

 <p style="text-align: center;">WEST VIRGINIA DIVISION OF JUVENILE SERVICES</p>	<p><u>POLICY NUMBER:</u></p> <p style="text-align: center; font-size: 2em;">319.00</p>	<p><u>PAGES:</u></p> <p style="text-align: center;">5</p>
<p><u>CHAPTER:</u></p> <p>Institutional Operations</p>	<p><u>REFERENCE AND RELATED STANDARDS:</u></p> <p>WV Code Chapter §§ 49-5-16a and 49-5E-1 et seq.; Administration Title 148-3 et al.; ACA 3-JTS-3A-24 & 25; ACA 3-JDF-3A-24 & 25; ACA 3-JCRF-3B-11; ACA 1- JDTP-2C-09, 10, 11; and ACA JPAS 2-7069</p>	
<p><u>SUBJECT:</u> Vehicle Operation and Maintenance</p>		
<p><u>DATE:</u> July 1, 2014</p>		

POLICY

It is the policy of the Division of Juvenile Services to establish guidelines for ensuring proper operation, security and maintenance of all vehicles used for state business.

CANCELLATION

This policy has been reviewed and supersedes Policy 319.00 dated January 1, 2013.

APPLICABILITY

This Policy applies to all Division of Juvenile Services' facilities, centers and offices that use state vehicles.

PROCEDURES

1. Vehicle Use Guidelines

- a. Only state employees or other persons who have specific agency business are permitted in state vehicles. All vehicle requests must be coordinated through the Facility Superintendent/Director or designee.
- b. Only state employees are permitted to drive state vehicles.
- c. Under no circumstances may a resident in the custody of the Division of Juvenile Services operate any vehicle.
- d. Each facility will create a log for each vehicle that includes starting and ending date and mileage, person assigned (printed name and signature), destination/purpose, fuel

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purchases including date and gallons purchased.

- e. Whenever a vehicle is left unattended, the operator shall turn the vehicle off, remove the keys from the vehicle, close all windows, lock all doors/hatches/trunks, and remove or conceal from outside view all business and personal items.
- f. The operator and all passengers must use combination lap and shoulder safety belts, if available.
- g. The Division Director or designee and Facility Superintendents/Directors will make inquiry at least annually to the Division of Motor Vehicles for a review of any employee's motor vehicle record who operates a state vehicle. All operators must have a motor vehicle record in good standing.
 - i. Employees who hold WV license will have their license checked against DMV records.
 - ii. Employees who hold out of state license will be required to provide upon request for the Facility Superintendent/Director proof of a current motor vehicle record from their state's DMV. (Photocopy of driver's license is not proof of valid license.)
 - iii. Any employee who drives any state vehicle requiring a CDL or special license will ensure that their special endorsement is current and valid.
- h. When a State owned vehicle is not available or the employee is not permitted to operate a State vehicle, a privately owned vehicle may be used in lieu of a State owned vehicle.
 - i. Reimbursement shall be at a rate equal to the amount authorized for privately owned vehicle use stated in the travel regulations governing the operator.
 - ii. A minimum of liability insurance must be maintained.
- i. Fuel purchases will only be made at state-owned facilities or businesses that accept the state-issued fuel card. Only regular unleaded or diesel fuel, as appropriate, is to be purchased for state agency vehicles. The vehicle license number will be written on all fuel receipts.
- j. The Facility Superintendent/Director will designate a staff member to collect all fuel receipts and forward those to Central Office as directed by Finance staff. Staff will turn in fuel receipts at the conclusion of each trip. Those staff assigned a vehicle on a

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long-term basis will turn in their fuel receipts to their designated facility a minimum of every two weeks.

- k. All State Owned Vehicles are designated "NO TOBACCO USE". Any employee found to have used tobacco of any type in a state vehicle may be subject to disciplinary action.
- l. Any and all personal items and trash will be removed upon completion of vehicle use by the vehicle operator.
- m. Use of wireless communication devices by a driver is prohibited while the vehicle is in motion, except when the wireless communication device is being used hands-free or if the operator fears for his, her or another person's life or safety.

2. Accident/Incident Reporting

- a. The operator of a State owned vehicle is responsible for the vehicle he or she operates. All operators of State owned vehicles are subject to all laws, ordinances and rules governing the operation of a motor vehicle. Failure to operate a State owned vehicle in a safe and reasonable manner or in contravention to this policy or any other applicable law, ordinance or rule may result in the suspension of use of vehicles for that operator.
- b. The vehicle operator is responsible for responding to any and all citations or warrants issued or fines levied regarding the operation or parking of the vehicle, including towing charges, to which he or she is assigned (either temporarily or permanently) and is personally liable for any and all fines or penalties – criminal or civil. All employees who receive a traffic citation or warning while operating a state vehicle must complete an incident report and submit it and a copy of the citation or written warning to their immediate supervisor. Supervisors will be responsible for notifying the facility administrator and central office. Employees are also required to provide proof of payment or disposition for any citation for which they have been issued.
- c. Accidents, to any degree, must be reported by the operator to their supervisor immediately, and the operator must complete, within twenty-four (24) hours, a Fleet Driver Report of Accident/Incident/Event form (DOA-FM-012U), which can be found on the Division of Juvenile Services Intranet page under shared documents or at www.fleet.wv.gov. The Facility Superintendent/Director must ensure that these forms are forwarded to Central Office within two (2) business days of the accident. If an employee is unable to complete an accident form, the employee's immediate supervisor will contact the facility's Workers' Compensation coordinator and together they will complete the accident form accordingly.

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- d. Accidents involving injury to any party must be immediately reported to a law enforcement agency serving the area in which the injury occurred. Additionally, vehicles involved in any accidents with injuries must not be moved until authorized by law enforcement officials. Failure to report such an accident can result in criminal charges being filed against the vehicle operator. The Division of Juvenile Services may suspend the operator from using State owned vehicles for failing to immediately report an accident involving injuries.
- e. Multiple at-fault accidents by a single operator may subject the operator to disciplinary action.
- f. All accidents will be reviewed by a committee with members assigned by the Division Director.

3. Safety Inspection

- a. All Division vehicles must be safely maintained for residents, staff, and public safety. Annual inspections must be performed by certified West Virginia state inspection programs.
- b. Any personal vehicle used for business purposes that are used for reimbursement must have a valid safety inspection sticker and current valid insurance coverage.
- c. Any operator of a state vehicle is required to inspect the vehicle for damage prior to use and upon return and report any damages to their supervisor and/or fleet management personnel.

4. Emergency Supplies

- a. Each Facility Superintendent/Director and YR Center Director or designee shall ensure all state vehicles assigned to his or her facility contain the following emergency supplies **at a minimum**:
 - i. One First Aid Kit
 - ii. One Fire Extinguisher
 - iii. Flashlight with extra batteries
- b. Upon being issued an agency vehicle, it is the responsibility of the vehicle operator to verify that the above-listed items are in the vehicle.
- c. Facility Superintendents/Directors shall ensure an Operational Procedure addresses

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issues to include placement of items; usage of items, replacement of items, and the reporting of usage, theft or damage of items.

- d. Upon retiring vehicle, all items herein shall be removed from vehicle.
5. Each Facility Superintendent/Director will ensure transportation is available in the event of an emergency.
6. Employees determined to be responsible for loss/damage to any state property due to neglect or willful damage will be subject to appropriate disciplinary action and/or reimbursement for said item(s).
7. Each facility will develop an operational procedure to ensure the standards and practices of this policy are followed.

RIGHTS RESERVED

The Director reserves the right to modify, suspend or cancel any provision herein in part or entirety, without advance notice, unless prohibited by law.

APPROVED:



 Director Date

7/1/14