM reserves the right to review Driver Logs and other applicable utilization documentation from time to time to determine the appropriate use and continued applicability of a State disability plate. If an Agency is unable to provide sufficient documentation to substantiate continued use of such plate, it must immediately return the plate to OVM upon OVM's request. The Agency must then request a new registration and attach a standard State plate to the vehicle in question.

Any Agency that is non-compliant with the Official State Disability Registration process will be subject to revocation of the State disability plate and may result in the immediate removal of vehicle(s) from the Agency's fleet. The RMV may also execute measures in accordance with 540 CMR 17.05.

Installation of Telematics in State Vehicles

All assets deemed eligible for the telematics initiative shall be subject to installation of a telematics device at the time of acquisition or as an after-market installation while the vehicle is in service with the Commonwealth. New assets delivered by the dealer to the OVM holding lot shall have a device installed prior to the agency taking possession. In limited circumstances, with prior OVM authorization, a vehicle(s) may be delivered by a dealer directly to an agency location. In these cases, it is the responsibility of the agency to notify the Office of Vehicle Management of any eligible assets delivered by a dealer directly to the agency. Failure to disclose the possession of any eligible asset or tamper with any installed device may result in the immediate removal of asset(s) from the Agency's fleet.

Agencies are responsible for any costs associated with telematics devices, installation, maintenance and/or technician evaluation, and monthly monitoring services.

Data Capabilities:
Telematics program equipment and installation shall provide real-time data and detailed reporting, including, but not limited to:

- Trips taken
- Miles driven
- Miles per trip
- Location of the vehicle
- Acceleration & Deceleration events
- Idle time
- Odometer reading
- Engine fault codes

Agency Responsibilities:
OVM shall create program parameters and acceptable key performance indicators for all assets equipped with telematics. Current parameters will be published on the OVM home page on Mass.gov. Agency fleet managers should be prepared to collaborate with OVM to implement process improvements and best practices on a regular basis. Agency fleet manager responsibilities include but are not limited to the following:

- Disclose all eligible assets to the Office of Vehicle Management
- Review monthly reports and telematics information supplied by OVM to Agency fleet managers
- Enact changes with agency assets and personnel to achieve the compliance levels
- Meet with the Office of Vehicle Management as requested to review progress towards compliance
- Ensure all alerts are reviewed and addressed by agency fleet personnel as they are received. These include, but are not limited to:
    - Low battery alerts (see battery guidance for further information)
    - Non-reporting devices (all devices in vehicles should always be online, no exceptions)
    - Out of range devices (vehicles should be parked in a location where the device can communicate with cell towers)
    - Extreme speeding events
- Contact GPS Insight support if you feel a device is not reporting or operating correctly

C. Vehicle Replacement and Disposal

OVM will authorize vehicle replacement requests as is necessary, given funding is available, it is economically feasible to do so, and an Agency provides the applicable documentation.

OVM may remove from service any vehicles which are underutilized, no longer safe, properly maintained, or cost-effective to operate, regardless of original purchaser or the Agency's ability to fund a replacement. OVM may also remove from service any vehicle which has exceeded any of the replacement criteria thresholds, including but not limited to age, mileage, lifetime repair spend, or depreciation. If OVM removes a vehicle from service, an Agency may submit a vehicle replacement request as outlined in Section III.A.

Total loss of a vehicle due to an accident or mechanical repairs does not immediately justify the acquisition of a new vehicle. OVM will determine, at its discretion, whether the Agency may obtain a replacement vehicle. If the vehicle is currently under a Lease Agreement with OVM, any outstanding balance remaining, as identified by the Lease Schedule, will remain the responsibility of the Agency. The OVM Lease Administrator will generate a buyout amount for the outstanding balance and notify the Agency Chief Financial Officer. In addition, any recoverable funds resulting from the subrogation of an accident to a vehicle which the Agency does not repair shall be received by OVM. OVM reserves the right to disperse such funds in accordance with best value for the Commonwealth.

If OVM determines a vehicle should be removed from the fleet, it will dispose of the vehicle consistent with 802 CMR 3.00. OVM shall notify the Agency that the vehicle will be removed from service. The Agency shall promptly transport the vehicle to a location designated by OVM. Agencies may not remove upfits or modify vehicles prior to retirement without the written consent of the OVM Director. Vehicle disposal is managed by the State Surplus Property Office. Additional vehicle disposal guidelines can be located in the SSPO Policies & Procedures document found on Mass.gov.

STATEWIDE CONTRACTS FOR SHORT-TERM RENTALS

OSD has established Statewide Contracts for short-term rental of various light duty vehicles and/or equipment for use by all eligible entities. There are multiple categories of vehicles awarded on the contracts, including Sedans, Minivans, SUVs, Passenger and Cargo Vans, Pickup Trucks, specialty trucks or equipment, and alternative fuel options. State Drivers are required to reserve the most economical vehicle(s) available to meet their primary use function. Agencies using rental contracts must ensure that authorized Drivers adhere to all applicable requirements, as outlined in Sections V and VI of this document. To further the Commonwealth's effort to reduce carbon emissions and optimize fleet use, OVM reserves the ability to request information on an agency's short term rental trends. In addition, the following conditions apply:

Insurance Requirements: The Commonwealth is self-insured and maintains a Liability Management and Reduction Fund (M.G.L. 29 §2TT) to pay costs incurred by agencies as a result of tort claims under M.G.L. c. 258. Tort claims are claims for damages or loss of property, personal injury or death caused by the negligence, wrongful act or omission of a state or special employee (s) acting within the scope of their authority. The LMRF is funded through agency charge-backs (premiums). Per M.G.L. c. 258 § 8, agencies may also purchase liability insurance to cover tort damages. Agencies shall review contract user guides and consult with their legal counsel to ensure insurance requirements have been met.

Commonwealth Travel Approval Form (TAF): Approval is required for out of state travel by state employees. Signed TAF forms should be kept on file in your Agency. A blank TAF is available for use on www.mass.gov.

Overnight Travel Form: Must be used for all instances of overnight travel in a State Vehicle, as defined herein. A blank Overnight Travel Request Form is available on the OVM webpage.

Tickets/Citations/Other Charges: The Commonwealth assumes no responsibility for payment of any tickets received by a Driver or eligible entity and OVM also assumes no responsibility for payment of any ticket received by any State Agency. State Drivers are responsible for any additional charges imposed by the vendor in instances where the State Driver violates vendor's rental agreement.

Vehicle breakdown/accident reporting: The rental SWC vendors offers 24-hour roadside assistance service and the phone number for this service is displayed on every rental contract. OVM may monitor accident reporting to ensure that Agency use is consistent with OVM Policy.

Billing: Each Agency will be billed monthly and receive a monthly report showing all rental activity .

Non-compliance, abuse of the short-term rental contract, or violation of these processes may result in the loss of rental contract privileges.

Additional information concerning the specific requirements for use of these contracts may be obtained at www.commbuys.com.

AGENCY RESPONSIBILITIES ASSOCIATED WITH STATE VEHICLES

Establishment of the Agency Fleet Manager

Each Agency that is assigned one or more State Vehicles shall designate a single employee to be the Agency Fleet Manager. The Agency Fleet Manager (AFM) should possess a background in automotive, fleet, or relevant field and will be responsible for all vehicles assigned to the Agency. The AFM shall serve as the conduit between OVM and any regional fleet staff. Agency Fleet Managers shall have the authority to consistently apply OVM policy or directives throughout all regions of their fleet. No subsection, region, or bureau of an Agency shall be structured in a way where the AFM does not hold total oversight and decision-making authority over their fleet.

The Agency Fleet Manager is responsible for ensuring that all State Drivers are subject to appropriate corrective action for violation of OVM Policy. Non-compliance may result in the immediate removal of vehicle(s) from the Agency's fleet.

Agency Vehicles

Authorized Drivers

Agencies are responsible for ensuring that all proposed drivers of assigned vehicles are provided a copy of the current OVM Policy. Agencies must obtain employee driver's license information and motor vehicle record (MVR) history information for any employee who will operate a State Vehicle. Agencies are responsible for execution of the Driver Affirmation of Review and Compliance Form by each proposed driver.

Execution of OVM Master Vehicle Lease and Assignment Agreement

Agencies must execute OVM's Master Vehicle Lease and Assignment Agreement ("Lease Agreement") for each fiscal year they obtain vehicles through the OVM Lease Program. The Lease Agreement spells out the rights and responsibilities of OVM and the Agency, including processes, payment terms, and general terms and conditions.

Agencies are responsible for ensuring that all information required in the Lease Agreement is accurately submitted and that all necessary signatures are obtained. Failure to do so will

result in the delay of Agency's ability to request vehicles until such time as the Lease Agreement is properly executed.

Billing by OSD/OVM

All Agency Vehicles under OVM purview will be subject to an Annual OVM Administrative Fee. All Agency assets which have or will have a telematics device installed are subject to applicable fees, including but not limited to, monthly subscription cost and miscellaneous fees. At the beginning of each fiscal year, an Interdepartmental Encumbrance (IE) Form with the estimated costs during that year will be presented to each Agency expected to have vehicles/assets in service. Failure to encumber funds to meet payment obligations shall result in the loss of vehicles/assets not covered through the IE.

Invoices for OVM leased vehicles and their related charges are generated monthly in accordance with the Interdepartmental Billing Regulations, 815 CMR 6.00. Monthly Vehicle Lease and Assignment Agreement rates will be established for each newly-purchased and assigned vehicle that is subject to lease payments. Chargebacks for any items initially paid for by OSD/OVM which are not covered by the Lease Agreement will be added to the monthly billing and/or billed separately.

Required Documentation

The Agency Fleet Manager shall ensure that the following items are in each Agency vehicle, when in use:

a) Vehicle Service Packet & Maintenance Trifold
b) Fueling Card, Fob, or other relevant device
c) Vehicle Registration
d) Accident Report Form
e) Vehicle Driver Log

Agency Fleet Managers may keep the above items at the state facility when the vehicle is not in use. Agency Fleet Managers must have an established system to ensure the appropriate information is secure and available as required.

Agency Fleet Emissions Review

To further the reduction of carbon emissions, agencies are required to review vehicles that exceed the idling thresholds set forth by OVM and prioritize their replacements with suitable EV options. OVM may remove any vehicle from the fleet exceeding this threshold, regardless of the agency's ability to fund a replacement.

Parking Tickets

The payment of parking tickets is the responsibility of the State Driver and under no circumstances will they be the responsibility of OVM. State Drivers are responsible for promptly paying any ticket incurred while operating a State Vehicle and providing proof of payment to their Agency Fleet Manager and OVM. Failure to promptly pay parking tickets and provide proof of payment may result in the loss of the privilege to operate a State Vehicle and may result in the loss of vehicle privileges for an Agency including the leasing, purchasing and redeployment of vehicles.

Agencies that fail to ensure the prompt payment of parking tickets, shall be subject to a processing fee that will be reflected on the monthly intergovernmental encumbrance for each notice of a parking violation, i.e., unpaid parking tickets, transmitted to OVM by a city, town, or other governmental entity issuing parking tickets for parking violations. With respect to

each notice of a parking violation received by OVM and forwarded to an Agency, an OVM processing fee may be imposed in the following amounts: second notice of a parking violation - $25; third notice of a parking violation for the same incident - $50; Fourth and final notification may result in a $100 processing fee and the immediate removal of vehicle(s) from the Agency's fleet.

Reporting & Other Requirements

Driver Log, Monthly Mileage Reporting and Required Vehicle Documentation

Each Agency that is assigned a State Vehicle must require State Drivers to record the vehicle use in the OVM-issued Driver Log Form for that vehicle. The Driver Log Form shall be kept in the vehicle at all times and must include the following for each trip:

a) Start date and time
b) End date and time
g) Business purpose for trip
i) Vehicle condition
j) Whether fuel was purchased
k) Driver name.

At the end of each month, the Agency Fleet Manager must collect the Driver Logs from the vehicles in the Agency's possession and maintain official, permanent files of these logs for the duration of time dictated by records retention polices. Non-compliance may result in the immediate removal of vehicle(s) from the Agency's fleet.

All Agencies with State Vehicles are required to report the ending odometer reading of each vehicle, not equipped with a telematics device, at the end of each month to OVM by the tenth working day of the following month. Failure to report monthly vehicle mileage may result in remedial action, as determined by the OVM Director, which may include, but not limited to, the removal of vehicle(s) from the Agency's fleet.

The Driver Logs must be provided to OVM within 5 business days upon request.

All State Vehicles must carry :

a) an appropriate authorization form for Overnight Travel (if applicable).
b) a current, valid registration.

Any State Vehicle found operating without the proper documents, as specified in OVM Policy, may be subject to remedial measures, at the discretion of the OVM Director, which may include, but not be limited to, the immediate removal of vehicle(s) from the Agency's fleet. OVM may periodically check State Vehicles to determine whether the proper documents are maintained in each vehicle.

Motor Vehicle Violations by State Drivers

The Agency Fleet Manager is responsible for providing prompt written notification to OVM of each motor vehicle violation by Agency State Drivers while operating a State Vehicle and the corrective action that is planned, or that has been taken, in accordance with Section VII of the OVM Policy. Non-compliance may result in the immediate removal of vehicle(s) from the Agency's fleet.

Vehicle Reassignment Requests

Requests for reassignment of vehicles inter-Agency or between Agencies must be submitted to the OVM Director in writing. The form can be found on the Forms page of the OVM webpage. Reassignment may not occur without the prior written authorization of OVM after a review of the Agency submitted request.

Change of Vehicle Status within an Agency

The Agency Fleet Manager is responsible for providing prompt written notification to the OVM Director of any change in vehicle status within its fleet. Changes in status include but are not limited to inoperability or use falling below minimum utilization requirements.

Fueling/Charging Vehicles

Fuel for vehicles shall be purchased only from Statewide Contracts established by OSD. Agencies shall be enrolled in the Fuel Card contract and will be issued a Universal Fuel Card for each enrolled vehicle. The Fuel Card is authorized for the purchase of **fuel only**. Certain "pay-at-the-pump" services may also be available, such as Car Washes; however, purchase of incidental items is strictly prohibited.

Under no circumstances should a State Vehicle be fueled with super and/or premium gasoline. Violation of this policy may result in remedial action, as determined by the OVM Director.

Fuel purchases and the reporting of vehicle odometer readings under the Fuel Card program will be monitored by OVM and sent to the Agency Fleet Manager. Agency Fleet Managers are responsible for approving fuel card users and providing OVM with their 6-digit Employee ID number which will be their unique Driver PIN for fuel purchases. Drivers must enter the actual vehicle odometer reading at each fuel purchase. Non-compliance may result in the immediate removal of vehicle(s) from the Agency's fleet.

Agencies may use private site state owned fueling locations provided their fuel card can access those fueling pump locations. Other private site fueling locations that do not use the fuel card, should report fuel purchases quarterly to the Deputy Fleet Administrator, by the tenth business day of the following quarter. Failure to report nonfuel card fuel purchases quarterly from private site fueling locations may result in remedial action, as determined by the OVM Director.

Additional information concerning the specific requirements for use of this contract may be obtained at www.commbuys.com. Questions regarding the program can be addressed to OVM.

Charging for electric vehicles shall be obtained using the most fiscally responsible method. OVM recommends Agencies install Electric Vehicle Supply Equipment ("EVSE" or "Chargers") at their facility locations for direct use by their fleet. Absent on-site Chargers, State Drivers shall utilize online resources to locate Chargers available for use along or near their expected route and plan their driving time accordingly. If an EVSE or Charge Card/Fob Statewide Contract exists, Agencies and Drivers shall utilize these contracts.

Vehicle Preventive Maintenance and Repairs

Maintenance and repair services shall only be purchased from Statewide Contracts established by OSD ("SWC") and authorized by OVM. Agencies are required to ensure that

vehicles are repaired and maintained in accordance with OVM's maintenance and repair requirements. Absent a specific OVM requirement, the preventive maintenance and repair requirements of the vehicle Owner Manual shall apply. Additional information concerning the specific requirements for use of this contract may be obtained at via COMMBUYS. Questions regarding the program should be directed to OVM.

Failure to properly maintain a vehicle may result in the loss of the vehicle by the Agency. Preventive maintenance must be performed in accordance with the OVM-established schedule. Vehicle repairs in excess of established thresholds will require review and approval by OVM, in collaboration with the Agency Fleet Manager.

Repairs required due to negligence or abuse are the responsibility of the Agency. Repetitive negligence or abuse may result in the loss of vehicle(s) by the Agency and/or the loss of driving privileges by the State Driver.

Accident Reporting

State Driver responsibilities in the event of an accident are detailed in Section VI.G below. The following additional steps must be overseen by the Agency Fleet Manager:

All accidents, incidents, or damage involving State Vehicles MUST be reported within 24 hours to the Accident Repair & Subrogation statewide contract vendor. The Statewide Contract Vendor will notify OVM of any accidents via a First Notice of Loss (FNOL). All State Vehicles involved in an accident MUST be inspected and have an estimate of repair costs prepared by an Auto Body Shop authorized for use by the Statewide Contract Vendor within thirty (30) days of the accident. Vehicles that do not receive estimates within the required timeframe may be subject to removal from that Agency's fleet.

Accident repair estimates will be vetted through the Statewide Contract vendor and then require review and approval by OVM, in collaboration with the Agency Fleet Manager.

Once repairs are approved, the Statewide Contract Vendor will work together with the Agency Fleet Manager and Auto Body Shop to schedule the repair and return of the vehicle.

Statewide Contract Vendor reviews all accidents to determine if the State Driver is responsible for the accident for purposes of cost responsibility and provides its findings to OVM for further review and applicable action.

Repair costs will be billed directly to the Agency by the Statewide Contract Vendor. The operating Agency shall pay for the cost of repairs or replacement of the vehicle and any costs arising from actions filed against the Commonwealth by any party.

If applicable, the Statewide Contract Vendor will attempt to subrogate all claims against other drivers and/or their insurance companies and collect all funds on behalf of the Commonwealth. Agency personnel are required to cooperate with Statewide Contract Vendor investigations.

Information related to partial liability determination of an accident claim will be sent to the specific Agency for their review and approval.

Any accident claims that are brought against the Commonwealth due to an at-fault accident must be reviewed and addressed by the specific Agency in accordance with current regulations, as determined by the Attorney General's Office.

Additional information concerning the specific requirements for use of this contract may be obtained at www.commbuys.com. Questions regarding the program can be addressed to OVM.

Stolen Vehicles

Stolen vehicles must be reported immediately to the police department having jurisdiction over the location where the theft occurred. The State Driver or Agency Fleet Manager reporting the theft shall identify the OVM Director as the person to be contacted by police with any information concerning the vehicle.

When a vehicle is discovered missing the State Driver must immediately notify their Agency Fleet Manager who then must notify the OVM Director.

If the State Driver or Agency is notified that the vehicle has been recovered, the OVM Director must be notified immediately.

If the vehicle is recovered in damaged condition, the OVM Director will determine whether to repair the vehicle or remove it from service. The financial responsibility for the vehicle remains with the agency, whether outstanding lease payments or repair costs.

Overnight Travel Authorization

State Drivers may be permitted to drive a State Vehicle (assigned or short-term rental) to their home or other location as required by the business need, on a given day only if the State Driver is conducting official state business outside Normal Business Hours or as defined in Section V.C.10

If a State Vehicle that has been assigned to an Agency will be used for Overnight Travel where it will be housed away from a State facility, the State Driver must complete and submit an Overnight Travel Form to their Agency, then to OVM, as approval is required to use a vehicle for Overnight Travel. All Overnight Travel Forms must be signed by the Driver, the Agency Fleet Manager, the Agency Head or Agency Official with signatory authority, and approved by OVM via email. A copy must be kept with the State Vehicle during the relevant time period.

When a State Driver is found using a State Vehicle outside of Normal Business Hours without the proper authorization as specified in this section the Agency will impose remedial measures, pursuant to Section VII of the OVM Policy.

Domicile Vehicle Guidelines

In limited situations, an employee may be authorized to take a State Vehicle home at the end of business hours while on regular business. Under most circumstances, employees will complete an Office of Vehicle Management Overnight Travel request form approved by the Agency Head, negating the need for a domicile assignment.

In order to be eligible for domicile assignments, the employee must demonstrate a need for the immediate and/or continued availability of a State Vehicle. Employees that may meet the required criteria may include those serving as first line responders to emergencies or those that cannot regularly report to a designated State office.

Employees with domicile assignments must use State Vehicles for conducting state business only and not for personal use.

Approved Domicile Vehicles should be parked at the state driver's confirmed residence. Agencies are responsible for providing updated vehicle garaging locations. Any changes must

be immediately provided to OVM. Domicile Vehicles are required to be parked at the approved garaging location when the vehicle is not being used for work related trips.

The issuance of a domiciled State Vehicle shall never be a component of an employee's compensation package and compensation is not, under any circumstance, an acceptable reason for domicile assignments.

Full Domicile Vehicle Guidelines, including eligibility requirements, approval processes, and fringe benefit reporting, are available on the OVM webpage and included as Appendix B.

IRS Reporting

Annually, OVM issues guidance and forms pertaining to the tax reporting of employee use of State provided vehicles, which is considered a fringe benefit for tax reporting purposes. The guidance and forms are available on www.mass.gov. The OVM Form titled "Fringe Benefit for Tax Reporting for Tax Year…" includes a guidance document and the employee and departmental certification forms referenced.

Driver Training

Agency Fleet Managers are responsible for providing all drivers with applicable training as related to the performance of their duties. Such training is necessary to ensure that the State Driver is qualified to operate an assigned State Vehicle. This includes vehicle or equipment specific training as well as Safe Driver Training. Upon request, Agency Fleet Managers must provide documentation to OVM that training has been completed.

An Agency Fleet Manager must annually review the Fleet Manager Training Document and ensure that Agency Drivers annually review the Driver Training document posted to www.mass.gov to familiarize themselves with OVM policies, procedures, and processes. Agency Fleet Managers and State Drivers also must participate in any additional training as issued and deemed required by OVM.

Non-compliance may result in the loss of vehicle(s) by the Agency and/or the loss of driving privileges by the State Driver.

State Driver Oversight

Review of Driver Eligibility for Use of State Vehicles

Prior to authorizing any employee to drive a State Vehicle or short-term rental vehicle, the Agency Fleet Manager is responsible for ensuring that each of the following conditions have been met:

Individual is at least 18 years of age and has a minimum of one year's driving experience.

Individual has a current and valid Motor Vehicle License that authorizes the individual to operate a passenger or light duty vehicle.

Individual's Driving Record shall be reviewed by the Agency Fleet Manager to ensure the Driver is in compliance with Safe Driver requirements contained in Section VII of this document.

d) Individual has never had their privilege to operate a State Vehicle terminated.
e) OVM reserves the right to review the driving history of any authorized Driver of State Vehicles and make recommendations regarding Driver eligibility based on reviewed driving history.

Agency Fleet Managers shall also conduct an annual Motor Vehicle Record (MVR) review to ensure all authorized State Drivers possess a current, valid driver's license; and maintain a

driving record that does not violate Safe Driver requirements contained in Section VII of this document.

If a State employee has been involved in any incidents of operating a State Vehicle under the influence of alcohol or any illegal substance, it shall immediately suspend that person's privilege to use a State Vehicle and forward the information to the OVM Director. Non-compliance may result in the immediate removal of vehicle(s) from the Agency's fleet.

OVM Approval of Other State Drivers:

If an Agency seeks to have individuals other than full time permanent employees (e.g., consultants, contract employees, or summer interns) operate a State Vehicle, the Agency's Fleet Manager must receive prior written approval from OVM. Such requests should be directed to the OVM Director and must include the individual's full name, Massachusetts driver's license number, and the reason for the individual's use of a State Vehicle.

OVM retains the authority to review each individual's driving history through the RMV or other appropriate entity. Individuals' driving records may initially be reviewed up to the previous 6-year period based on the RMV's listing of surchargeable events. Approvals/denials to drive State Vehicles may be issued by the OVM Director based on these records. However, OVM reserves the right to consider an individual's complete driving history record.

For individuals holding non-Massachusetts driver's licenses, the individual will be responsible for obtaining and providing a copy of their own driving history for the previous 6-year period from the state(s) in which their license was issued and presenting the history to the Agency Fleet Manager, who will then forward the information to OVM.

Agency Fleet Managers shall provide a copy of the OVM Policy to each authorized State Driver and obtain a signature from the individual indicating that they have read and agree to the policies governing use of a State Vehicle on the Authorized Driver Affirmation of Review and Compliance Form provided by OVM.

Audit

OVM may periodically conduct reviews of Agencies in order to confirm compliance with all sections of OVM Policy. Reviews may be scheduled in advance with proper notification to the Agency or randomly as determined by OVM. Agencies are required to provide access to all vehicle records requested by OVM. Review findings are provided to Agencies once completed. Agencies must comply with any requests for follow-up within the time noted on the report. Non-compliance may result in the immediate removal of vehicle(s) from the Agency's fleet.

Corrective Action

The failure of any Agency to adhere to the OVM Policy may result in remedial measures to the Agency, at the discretion of the OVM Director. Non-compliance may result in, but is not limited to, the immediate removal of vehicle(s) from the Agency's fleet.

DRIVER RESPONSIBILITIES

Drivers operating State Vehicles must comply with the provisions contained in this Section at all times. Failure to do so shall result in remedial measures, as identified in Section VII: Corrective Action Plans, below.

Authorized Terms of Vehicle Use

Drivers authorized to operate State Vehicles must be at least 18 years of age, possess a valid driver's license, have an acceptable driving record with a minimum of one year driving experience, and execute the authorized Driver Affirmation of Review and Compliance Form provided by OVM which acknowledges that the individual has reviewed and will be bound by OVM Policy. State Vehicles shall only be used to conduct official state business. At no time may a State-owned or rented vehicle be used for personal reasons. State Drivers may not at any time carry any passenger not associated with the state business for which the vehicle is being used.

The use of a State Vehicle to commute between the Driver's worksite and personal residence will only be allowed in situations outlined in the sections on Overnight Travel and Domicile Travel, of the OVM Policy. Non-compliance may result in the revocation of driving privileges and/or the immediate removal of vehicle(s) from the Agency's fleet.

Compliance with State and Local Motor Vehicle Laws and Regulations

State Drivers must obey all traffic laws, parking laws, and regulations when driving a State Vehicle.

Any State Driver arrested for operating a vehicle under the influence of alcohol, prescription medication, or any other substance that impairs driving, will lose all privileges to operate a State Vehicle pending the outcome of the charges. If a State Driver is convicted, pleads guilty, or pleads to sufficient facts, they will permanently lose their privilege to drive a State Vehicle.

All violations, citations, or tickets, including but not limited to parking, moving, and traffic are the responsibility of the State Driver they are imposed upon. OVM is not responsible for and will not reimburse the payment of any violation incurred by State Drivers while operating State Vehicles or non-State Vehicles for State business. These monetary penalties are the personal responsibility of the State Driver. Payment or reimbursement is not to be made by an Agency.

State Drivers are responsible for promptly resolving the matter by paying any fines or penalties, or by obtaining an alternate resolution through the appeal or dispute process that may be available. State Drivers must provide proof of resolution to their Agency Fleet Manager. Failure to promptly provide proof of resolution may result in the loss of the privilege to operate a State Vehicle and may result in the loss of vehicle privileges for a department including the leasing, purchasing, and redeployment of vehicles.

State Drivers found guilty of violations are subject to the Corrective Action provisions contained in Section VII of this document.

It is the responsibility of the State Driver to report any of the above situations to the Agency Fleet Manager. Failure to report such incidents may result in the loss of the privilege to drive a State Vehicle for a period of time as determined by the OVM Director.

Seat Belts

Pursuant to State Law, all State Drivers and passengers must use seat belts or appropriate safety restraints.

Hands-Free Driving

Massachusetts law prohibits operators of motor vehicles from using any electronic device, including mobile telephones, unless the device is used in hands-free mode. Use of an electronic device while operating a motor vehicle is strictly prohibited.

Vehicle Fueling

Drivers are required to use an Agency authorized fuel card for vehicle refueling.

Under no circumstances is a Driver to fuel a State Vehicle with anything other than 87 Octane gasoline. State Drivers purchasing premium gasoline may be subject to remedial measures. All State Drivers should report accurate odometer readings when prompted by the fuel card transaction process.

State Vehicle Use for Out-Of-State Travel

Same-Day Out-of-State Business Travel into states bordering Massachusetts in a State Vehicle is permitted with approval from the Fleet Manager, providing all other Agency-specific out-of-state travel requirements have been met. This includes any requirements from the Secretariat, including, but not limited to, a TAF (Travel Authorization Form).

Overnight Out-of-State Business Travel in a State Vehicle is permitted provided there is an approved OVM Overnight Travel Form on file at the Agency and with the OVM Director one business day prior to the vehicle leaving the State. A copy of the approved Overnight Travel Form shall be kept in the vehicle during the travel period. In addition, all other Agency-specific out-of-state travel requirements must be met. This includes any requirements from the Secretariat, including, but not limited to, a TAF (Travel Authorization Form).

State Driver Responsibilities in the Event of an Accident

At the Scene of an Accident Involving a State Vehicle

Unless incapacitated due to injury, State Drivers shall:

- Call 911 to:

o Request emergency assistance if they or another party are injured or the accident involves a fire
o Notify the police (if this is not immediately possible, Driver must notify the police as soon as they are able)

- Obtain all information necessary to fully complete an accident report with the Statewide Contract Vendor for Accident Management & Subrogation Services
- Give identifying information ONLY to the other party(s) involved and the police, but make no comments about assuming responsibility, fault, or blame
- If able, take pictures of the accident location, any vehicle damage (all vehicles involved), or property damage
- Request a tow, if necessary, through the Statewide Contract Vendor, unless law enforcement has arranged one to ensure local safety

After the Accident

The State Driver MUST call the Statewide Contract Vendor for Accident Management & Subrogation Services within 24 hours of the accident unless the Driver is seriously injured.

- Report details to Statewide Contract Vendor <u>within 24 hours</u>, no matter how minor they may be
  - Driver must provide their 6-digit Employee ID Number (EID) when reporting the accident.
  - Statewide Contract Vendor will complete an electronic Loss Notice based on the call details
  - Statewide Contract Vendor will email a copy of the Loss Notice to OVM and the Agency Fleet Manager
    - NOTE: Driver is responsible for obtaining <u>all</u> information needed to fully complete the Loss Notice. In most cases, completion of the Accident Information Form

located in the Fleet Response Packet will ensure that required information is captured.
    - Statewide Contract Vendor will provide assistance and next steps.
    - Statewide Contract Vendor will coordinate towing, if necessary and allowable by local law enforcement
        - If tow coordinated by law enforcement, Driver must provide details to Statewide Contract Vendor for follow-up
- All accidents must be reported to the local police and a police report must be filed (no matter how minor)
    - A copy of the Police Report must be provided to the Statewide Contract Vendor once available
- Report the accident to supervisor/manager within 48 hours
  If Driver is incapacitated due to injury, supervisor or manager must report the accident to Statewide Contract Vendor and Law Enforcement

Injury to Driver or Other State Employee:

- If Driver or any other State employee is injured, report details to their supervisor/manager, the operating Agency's Fleet Manager, and OVM.
  Reporting to OVM is for informational purposes only. OVM is not responsible for relaying this information to other entities.

Accident in a Rental:

If an accident occurs while in a rental vehicle that a State Driver is utilizing during state business:

- Report accident to the police, rental agency, supervisor/manager, AFM and OVM

o Rental agency will coordinate tow and/or repairs, as needed

- If able, take pictures of the accident location, any vehicle damage (all vehicles involved) or property damage

Repairing a State Vehicle:

- Vehicle MUST have photos taken and an estimate of repair costs prepared by a Statewide Contract Vendor Network Auto Body Shop within thirty (30) days of the accident
    - If not completed within the required timeframe, vehicle may be subject to removal from that Agency's fleet
- If repairs are approved by the AFM and OVM, Statewide Contract Vendor should be notified, and repairs should be scheduled within thirty (30) days of repair approval
- When the Driver picks up the vehicle, they must verify all work
    - If the work is not complete, or is unsatisfactory, Driver should call Statewide Contract Vendor for assistance in ensuring the work is completed satisfactorily

Agency is responsible for providing all vehicle decals/signage to the repair shop, if necessary

Cosmetic Damage:

Drivers must take care to limit cosmetic damages to State Vehicles. These would include small dings/dents and scratches. OVM recognizes this type of damage may happen, however, cosmetic damage exceeding $250 must be reported to the Statewide Contract Vendor as outlined above.

Stolen Vehicle:

- Immediately report stolen vehicles to local law enforcement

- Identify the OVM Director as the contact for follow-up regarding retrieval of the vehicle
- Immediately upon discovering a vehicle is missing, notify the Agency Fleet Manager, Department Head, and the OVM Director
- If vehicle is recovered, police will notify the OVM Director, then OVM will notify the Agency Fleet Manager
  - If the Driver or Department is notified that the vehicle has been recovered, they must notify OVM immediately
- If vehicle is recovered in damaged condition, it should be repaired in accordance with OVM accident repair procedures

Rental for Accident Repairs:
If a State Vehicle is not available due to extensive accident damage, a short-term rental may be obtained through their Agency Fleet Manager using the Statewide Contract.

A rental vehicle used as a replacement for a State Vehicle that is in the shop is considered a State Vehicle for the purpose of policy compliance. For example, all personal commuting in a rental vehicle must be reported as fringe benefit income and the Driver is responsible for any tickets or violations incurred.

Additional information concerning the specific requirements for use of these contracts may be obtained at www.commbuys.com

Accidents Causing Greater than $1,000 Worth of Property Damage and/or Injury or Death to a Person

Per RMV regulations, the State Driver must send a copy of the Motor Vehicle Crash Operator Report form to the RMV and the police department with jurisdiction where the accident occurred. The State Driver should provide a copy of this form to the Agency Fleet Manager and OVM.

Personal Items

The Commonwealth of Massachusetts is not responsible at any time for any personal items lost, damaged, or stolen while in a State Vehicle. Personal losses may be covered by the Driver's personal insurance policy.

Misuse of State Vehicles

OVM has the authority to permanently revoke or suspend State Vehicle driving privileges of any State Driver, or rescind any Agency's State Vehicle use privilege of one or more vehicles within the State Fleet for violation of any of the provisions contained in this document.

Safe Driver Program

1-800 How am I Driving" (1-800-671-8900)

State Drivers who operate State Vehicles are expected to be courteous and considerate drivers. These Drivers are expected to obey the rules of the road and act in a responsible manner. To facilitate constituent participation, the "1-800 How am I Driving" hotline has been established to provide an outlet whereby constituents can call in and lodge complaints or compliments regarding a State Driver.

If a credible call is received, the caller's explanation of the incident is documented. A notification is generated by OVM and sent to the Agency for response. The Agency must identify the Driver of the vehicle as documented in the Agency's Driver Log. A written

response must be returned to OVM documenting the State Driver's name, license number, Employee ID, and detail the State Driver's recollection of the incident. Agency responses will be tracked in the "1-800 How am I Driving" database.

All State Vehicles, except law enforcement and undercover vehicles (i.e. confidential or conventional plates) must display the "HOW AM I DRIVING," 1-800 telephone number on the left rear of the bumper. This sticker encourages constituents to dial the 1-800 number to comment on the driving of any State Driver, both positively and negatively. OVM is responsible for overseeing the Commonwealth's fleet of vehicles and will monitor State Drivers on the road through this program. It also instills the public's trust in our ability to adhere to Safe Driver rules and obey all traffic laws, including speed limits. OVM will monitor this program in the following manner:

a) OVM monitors all calls to the 1-800 number,
b) OVM will keep a log sheet of all credible calls which will identify the following:
    i. Date of call
    ii. Time of call
    iii. State Vehicle plate number being reported
    iv. Location of incident
    v. Time of incident
    vi. Nature of call
    vii. Name and telephone number of the caller (this is not required if all the above details are provided)
    viii. Indicate if caller wants a response back.
c) OVM will contact each caller who leaves a message to confirm the details of the calls.
d) OVM will issue a notification to the Agency Fleet Manager asking for a written response in the event of a complaint.

In the event of a complaint, the following will occur:

1) The Agency Fleet Manager will have ten (10) business days to investigate, identify the Driver, and respond to OVM with the Driver's recollection of the event and potential corrective action plans.
2) Using Employee ID, OVM will determine if any other complaints were logged against the Driver in a one-year period from the initial complaint.
3) Once a Driver has received two or more complaints in a twelve (12) month period, OVM will assess points to the individual's safe driving record, as described in Section VII.

Unacceptable Driving Habits

State Drivers shall refrain from any behavior that violates the Motor Vehicle Laws of Massachusetts, including distracted driving, as well as any discourteous or rude conduct while operating a State Vehicle. Unacceptable actions include, but are not limited to:

a) Aggressive Operation
b) Distracted Operation
c) Erratic Operation
d) Inconsiderate Operation
e) Reckless Operation
f) Speeding
g) Failure to Signal
h) Failure To Stop/Yield

i) Inappropriate Language/Gestures
j) Littering
k) Marked Lane Violations
l) Parking Complaints

No Smoking in State Vehicles

Smoking of any substance, or use of any tobacco product, including the use of smoking-simulating devices, is prohibited inside all State Vehicles.

Domicile Travel

Authorization to use a State Vehicle for domicile travel must comply with the provisions of Section V.C.10 of the OVM Policy. Employees with domicile assignments must certify in writing, annually, that they understand the domicile policies and will adhere to them. Individuals assigned State Vehicles for domicile purposes are responsible for ensuring that all information provided is accurate and that the State Vehicle use conforms to all applicable requirements and state driving laws.

Overnight Travel

Prior authorization is required for overnight travel using State Vehicles and must comply with Section V.C.9, above.

Overnight Garaging of a State Vehicle

No Executive Branch employee shall use a State Vehicle, outside of normal business hours, for the purpose of commuting from State offices to their home address unless they have been approved through an Overnight Travel Request Form, or Domicile Use process. Additionally, no State Vehicle shall be parked outside normal business hours at a City, Town, Municipal, or Federal property without proper justification and authorization from OVM. Unless otherwise approved through overnight travel or the domicile use process, all State Vehicles must be parked at their designated Agency office location. Parking at other State locations may be allowed, however, agreements for non-Agency location parking must be coordinated between the applicable parties and approved by OVM. Any Executive Branch employee found to be in violation of OVM Policy shall be subject to immediate corrective action.

Self-Reporting of Surchargeable Violation

All authorized Drivers of State Vehicles are required to immediately report to their Agency Fleet Manager all surchargeable motor vehicle violations, as defined in Section VII of this document, and any violations of the Short-Term Rental Statewide Contract. Failure to do so within 10 business days, shall result in a 30-day suspension of the individual's authorization to drive State Vehicles and may result in the immediate removal of vehicle(s) from an Agency's fleet.

CORRECTIVE ACTION PLANS

Agency

Agencies shall conduct an annual Motor Vehicle Record (MVR) review to ensure all authorized State Drivers possess a current, valid driver's license; and maintain a driving record that does not violate Safe Driver requirements contained in this section. The OVM Director may require corrective actions to be taken by an Agency or an Agency Fleet Manager for failure to enforce this corrective action policy.

State Driver

To ensure the safe and responsible operation of State Vehicles and to reduce the occurrence of accidents, OVM shall require corrective action plans for State Drivers who fail to comply with the Safe Driver program or engage in unsafe driving practices. The required corrective action shall be determined, in consultation with the Agency Fleet Manager, and shall be based on the aggregation of Unsafe Driver Points assigned to policy violations, unsafe driving practices, and motor vehicle violations as set forth below.

Unsafe Driver Points

Unsafe Driver Points are assigned when violations of the Safe Driver program or traffic law violations, as defined by the Massachusetts Registry of Motor Vehicles and set forth in 211 CMR 13 134.00: Appendix A, and at-fault accidents as established by 211 C.M.R. 74.00 in accordance with Chapter 175, section 113P of the Massachusetts General Laws.

a) **Minor traffic law violations and constituent complaints** include civil violations.

Violation	Unsafe Driver Points
Each Minor Traffic Law Violation (i.e., speeding or failing to obey traffic lights)	2
Second and subsequent "1-800 How am I Driving" complaints in a one-year period	2

b) **Major traffic law violations** include criminal violations.

Violation	Unsafe Driver Points
Each Major Traffic Law Violation (i.e., leaving the scene of an accident or refusing to stop for a police officer)	5
Operating under the influence	20

c) **At Fault Accidents** are those in which the State Driver is presumed to be more than 50% at fault under the Massachusetts Standards of Fault in 211 C.M.R. 74.00.

Accident Type	Unsafe Driver Points
Preventable Accident as reported through Fleet Response	3
At-Fault Accident as reported through MVR	4

Corrective Action Plans

a) **Recommended Corrective Action**

Recommended corrective actions apply to points accumulated within a six-year period. OVM recommends that any State Driver who accumulates five Unsafe Driver Points receive a formal verbal warning. Upon reaching seven Unsafe Driver Points, a formal written warning is recommended. Upon reaching nine Unsafe Driver Points, driver retraining is recommended.

Corrective action issued as a result of these recommendations shall be submitted to the OVM Deputy Fleet Administrator by the Agency Fleet Manager within 10 business days of the date on which the Agency has knowledge of the violation.

b) **Mandatory Corrective Actions**

Mandatory corrective actions apply to a three-year period commencing from the most recent violation or at fault accident and the total review period shall not exceed four years. Any State Driver who accumulates ten or more Unsafe Driver Points shall be subject to corrective action as outlined below. For each violation or at fault accident, the aggregation of Unsafe Driver Points will include any points accrued in the three years prior to the date of the violation or at fault accident.

Mandatory Corrective Action	Unsafe Driver Points
Driving Privileges Suspended until Driver Retraining Completed	10+
Driving Privileges are Suspended until points drop below 15 and Driver Retraining Completed	15+
Driving Privileges are Terminated (With no option for reinstatement)	20+

Corrective action issued as a result of these recommendations shall be submitted to the OVM Deputy Fleet Administrator by the Agency Fleet Manager within 10 business days of the date on which the Agency has knowledge of the violation. This information will be shared with the OVM Director.

OVM may require additional corrective action, including but not limited to in-house training, after consultation with the Agency Fleet Manager and in accordance with personnel policies and procedures. OVM Policy is intended to ensure that corrective actions are consistent across Executive Branch Agencies.

Driver Retraining

Acceptable driver retraining may be online, classroom or behind-the-wheel training as well as those offered by the RMV.

Agencies shall be responsible for the cost of driver retraining required under a corrective action plan in which the Driver's privileges were suspended pending the completion of a driver retraining program.

When driver retraining is required for reinstatement of driving privileges, training must be an approved RMV course.

Reinstatement of Driving Privileges

Driving privileges shall not be reinstated to any State Driver whose privileges are terminated as a result of a mandatory corrective action per section VII.B.2.b.

For Drivers requesting early reinstatement of rescinded driving privileges, a Review Board shall be created and be responsible for determining whether to reinstate the driving privileges. The Unsafe Driver Review Board may consist of any two or more of the following:

a) OSD Leadership and/or OVM Director
b) Agency Head, Agency Fleet Manager, and/or Agency General Counsel
c) Office of Employee Relations representative

The Review Board shall consider the State Driver's history of corrective action, including all violations of the Safe Driver Program and all traffic law violations incurred while operating a State Vehicle, the Driver's MVR, and/or any out-of-State Driver history.

A State employee seeking reinstatement of driving privileges shall submit the request in writing along with a copy of their Driving History and/or any out-of-state driving history to their Agency Fleet Manager who shall provide the request letter and driving history to the OVM Director. The Review Board shall convene within (60) sixty days of the receipt of the request from the Agency Fleet Manager and issue a determination within (30) thirty days of completing its review. State Drivers whose driving privileges are reinstated by a

determination of the Review Board shall be required to attend a driver retraining program. The Review Board shall impose additional conditions for the reinstatement of driving privileges, as appropriate.

Applicability

Unsafe Driver Points and corrective actions may be imposed on any State Driver as a result of their actions while driving any vehicle.

Upon the effective date of Part VII of the OVM Policy, each Agency Fleet Manager shall review the driving history of each State Driver including (1) any history of unsafe driving practices and traffic violations while operating a State Vehicle, (2) the State Driver's MVR, (3) the State Driver's out-of-State Driver history, if any, and (4) any previous disciplinary action imposed as a result of the exercise of driving privileges to determine whether the State Driver shall be required to take a driver retraining program or participate in other driver safety improvement efforts.

WAIVER

Waiver Process

If a participating Agency has a significant business justification to request a waiver for a specific item or section of the OVM Policy, a request for waiver should be submitted to the OVM Director. The Assistant Secretary for Operational Services or their designee may, in their sole discretion, waive strict compliance with any portion of the OVM Policy when requested in writing and determined that:

a) the non-compliance is minor or in the best interest of the Commonwealth, and
b) does not significantly diminish the intent and purpose of the OVM Policy.

A request for waiver must state the circumstances and reasons for its issuance and be signed by the Agency Head or their designee. It is important to note that even if a waiver is approved, the remainder of the OVM Policy must be complied with.

Finality of Determinations

Each determination made or approved by the Assistant Secretary for the Operational Services or the OVM Director under the OVM Policy shall be final and conclusive.

APPENDICES

Appendix A - Definitions

The following terms shall have the meaning assigned in this section unless another meaning is obvious from the context:

Agency (or "Department"): Any subdivision of the Executive Branch of the government of the Commonwealth, but excluding Constitutional, Legislative, and Judicial Offices, the public institutions of higher learning, and independent authorities which are exempt by statute from the OVM Policy. For purposes of the policies and procedures contained in this document, the term shall also exclude Sworn State Police Officers, Environmental Police, and the Massachusetts Department of Transportation ("MassDOT").

Agency Head: The individual who, either by election or appointment, is responsible for the administration of an Agency or Department, or a person specifically designated by the Department Head in writing, to fulfill the duties and responsibilities of the Department Head.

Agency Fleet Manager: An employee identified by the Agency who is responsible for that Agency's State Vehicles and for the administration of the OVM Policy within their Agency.

A&F Secretary: The Secretary of the Executive Office for Administration and Finance, in their capacity as Commissioner of Administration, or a person specifically designated by the Commissioner to fulfill the responsibilities and duties given to the Commissioner by statute, executive order, or regulation.

Agency Vehicles: State Vehicles that have been acquired by the Commonwealth, regardless of acquisition method, and assigned to an Agency.

Assistant Secretary for Operational Services: The individual that oversees the Operational Services Division or a person designated in writing by that individual.

Commute: A trip between the State Driver's personal residence and their documented work location.

Under the IRS' rules, a "commute" is a trip, one end of which is at the employee's residence, and the other end of which is at a work site located in the area where the employee ordinarily would work. When the work site being traveled to is outside the area where the employee would ordinarily work, the IRS regards that travel as a business trip, not a commute subject to fringe benefit treatment. Each trip to or from an employee's residence is considered a commute.

Commuting Use Income: Federal statutes and regulations require the attribution of income to employees for each commute made in an (NON-EXEMPT) employer-provided motor vehicle. The current overview for IRS Commuting Use Income may be found on the OVM webpage.

Decal: A sticker or other form of marking which is required by State law or OVM Policy, to be affixed to a State Vehicle.

Domicile Travel: The authorized use of a State Vehicle to drive between a personal residence and work site on a regular basis. (**See Section on Domicile Travel**).

Environmental Police Officers: Sworn officers of the law, employed by the Department of Fisheries and Wildlife, an Agency within the Executive Office of Energy and Environmental Affairs, who have the authority to carry weapons, serve warrants and make arrests on behalf of the Commonwealth.

Leased Vehicle: Leased vehicles are purchased by OSD and leased to an Agency through a monthly chargeback, which includes financing costs, preventive maintenance, repair and tire replacement over the term of the lease.

Normal Business Hours: Monday through Friday from 7:00 a.m. to 6:00 p.m. EST, excluding Commonwealth holidays.

Office of Vehicle Management (OVM): The Office within the Operational Services Division (OSD) responsible for managing the Commonwealth's fleet of vehicles and the implementation and administration of the OVM Policy.

Operational Services Division (OSD): The Division within the Executive Office for Administration and Finance established pursuant to St. 1989, c.731, to regulate and oversee the procurement of human and social services, goods and general services, including the administration of the Commonwealth's Fleet of vehicles, the disposition of Federal and State Surplus Property, and the operation of Commonwealth Print Services, a centralized printing facility for various State Agencies.

Overnight Travel: The authorized use of a State Vehicle to drive and park overnight at a personal residence or other location as required by business needs for a limited period of time, wherein any such time falls outside of normal business hours. (See Section on Overnight Travel.)

OVM Managed Vehicle: All State Vehicles, as defined herein, within Executive Branch Agencies are considered OVM Managed. Additionally, any vehicle that a Commonwealth Agency has opted to include under OVM purview is considered OVM Managed.

Secretary: The executive officer of one of the executive offices established under M.G.L. c.6A or c.7, or other provision of the General Laws.

State Driver (or "Driver"): An authorized operator of a State Vehicle who is an employee, as defined in this section, and has completed the Driver Affirmation of Review and Compliance Form. Consultants, Contract Employees, Interns, and Volunteers are not allowed to operate State Vehicles unless they have been granted approval by the Office of Vehicle Management. Other individuals may be designated by Agencies as State Drivers only with the permission of OVM (See section on Vehicle Use.)

State Employee: Any person employed in the Executive Branch whose compensation is determined in accordance with Chapter 30, sections 46 and 46C, who is determined to be confidential pursuant to Chapter 150E, or whose compensation is determined by a collective bargaining agreement pursuant to chapter 150E. Additionally, any person employed in an Agency that has "opted-in" for OVM services.

State Police Troopers: Sworn officers of the law, who operate State Police cruisers, have the authority to carry weapons, serve warrants, and make arrests on behalf of the Commonwealth.

State Vehicle: Any state-owned, leased, or rented vehicle with a primary purpose of transporting one or more employees, clients and/or equipment of the Commonwealth to various business-related locations or destinations.

Passenger vehicles and light duty trucks, regardless of the GVWR (Gross Vehicle Weight Rating), represent the types of vehicles which OVM has oversight of:

- "Passenger vehicles" include sedans, crossovers, sport utility vehicles, and passenger vans.
- "Light duty trucks" include pickup trucks, cab and chassis platforms, and cargo vans.

Motorcycles, law enforcement tier "LE1" vehicles, as defined in GSA FMR Bulletin B-33, and vehicles which require a commercial driver's license to operate are excluded from OVM oversight.

Unsafe Driver Review Board: A group which may consist of OSD Fleet & Leadership personnel, the Driver's Agency Head, Fleet Manager or General Counsel, and a representative from the Office of Employee Relations. The Review Board is responsible for determining whether the driving privileges of a State Driver, whose driving privileges have been rescinded in connection with a mandatory corrective action, may be reinstated**.**

Vehicle Rentals: Passenger vehicles, light duty trucks, or related assets made available by OSD, through a contracted rental agency, to Agencies for short-term rental.

Appendix D – Domicile Vehicle Guidelines

Domicile Vehicle Guidelines

Domicile Vehicle Requests

In limited situations, an employee may be authorized to take a State Vehicle home at the end of business hours on a regular basis. Under most circumstances, employees will complete an Office of Vehicle Management Overnight Request form approved by the Agency Head negating the need for a domicile assignment.

In order to be eligible for domicile assignments, the employee must demonstrate either of the following:

1. **Emergency responder requiring special vehicle and/or equipment**

This requires confirmation that the employee meets **all** criteria listed below:

- serves as a first line responder (employee is among those responsible for going immediately to provide assistance) to emergencies (an unexpected situation that calls for immediate response or action of which the employee does not have advance notice),
- is required to be available on a 24 hours/7 days a week basis during designated times,
- requires the use of a special purpose vehicle or special equipment that is part of or kept in a State Vehicle that may not be suitable for storage in the employee's residence or transported in a personal vehicle,
- provides examples of at least twelve off-duty emergencies without advance notice responded to in the previous calendar year

Exceptions to Emergency Responder Request:

In the event that an employee meets all criteria for emergency responders listed above, except for the ability to list 12 emergencies from the previous year, the employee may request an exception due to the potential for emergency responses required for public safety reasons. Exceptions to these guidelines will be reviewed on an individual basis. If such an exception is granted, it is subject to the same annual review process described below as other domicile assignments.

2. **Employee does not regularly report to a designated office and a domicile assignment increases efficiency**

This requires a showing that the employee must meet **all** the criteria below:

- the employee lives outside a 22 mile radius of agency's office
- the employee does not regularly report to a designated office as part of his or her regular duties
- domicile assignment would greatly increase efficiency of employee's work duties

Approval Process

The process for annual domicile approval is as follows:

1. The employee must demonstrate their need for domicile assignment by completing and signing the Domicile Vehicle Request Form.
2. The employee obtains approval from their Manager, who, in turn, provides the Domicile Vehicle Request Form to the Agency Head and Cabinet Secretary.
3. If the Cabinet Secretary approves the request, they should provide the completed and signed Domicile Vehicle Request Form for each employee requesting domicile assignment to the Office of Vehicle Management's (OVM) Fleet Administrator within the Operational Services Division (OSD).
4. The OVM Fleet Administrator will provide the signed forms to the Secretary of Administration and Finance (A&F).
5. The OVM Fleet Administrator will provide notification to secretariats and agencies of A&F determinations.

Requests for domicile assignments will be approved on a calendar year basis by A&F and reviewed on a bi-annual basis by the OVM. OVM will perform at least one audit per year of domicile vehicle usage and may perform more as necessary.

Domicile Vehicle Request Forms should be submitted to the OVM Director by the last business day in November in order to have approval beginning on the first day of the following calendar year.

A&F reserves the right to deny domicile assignments if the employee fails to establish a reasonable need for such assignments. In extraordinary cases requiring a new domicile assignment or a change to an existing domicile assignment during the calendar year, Cabinet Secretaries may approve and submit Domicile Vehicle Request Forms to the OVM Administrator at the time such need arises. For instance, should a new employee hired during the year need a domicile vehicle assignment, the employee should fill out the Domicile Vehicle Request Form and follow the same process outlined above. New employees are not required to provide examples from the previous year. In the event a new employee is hired for a role where the previous employee in that role had a domicile vehicle, the new employee must submit a new form for domicile assignment. Until such time as a formal approval for domicile is granted, the new employee may not use the vehicle for domicile purposes. The new employee may take a vehicle home after hours if the Agency Head approves an Overnight Vehicle Request form until a final decision on the domicile request is made.

Domicile Vehicle Request Form

The Domicile Vehicle Request Form supersedes all forms used prior to July 1, 2016, including any required letters or acknowledgement forms.

Compliance with OVM Policy

Prior to requesting domicile approval, employees must meet all other guidelines for State Vehicles outlined in the OVM Policy.

This includes but is not limited to:

-mileage requirements for State Vehicle use or the appropriate waiver,
-fuel efficiency standards,
-compliance with audit procedures,
-policies regarding lights, sirens, and other equipment,
-any other policies contained in the OVM Policy not listed here

Employees with domicile assignments must only use State Vehicles for conducting state business and not for personal use.

The issuance of a domiciled State Vehicle shall never be a component of an employee's compensation package and compensation is not, under any circumstance, an acceptable reason for domicile assignments.

Required Fringe Benefit for Tax Reporting of Domicile Assignments
Federal and State Law requires employers, including the Commonwealth, to include "Fringe Benefit Income" on annual W-2 forms submitted to the Internal Revenue Service (IRS) and the Department of Revenue (DOR) for each employee. Such fringe benefit income includes an employee's use of an employer-provided vehicle for business purposes which is also used for personal commuting. The primary provisions are found in Federal Payroll Tax Law and Regulations, United States Code, Title 26 Internal Revenue Code, Code 61 Reg. 1.61-21(f)(3).

Each year OVM will issue specific guidance to fleet managers and payroll directors on this subject. A&F recognizes that the IRS' rules on this subject are complex and that this bulletin can only offer general guidance.

A&F Secretary Approval and Effective Date

This Policy published by the Executive Office for Administration and Finance shall be effective as of Month/Day/Year

Insert Signature