

DMNA Regulation Number 56-1

Facilities Management and Engineering

FLEET VEHICLE OPERATION



**Military and
Naval Affairs**

**Division of Military and Naval Affairs
330 Old Niskayuna Road
Latham New York 12110-3514**

**31 March 2015
UNCLASSIFIED**

Summary of Revision

DMNA Regulation Number 56-1, 31 March 2015. Facilities Management and Engineering - Fleet Vehicle Operation.

This regulation supersedes DMNA Regulation 56-1, 30 December 2011 and all changes. This is a re-write of the original regulation.

General. This regulation establishes policies and procedures for the use, control, and management of DMNA's fleet vehicle operation. The provisions of this regulation apply to all facilities and/or persons who operate fleet vehicles. A copy of the vehicle owner's manual is provided with each vehicle and will be referred to for information not specified by DMNA directive.

Summary. This regulation establishes policy and procedures for the NYS Division of Military and Naval Affairs (DMNA) Fleet Vehicle Operation.

Applicability. This policy applies to civilian or military employees of DMNA who operate a fleet vehicle in accordance with this regulation.

STATE OF NEW YORK
DIVISION OF MILITARY AND NAVAL AFFAIRS
330 Old Niskayuna Road
Latham, New York 12110-3514

DMNA Regulation
Number 56-1

31 March 2015

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***SUPERSESION.** This regulation supersedes DMNA Reg 56-1, 30 December 2011 and all changes.

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CHAPTER 1

GENERAL

1-1. Purpose. This regulation establishes policies and procedures for the use, control, and management of DMNA's fleet vehicle operation.

1-2. References.

a. C-1, DMNA Reg 700-1, NYS Property Management Program, Internal Control-Equipment Control and Procedures, 31 May 2007.

b. DMNA Reg 27-11, Motor Vehicle Accident Investigation and Claims Procedure, 23 December 1991.

c. DMNA Pam 1-2, Incident Reporting, 29 October 2010.

d. AR 385-10, The Army Safety Program, 27 November 2013.

e. Public Law 103-322, Drivers Privacy Protection Act (DPPA), 18 U.S.C. Section 2721.

f. NYS Department of Motor Vehicles, License Event Notification Service (LENS).

g. NYS Budget and Finance (MNBF) Fiscal Policy Memorandum VP-004 (use latest version).

h. NYS Division of the Budget – Budget Policy and Reporting Manual – Budget Bulletin, D-750, NYS Vehicle Acquisitions.

1-3. Definitions.

a. Fleet Vehicle: Any vehicle that was purchased, leased or rented using NYS resources.

b. Rental Vehicle: Any vehicle that is rented for official business.

1-4. Scope. The provisions of this regulation apply to all facilities and/or persons who operate fleet vehicles.

1-5. Responsibilities.

a. The Director of Facilities Management and Engineering (MNFE) is responsible for:

(1) Staff management of the fleet vehicles.

(2) Appointment of a Fleet Manager to be the point of contact for the management and administration of the fleet vehicles.

(3) Management and resolution of fleet vehicle needs.

b. The Fleet Manager is responsible for:

(1) Establishing operating procedures of fleet vehicles to ensure full compliance with all NYS and Federal laws.

(2) Ensuring eligible drivers are civilian or military employees of DMNA or are authorized personnel, and have a valid driver's license.

(3) Accounting, control, assignment, and transfer of fleet vehicles within DMNA. The Fleet Manager will coordinate with property custodians for acceptance of assigned fleet vehicles.

(4) Monitoring fleet vehicle usage and services to ensure proper utilization and maintenance of fleet vehicles.

(5) Maintaining required operational, statistical or historical records and providing usage reports to the NYS Office of General Services (NYS OGS), Bureau of Risk, Insurance and Fleet Management (RI&FM).

(6) Ensuring fleet vehicles are properly acquired to include performing the necessary registration related activities, WEX Fleet Card, E-ZPass® tags, and other vehicle related preparation.

(7) Reporting automobile accidents to the NYS OGS Bureau of RI&FM as referenced in the fleet vehicle's log book.

c. The property custodian is responsible for:

(1) Ensuring all vehicle drivers are briefed and adhere to paragraph 1-5(d) below.

(2) Providing monthly mileage and WEX Fleet Card (see Chapter 6) report for each vehicle to the Fleet Manager.

(3) Reporting any accident or misuse within 24-hours or the next business day to the Fleet Manager.

(4) Ensuring fleet vehicles are maintained and repairs are performed in accordance with manufacturer's recommendations.

d. Vehicle driver's responsibilities:

(1) Become familiar with the vehicle's owner's manual to ensure proper use and maintenance. This includes proper use of the WEX Fleet Card and E-ZPass® tags as outlined in Chapters 6 and 7 and the driver's accident reporting responsibility as directed by paragraph 2-10. All accidents must be reported to the Fleet Manager within 24-hours or the next business day.

(2) Proper use of fleet vehicles in accordance with paragraph 2-4. They are not to be used for personal business. Fleet vehicles are for official use only (FOUO).

(3) Perform day-to-day care of the fleet vehicle. This will include (but not be limited to) maintaining all fluid levels, inspection and proper inflation of tires, and checking for and reporting body damage in accordance with Chapter 4.

(4) Safeguard the fleet vehicle, WEX Fleet Card and E-ZPass® tag against theft or misuse.

(5) Operate the fleet vehicle in full compliance with all DMNA, local and NYS Vehicle and Traffic (V&T) laws, ordinances, regulations and safety directives. Drivers will be held responsible for any NYS Department of Motor Vehicles (DMV) violations from NYS V&T laws, E-ZPass® convictions and/or fines, and must comply with the following:

(a) Smoking in fleet vehicles is prohibited.

- (b) Driving the fleet vehicle under the influence of drugs/alcohol is prohibited.
- (c) Possession of or use of alcohol, illegal drugs or other intoxicating substances in the fleet vehicle, is strictly forbidden.
- (6) Use of cellular phones, smart phones, and other electronic devices without a hands-free adaptor is prohibited.
- (7) Use of seat belts, to include all passengers, regardless of seating location, in fleet vehicle is mandatory.
- (8) No person driving a fleet vehicle may send or view e-mails or text messages while driving.
- (9) Inform all persons in the fleet vehicle that they are prohibited from carrying, possessing or transporting firearms, other weapons, or explosive devices unless expressly authorized to do so in connection with their official duties.
- (10) Prohibit the use of radar detectors in fleet vehicles.
- (11) Travel the most direct route possible, taking into consideration cost-effectiveness, actual distance traveled, and the time to travel such distance except as otherwise required by traffic, weather or road conditions.
- (12) Ensure parking permits or placards that grant special parking privileges for fleet vehicles are used only for official NYS business.
- (13) Ensure that no banners, advertising, placards (NYS Executive Department placards are excluded), decals or stickers are placed on a fleet vehicle (unless expressly authorized by DMNA).

e. Vehicle Use Logs:

- (1) The DMNA Vehicle Cost Record (Appendix A) and the DMNA Vehicle Dispatch Log (Appendix B) to include WEX Fleet Card receipts are to be accurately maintained by the vehicle driver during the assigned use.
- (2) The DMNA Vehicle Cost Record is used to record date, odometer reading (beginning and ending mileage), commuter miles, fuel and oil purchases, maintenance, destination, and the employee's identification.

(3) The DMNA Vehicle Dispatch Log is to be used for all fleet vehicles when dispatched to record date(s), NYS LENS approval, employee name, destination, vehicle ID#, time out and time returned. (This is in addition to the DMNA Vehicle Cost Record.) Drivers must sign the log for each use. The DMNA Vehicle Dispatch Log should be kept at the location of the vehicle(s) and maintained by the property custodian. This will be a running log and will be made available to MNFE when requested.

CHAPTER 2

POLICY

2-1. Authorization. Fleet vehicle allowances are established by The Adjutant General (TAG). All fleet vehicles will be managed by the Director of MNFE and assigned to functional areas, i.e. Office of the Chief Information Officer/G-6 (MNCI), Domestic Operations Directorate (J3-DO), Domestic Operations Directorate-Counter Drug Branch (J3-DO-CD), MNFE, New York Naval Militia (MNNM), and Office of The Adjutant General (OTAG). Change in the fleet support location or vehicle assignment will not be made without prior approval from MNFE.

2-2. Eligibility for Use of Fleet Vehicles.

a. Any person driving a fleet vehicle must be a civilian or military employee of DMNA . Use of a fleet vehicle by an authorized person who is not a NYS employee is permitted only for the purpose of providing service to NYS.

b. Federal contractors are prohibited from using fleet vehicles. Federal contractors may be passengers (if they are assisting on a NYS mission) in a fleet vehicle but never the vehicle driver.

c. Any person driving a fleet vehicle must have a valid driver's license of the class required for the vehicle to be operated. Every person who may use a fleet vehicle is required to immediately inform his or her supervisor of any license revocation, suspension or restriction.

d. DMNA participates in the NYS DMV LENS program outlined in paragraph 2-3 below, in order to receive reports of driver license revocations, suspensions, and restrictions. No person shall be allowed to operate a fleet vehicle if there has been a change in licensure that restricts driving privileges unless the operation of the fleet vehicle complies with such restrictions. DMNA retains the right to require any person using a fleet vehicle to participate in a safe driving program.

2-3. License Event Notification Service (LENS).

a. The Federal DPPA permits governmental agencies access to motor vehicle records for use in carrying out agency functions.

b. LENS is a NYS DMV reporting tool for agencies to insure users of the fleet vehicles currently hold a valid driver's license. NYS DMV will report on the following:

- Accidents (Reportable)
- Convictions
- Expirations
- Point and Insurance Reduction Program Completions
- Restorations
- Suspensions and Revocations

c. Eligible drivers using fleet vehicles, leased vehicles, and rental vehicles, will be required to submit their driver's license number to the Fleet Manager.

d. Personnel leaving employment of DMNA should be reported to the Fleet Manager to be removed from the LENS system.

e. All new employees/service members should have their driver's license sent to the Fleet Manager to be entered into the LENS system, if they have access to a NYS owned, leased or rented vehicle. All current employees who use fleet vehicles should be in the LENS system.

f. Once the status of a employee's driver's license has been changed and the Fleet Manager is notified of the change, that employee's supervisor should be notified immediately. That employee should no longer have access to a fleet vehicle until the Fleet Manager is notified that the driver's license status of that employee has been reinstated.

g. All personal driver abstract information will not be shared outside DMNA.

2-4. Use of Fleet Vehicles.

a. Fleet vehicles can be reserved by contacting the Fleet Manager at (518) 786-4961 at least 24-hours prior to reserving the fleet vehicle and then completing the DMNA Vehicle Request Form, see Figure 2-1. Reservations are accepted and the need filled on a first-come, first served basis. All fleet vehicles must be picked up and returned to the DMNA, 330 Old Niskayuna Road, Latham, NY. The fleet vehicle must be returned to the specific parking area located in the parking lot behind the main facility.

b. Fleet vehicles are FOUO, and will not be used for private business, personal errands, recreation, domicile to duty, or transporting employees not within their scope of employment for official NYS business. Transportation by fleet vehicle from home to official duty station or from official duty station to home is not authorized under any circumstances. The official duty station is the location of the facility to which the employee is assigned.

c. As head of the agency, TAG shall not be assigned a permanent vehicle, on a permanent basis, but shall have unrestricted use of the fleet vehicles. If used, TAG's staff is responsible to ensure travel and cost records are provided to the Fleet Manager in a timely manner.

d. DMNA may not dedicate fleet vehicles to specific individuals except in extraordinary circumstances approved by TAG and the NYS Deputy Secretary for Public Safety and the use of such vehicle shall strictly be for carrying out agency duties.

e. DMNA employees with physical disabilities who own specially equipped personal vehicles are authorized to use their own personal vehicles when automobile transportation is required to perform official NYS functions.

2-5. Use of Drivers. An employee may have another NYS employee drive the employee in a fleet vehicle for official business, but driving another NYS employee cannot be the sole or primary duty of any NYS employee.

2-6. Safety. Safety programs established by NYS DMV, local or NYS ordinances, Public Employee Safety and Health Bureau (PESH), Title 49 Code of Federal Regulations (49CFR) Parts 100-177, and DMNA Reg 420-1, Real Property Operations, Maintenance and Minor Construction, will be followed at all times. All operations involving Army personnel and equipment will be conducted in accordance with AR 385-10 and all applicable policies and guidance published by the New York Army National Guard (NYARNG) Safety and Occupational Health Office (MNAV-OS).

2-7. Utilization.

a. Supervisor's Responsibilities. To ensure the efficient use and control of fleet vehicles, the following actions are in effect. The supervisor will ensure that the following questions are answered and/or considered before approving a travel request:

(1) Is the trip mission essential for DMNA? As a first choice, fleet users should use mass transit whenever possible.

(2) Are there other means to accomplish the mission? Conference calls, teleconferences, Defense Connect Online (DCO), and webinars are viable means to conduct business.

(3) Carpooling agency wide should be considered to avoid the need for rental cars and the reimbursement of personal car mileage. Consolidating trips with other employees saves fleet funding.

b. Supervisors will review the cost of fleet vehicle versus rental vehicle versus Personally Owned Vehicle (POV) usage to obtain the best use for the least cost.

c. In circumstances where neither mass transit nor a fleet vehicle is available, employees may use either a rental car or their POV, whichever is less expensive. A “trip calculator” for determining the least expensive option may be found at the NYS OGS website: <http://www.ogs.ny.gov/BU/SS/Trav/Calculators.asp>. Employees may opt to use their POV in non-optimal situations, but will only be reimbursed for the value of the car rental. Travel expenses will be reimbursed for actual, reasonable and necessary expenses incurred by an employee while in travel status on official NYS business. Reimbursement will be in accordance with established NYS OSC travel guidelines: <http://www.osc.NYS.ny.us/agencies/travel/travel.htm>.

d. Fuel Efficiency Maximization. To the greatest extent possible, acquisitions of sport utility vehicles (SUVs) will be avoided and alternative fuel vehicles (AFVs) will be used.

e. Risk Management. When information is available, Directors or property custodians have the responsibility to inform MNFE and the Fleet Manager when an employee’s driving record suggests operation of a fleet vehicle will be prohibited in order to reduce overall NYS liability as well as reducing the number and severity of accidents. In addition, the Fleet Manager is required to use NYS DMV LENS to ensure vehicle drivers currently hold a valid driver’s license.

f. Fraud Prevention. The Fleet Manager monitors the usage of the WEX Fleet Cards by comparing the agency’s monthly travel and cost records to the monthly fleet products report provided by WEX Fleet Card services. The report is reviewed for unusual activities to identify unauthorized uses such as excessive transactions at one station or on a WEX Fleet Card within a short period of time, unusual charges outside approved business or travel hours, vehicle odometer readings that are too high or too low, suggesting that a WEX Fleet Card is being used to fill up other vehicle tanks. Besides costing DMNA money, inaccurate odometer readings also affect the ability to monitor vehicle efficiency.

g. In addition, access to the WEX fleet online account management service allows the Fleet Manager to view DMNA's latest account information. Other management actions regarding the account may be made, such as:

- (1) Display card listings.
- (2) Add or remove drivers from the fleet listing.
- (3) Add or terminate a card.
- (4) Report a card lost or stolen.
- (5) Replace a damaged card.

2-8. Minimum Use Criteria.

a. Vehicle authorizations are predicated on adherence to minimum annual mileages.

b. The only exceptions to the minimum use criteria are: service vehicles, i.e. grounds keeping, lift trucks, etc., operated under waivers granted by MNFE.

2-9. National Defense Emergency. In the event of a national defense emergency, all inquiries/correspondence relating to fleet vehicles will be sent to the Director, MNFE, 330 Old Niskayuna Road, Latham, NY 12110-3514.

2-10. Accident Reporting.

a. DMNA is required to report all vehicle and equipment accidents involving all authorized drivers/users in the course and scope of their employment for review by the NYS Accident Review Board as established by the NYS Division of the Budget (NYS DOB) and the NYS Executive Chamber, within ten days of occurrence, which meet any one of the following:

- (1) Incident involving a facility;
- (2) Incident which has had or will have a significant negative impact on NYS's insurance premiums and/or coverages;
- (3) Instance in which the driver has accumulated two or more moving accidents (i.e. vehicle in motion) within a 24-hour period;

(4) Incident(s) in which a fleet vehicle(s) is deemed to be a total loss where frequency and/or cost appear to be factors.

(5) Incident resulting in \$500 or more in property damage.

(6) Incident resulting in \$10,000 or more in bodily injury damages.

(7) Incident raising questions or concerns about fleet policy or procedure from a NYS risk management perspective; and

(8) Incident that is a legal violation reported through the NYS DMV LENS program.

b. Accidents involving fleet vehicles, acquired, rented or leased, will be reported in accordance with DMNA Reg 27-11, Motor Vehicle Accident Investigation and Claims Procedure; DMNA Pam 1-2, Incident Reporting; and NYS DMV regulations.

c. In addition to the requirements of DMNA Reg 27-11, the vehicle driver will immediately report any accident, theft, or vandalism involving the fleet vehicle to the local law enforcement agency through his or her supervisor to the Fleet Manager and/or the NYS, county, or municipal authorities as required by law.

d. Within 24-hours, the vehicle driver will complete all the necessary forms for reporting a vehicle accident and submit them to the Fleet Manager. For the vehicle driver's convenience, an Accident Reporting Kit, containing the necessary forms (DMNA Form 77, DMNA Form 102, SF-91 and MV-104) to report an accident when property damage or personal injury is involved, can be found in the fleet vehicle's log book. Once the Fleet Manager receives the completed Accident Reporting Kit, it will be submitted to DMNA's Legal Affairs Office (MNLA). This will be accomplished within the time frame directed by DMNA Reg 27-11.

e. If the vehicle driver is injured and cannot comply with the above mentioned requirements, the immediate supervisor is responsible for reporting the accident, completion of the required forms and submitting to the Fleet Manager. The immediate supervisor will assemble and forward the completed Accident Reporting Kit by transmittal memorandum to the Fleet Manager within five working days. Once the Fleet Manager receives the completed Accident Reporting Kit, it will be submitted to MNLA. This will be accomplished within the time frame directed by DMNA Reg 27-11.

f. The State of New York is self-insured for motor vehicle liability. A suit for property damage, personal injury or death, resulting from the operation of a motor vehicle, becomes a suit against the State of New York rather than against an individual, providing the vehicle driver of the motor vehicle was within the scope of employment. The prompt reporting of the accident and forwarding the required forms is important. inquiries from claimants and/or their insurance companies, as well as any medical bills for passengers of fleet vehicles should always be directed through the Fleet Manager to MNLA. In the event a non-DMNA third party sues a fleet vehicle driver, the fleet vehicle driver must contact MNLA immediately.

g. There is no separate budget for repairing damage to fleet vehicles. Money spent in this area will directly affect the daily operating budget. Per DMNA Reg 27-11, an informal investigation may be conducted if the damage was caused through no fault of the vehicle driver (e.g. willful or negligent act of a third party not employed by NYS, mechanical failure, etc.). The immediate supervisor will enter on the accident report transmittal memorandum, "I have reviewed the circumstance surrounding the damage and find no evidence of negligence or willful misconduct by the DMNA employee."

2-11. Additional State Active Duty (SAD) Accident Reporting Requirements.

a. Service members in a SAD status must ensure accountability and safety during the operation of NYS funded vehicles. For the purpose of this section, the definition of a NYS funded vehicle is any vehicle that is owned by DMNA, leased or rental vehicle that is fiscally supported by a NYS allocation.

(1) Any service member assigned to operate a motor vehicle must have a valid driver's license.

(2) Vehicles funded through a NYS resource are FOUO and will not be used for private business, personal errands, recreation, and domicile to duty.

(3) The Task Force/unit commander is responsible for ensuring that the vehicle driver signs vehicles in and out; and that a vehicle usage log is maintained. Vehicle operation records will be retained by the Task Force/unit commander or responsible directorate.

b. In the event of a vehicle accident, the vehicle driver's privilege to operate a NYS funded vehicle will be immediately suspended. Within 24-hours, the vehicle driver will

complete all the necessary forms for reporting a vehicle accident and submit them to the Fleet Manager. For the vehicle driver's convenience, an Accident Reporting Kit containing the necessary forms (DMNA Form 77, DMNA Form 102, SF-91 and MV-104) to report an accident when property damage or personal injury is involved, can be found in the fleet vehicle's log book. If necessary, the Task Force/unit commander may also consult his or her chain of command, along with the Directors of MNLA, MNBF, and MNFE in regards to a vehicle accident.

(1) After the incident or accident report is reviewed by the Task Force/unit commander, and it is determined that the vehicle driver of the vehicle was not at fault, the suspension may be rescinded.

(2) Consult AR 385-10, DMNA Pam 1-2 or discuss with staff from MNAV-OS, as applicable, in the event of a vehicle accident for guidance and direction in the most up-to-date accident investigation requirements.

(3) If the incident or accident report review determines that the vehicle driver of the vehicle was negligent, the Task Force/unit commander of the mission must counsel the service member in writing and a copy must be kept on file for the record. Based on the severity of the incident or accident, the Task Force/unit commander or DMNA may take other measures to include an extension of the suspension to operate NYS funded vehicles while on SAD; permanent suspension of driving privileges for NYS funded vehicles while on SAD; or removal from SAD.

(4) A service member will be removed from SAD if it is determined that he or she has been negligent in the operation of a NYS funded vehicle resulting in a second incident or accident.

(5) Copies of the incident or accident report with corrective actions, if applicable, must be forwarded to Joint Operations Center (JOC), MNBF, MNFE, MNLA, and MNAV-OS for the record no later than 30 days after the date of the incident.

(6) The use of fleet vehicles that are the sole property of the NYS is governed by the provisions of this regulation, DMNA Reg 27-11 and DMNA Pam 1-2.

c. The Task Force/unit commander is responsible for the accountability and operation of all NYS fleet vehicles used in the SAD mission. The Task Force/unit commander and individual Officer in Charge and Control (OIC&C) must stress vehicle safety during all aspects of the mission.

Submit by Email Print Form Reset Form

STATE OF NEW YORK
DIVISION OF MILITARY AND NAVAL AFFAIRS
FACILITIES MANAGEMENT AND ENGINEERING (MNFE)
330 Old Niskayuna Road
Latham, New York 12110-3514
(518) 786-4961 – Fax: (518) 786-4400

DMNA VEHICLE REQUEST FORM

REQUESTOR: [redacted] DATE: [redacted]
OFFICE: [redacted] TELEPHONE EXT.: [redacted] CELL PHONE #: [redacted]
DATES: [redacted]
DESTINATION: [redacted]
OUT OF STATE TRAVEL REQUIRES SUPERVISOR'S APPROVAL PRIOR TO DEPARTURE:
[redacted] DATE: [redacted]
SUPERVISOR'S SIGNATURE

REQUIREMENTS FOR ALL USERS:

- 1. WILL NOT USE VEHICLE FOR PRIVATE BUSINESS, PERSONAL ERRANDS, RECREATION, DOMICILE TO DUTY, OR TRANSPORTING NON-GOVERNMENT EMPLOYEES.
2. ADHERING TO ALL NYS DMV, LOCAL AND NYS ORDINANCES, DMNA REGULATIONS, AND SAFETY DIRECTIVES:
a. USERS WILL NOT SMOKE IN FLEET VEHICLES.
b. USERS WILL NOT DRIVE FLEET VEHICLES UNDER THE INFLUENCE OF DRUGS OR ALCOHOL.
c. CELLULAR PHONES, SMART PHONES, AND OTHER ELECTRONIC DEVICES WITHOUT A HANDS-FREE ADAPTOR ARE PROHIBITED FOR USE WHILE OPERATING A FLEET VEHICLE.
d. THE POSSESSION AND/OR USE OF ALCOHOL, ILLEGAL DRUGS OR OTHER INTOXICATING SUBSTANCES IN THE FLEET VEHICLE ARE STRICTLY FORBIDDEN.
3. FLEET VEHICLES WILL BE CLEANED AND RETURNED WITH A FULL TANK OF FUEL.
4. SAFEGUARDING THE VEHICLE, THE VEHICLE'S WEX FLEET CARD, AND THE E-ZPASS® TAG AGAINST THEFT OR MISUSE.

[redacted]
SIGNATURE OF REQUESTOR
(I HAVE READ THE ABOVE RESPONSIBILITIES)
APPROVED [checkbox] DISAPPROVED [checkbox] [redacted] DATE [redacted]
(REASON)
NYS ID # [redacted] LENS APPROVED [redacted] [redacted]
SIGNATURE OF APPROVING AUTHORITY

Figure 2-1. DMNA Vehicle Request Form 2-9

CHAPTER 3

ASSIGNMENT OF FLEET VEHICLES

3-1. General. Individual permanent and DMNA pool-use assignments will be approved on the basis of the following:

a. All fleet vehicles will be deemed part of the vehicle pool of DMNA. Pool vehicles will be dispatched to employees on an “as needed” basis to carry out NYS business.

b. Fleet vehicles may be assigned to specific employees only in extraordinary circumstances and only when approved by the NYS Director of State Operations or his or her designee. When requesting approval for the individual assignment of fleet vehicles, DMNA shall provide:

(1) A list of the job titles and circumstances for which individually assigned fleet vehicles are requested and information as to whether the fleet vehicle may be taken home at night or used for commuting purposes or whether the fleet vehicle will be parked at NYS facilities when not in use.

(2) For each job title, an explanation in support of the request for individually assigned fleet vehicles. In cases where there is a need to carry specialized tools or equipment to accomplish job duties, it may be appropriate to individually assign a fleet vehicle, but the fleet vehicle should be parked at a NYS facility when not in use. As a general rule, only employees who are first responders, who are on call 24-hours per day or who are responsible for ensuring public safety, will be allowed to take fleet vehicles home or use fleet vehicles for commuting purposes.

(3) In circumstances where a pool vehicle is not available, DMNA may allow employees to use either a rental car or their POV, whichever is less expensive. Use the NYS OGS “trip calculator” that was mentioned in Chapter 2. NYS employees who may be entitled to reimbursement of travel expenses should review the regulations of the NYS OSC guidance on the NYS OSC website or MNBF agency guidelines.

3-2. ASSIGNMENTS.

a. DMNA Pool-Use Assignment. A vehicle assigned to DMNA and used routinely by more than one individual. See paragraph 2-4 above for reserving a fleet vehicle.

b. Temporary Assignment. A vehicle assigned for specific DMNA functions that will involve duration of less than one month.

c. An employee on 24-hour call who must respond to emergencies on a regular or continuing basis. An emergency response is normally to a location other than the employee's official workstation.

d. A fleet vehicle to be used for essential administrative functions of DMNA for which it is demonstrated that the use of temporary assignment or personal mileage reimbursement is neither feasible nor economical.

CHAPTER 4

MAINTENANCE

4-1. General. Procedures for day-to-day and periodic maintenance care, to include warranty and unscheduled repairs, are outlined in the vehicle owner's manual. Modification of a fleet vehicle is not authorized. (Modifications include but are not limited to adding, deleting or modifying vehicle components such as trailer hitches, snowplows, electrical systems, antennas, lights, etc.) Requests for modification of fleet vehicles will be directed to MNFE and the Fleet Manager. Maintenance will be performed on fleet vehicles through a local licensed repair facility for routine and preventive maintenance or as directed/approved by MNBF through MNFE and the Fleet Manager.

4-2. Usage Reporting. The respective property custodian must submit the DMNA Vehicle Cost Record, see Appendix A, together with WEX Fleet Card receipts and provide copies of maintenance invoices for all fleet vehicles, by license number, to the Fleet Manager NLT the 15th day of each month. If the odometer fails, call the Fleet Manager for instructions. The DMNA Vehicle Cost Record can be found in the fleet vehicle's log book. Failure to comply with reporting vehicle usage record could result in the fleet vehicle being reassigned or loss of fleet privileges.

4-3. Daily Maintenance. The vehicle driver must perform normal operator preventive maintenance checks. This will include maintaining all fluid levels, inspection and proper inflation of tires, checking/reporting body damage and maintaining the cleanliness of the interior of the fleet vehicle. The outside of the fleet vehicle, to include a thorough cleaning of the interior, must be done at least once per month by the respective assigned functional area i.e. MNFI, J3-DO, J3-DO-CD, MNFE, MNNM and OTAG. The Fleet Manager is responsible for the fleet vehicles that are assigned to MNFE.

4-4. Periodic Maintenance.

a. Maintenance above the vehicle driver level is accomplished by a local vendor. Preventive maintenance and all repair records for fleet vehicles are maintained by the respective property custodian with copies forwarded to the Fleet Manager on a quarterly basis. Services are determined by the type, mileage, and maintenance history of the fleet vehicle.

b. The property custodian will ensure the fleet vehicles are serviced no later than the listed due date at an authorized service facility to include the annual NYS vehicle inspection. Failure to comply could void the fleet vehicle's factory warranty and could result in the vehicle being damaged.

c. NYS OGS established a centralized fleet management service contract with Automotive Rentals, Inc. (ARI) to provide vehicle maintenance, repair and emergency services. This ARI contract is intended to be used by DMNA to most efficiently and effectively manage its fleet and should be utilized as mandated by the NYS OGS.

4-5. Warranty Information. The fleet vehicle is warranted as noted in the vehicle's operator's manual. If the fleet vehicle is under warranty, it must be taken to the nearest authorized service center for repair. If the warranty has expired, the property custodian will proceed as outlined in paragraph 4-6, **Unscheduled Repairs**.

4-6. Unscheduled Repairs. In the event of any unexpected breakdown, the vehicle driver must obtain an estimate for the repairs and inform the property custodian. Every effort will be made to have repairs accomplished at a contracted repair shop. The property custodian will approve such requests and is required to follow the current purchasing guidelines.

4-7. Emergency Repairs. In an emergency situation, where the fleet vehicle is disabled and away from the assigned location, the vehicle driver would be required to notify the property custodian to effect corrective action. Vehicle drivers are then responsible to record and report all emergency repair data in accordance with this regulation.

4-8. Cost Limits for Maintenance and Repairs. Functional area supervisors must authorize all expenditures. Projected maintenance and/or repairs costing in excess of \$2,500 will require a written signed approval by the property custodian. All proper NYS contracting procedures must be followed in relation to maintenance and repairs. This approval will be maintained in the functional area's vehicle files and a copy will be submitted to the Fleet Manager with the next monthly report.

4-9. Forwarding Repair Invoices. Payments for repairs will be processed in accordance with DMNA Fiscal Procedures as established by MNBF. Copies will be forwarded to the Fleet Manager.

CHAPTER 5
REPLACEMENT CRITERIA

5-1. Responsibilities.

a. The Fleet Manager will be responsible for compiling an annual list of suggested fleet vehicle replacements. This list will be based on age, mileage, reliability, maintenance and repair costs, specific need, and condition associated with the fleet vehicle.

b. The Director of MNFE will prioritize the annual list of fleet vehicles that are suggested to be salvaged and replaced. This list will be provided through the Director of MNBF to the NYS DOB in the form of a request for fleet management funding. Once this list is approved and funding provided, an order for fleet vehicles will be submitted in compliance with NYS purchasing policy.

c. The Director of MNBF will ensure that all purchases of fleet vehicles are in compliance with NYS contracts and the NYS AFV Program.

d. The Fleet Manager will take actions to ensure that fleet vehicles to be salvaged are turned over to the NYS OGS, State Surplus Personal Property for processing and records management.

5-2. Disposal Criteria for Fleet Vehicles. Generally, fleet vehicles will be considered for disposal when either age or mileage criteria shown below have been met:

<u>Vehicle Description</u>	<u>Age in Years</u>	<u>Maximum Mileage</u>
Sedans, Sub Compact Cars	6	90,000
Station Wagons, SUVs, and Trucks less than 8,500 lbs.	6	100,000
Vans, Passenger	8	100,000
Trucks, Heavy Duty	8	100,000

5-3. Guidelines for Acquisition of Fleet Vehicles.

a. The acquisition of fleet vehicles must be based on a cost/benefit analysis of alternatives and a determination that acquiring a fleet vehicle will result in the lowest DMNA cost for transportation. This analysis should consider such factors as the cost of reimbursing personnel for the use of their personal cars, using the fleet vehicle pool, short-term rentals and using public transportation. Part of this analysis will also reflect an ongoing assessment of DMNA's fleet and a determination of which fleet vehicles may be reassigned, taken off highway travel or become surplus vehicles.

b. In addition, new fleet vehicles that increase the size of DMNA's fleet can only be acquired when new or additional program responsibilities requiring travel have been assigned to DMNA; there are no fleet vehicles available in DMNA's current fleet; and there are no other cost-effective travel options available, e.g. short-term rentals.

c. Larger vehicles, such as station wagons, 4x4s, small trucks, vans, and SUVs must be approved by NYS DOB and will only be permitted when additional passenger and/or cargo room is required and/or other special circumstances apply.

d. Both vehicle rentals and special equipment (e.g. optional equipment beyond the standard NYS contract) on any class of vehicle should be limited to what is necessary to meet health and safety or occupational requirements.

5-4. NYS DOB Approval of Fleet Vehicle Acquisitions. Fleet vehicles may only be acquired after approval by NYS DOB and the NYS OGS. DMNA may propose acquisition through the NYS DOB Fleet Overview Application for consideration during development of the Executive Budget for the upcoming fiscal year. However, DMNA must also receive approval prior to the purchase through the process required by NYS Budget Bulletin D-750.

5-5. Personally Owned Vehicle (POV) Usage.

a. NYS policy dictates that employees who use their POV for official business and their usage has been or is expected to be 15,000 miles or more during a fiscal year, must be provided the use of a fleet vehicle. Employees may only exceed this threshold in unforeseen or extraordinary circumstances and only when approved by the NYS Director of State Operations, his or her designee, and the NYS OGS Commissioner.

b. POV usage is tracked via the State Financial System (SFS). Supervisors must monitor employee POV usage, ensuring that fleet vehicle usage is maximized. In addition, MNBF monitors and will notify the appropriate supervisor if the individual's usage approaches the threshold requiring action.

c. If a need is identified for a fleet vehicle, requests will be submitted to MNFE, who will evaluate the request and attempt to satisfy the need with existing vehicles from the fleet, explore the possibility of obtaining additional fleet vehicles via the NYS OGS State Surplus Property or work with MNBF on possible purchase or lease of a new fleet vehicle.

d. If a need to purchase additional fleet vehicles in order to meet the needs of impacted employees, DMNA must follow the procedures set forth in NYS Budget Bulletin D-750 including the development of a Business Case for Vehicle Purchase from NYS OGS, NYS DOB and the Governor's Office approval.

CHAPTER 6

NYS FUEL CREDIT CARD

6-1. General. A WEX Fleet Card (NYS fuel credit card) is provided for each individual fleet vehicle. Fraudulent use of the WEX Fleet Card may subject the user to criminal charges.

a. The use of the WEX Fleet Card is restricted to fuel/oil and windshield washer fluid purchases at any fueling location that accepts credit cards.

b. The WEX Fleet Card must be kept away from magnets or other credit cards to protect the magnetic strip.

c. The person using the WEX Fleet Card is responsible for safeguarding the WEX Fleet Card at all times. It must never be left in an unattended vehicle.

d. If the WEX Fleet Card is lost or stolen, it is imperative that the card user notify the Fleet Manager, who will immediately cancel the card with the vendor.

e. On a monthly basis, the DMNA Vehicle Cost Record/vehicle logs will be reconciled to the vehicle's WEX Fleet Card statement by the supervisor of the vehicles location (i.e. MNNM vehicles will be reviewed by a Supervisor in MNNM; Superintendents vehicle usage will be reviewed by respective Regional Supervisor-Facilities Operation (RS-FO); and RS-FO usage will be reviewed by Fleet Manager). All reconciliations are to be completed and sent to Fleet Manager by the 15th day of each month. The review should note that the reason for the trip was appropriate, the mileage is accurate in regards to the trip, and that the WEX Fleet Card charges are appropriate in regards to the trip.

f. Property custodians are encouraged to develop a local standard operating procedure (SOP) to ensure the security of the WEX Fleet Card. The vehicle drivers have the responsibility for the execution of the security measures in this regard.

NOTE: The NYS contract for fleet vehicle fuel is currently with WEX Fleet Cards. In the event there is a change in the NYS contract (with NYS fuel credit cards), fleet vehicle credit cards will be updated.

CHAPTER 7

E-ZPASS® TAGS

7-1. General. E-ZPass® tags may be supplied with the fleet vehicles. In cases involving E-ZPass®, the following items will be noted:

a. Vehicle drivers must approach and pass through the toll lane at the posted speed limit and the failure to do so could result in the revocation of E-ZPass® privileges.

b. Violations involving E-ZPass® equipped vehicles are reported by E-ZPass® directly to the Fleet Manager. Supervisors will be notified of these violations through the chain of command.

c. Repeated violations will result in an automatic suspension of the E-ZPass® tag by the E-ZPass® system.

d. E-ZPass® notifies the Fleet Manager when an E-ZPass® tag requires maintenance or replacement. Failure to respond to the Fleet Manager to handle the matter will result in an inoperative E-ZPass® tag.

e. Lost, stolen or non-functional E-ZPass® tags will be coordinated with the Fleet Manager.

f. The vehicle driver shall be personally responsible for all parking, moving, and E-ZPass® violations.

7-2. Assigned E-ZPass® Tags. E-ZPass® tags assigned to fleet vehicles are to remain in the assigned fleet vehicles. Swapping or usage in other unassigned vehicles is strictly forbidden.

7-3. Usage of E-ZPass® Tags for Tolls. E-ZPass® tags are used as a means to pay for tolls while on the NYS Thruway (NYSTWY), Metropolitan Authority (MTA) bridges and tunnels, Port Authority of New York and New Jersey bridges and tunnels, and when on toll roads within New Jersey, Connecticut, Massachusetts, and Pennsylvania.

CHAPTER 8

TRAILER TRANSPORT

8-1. General. This chapter provides necessary guidance to DMNA, military and other authorized personnel directly involved in over the road movement of trailers.

a. Safety. A minimum of two persons is required to ensure proper protection of equipment and to minimize risks. For consistency, they will be referred to as the "driver" and "spotter."

b. Backing of Vehicle. This provision applies when a vehicle is being moved for the purpose of connecting to a trailer and whenever a vehicle is connected to a trailer. The driver will not attempt to back up a vehicle involved in such activity without the spotter being in such a position to be directly observed by the driver. The driver must be able to see the spotter without the aid of a mirror.

c. Connecting of Trailer. Vehicle backing to position hitching mechanism is to be done with utmost care. Spotter, at no time, will stand in direct line with moving vehicle and trailer. The driver will shut down and set parking brake when proper position is achieved. Driver will dismount and work, in conjunction with spotter, to make connections. Safety chain connections are mandatory. Driver and spotter will concur that all connections are correctly made before driver returns to the operating position. The spotter will verify proper operation of signal lights and braking system on the connected trailer and signal lights on the towing vehicle in conjunction with the driver.

d. Movement of Trailer and Towing Vehicle. The loaded or unloaded trailer may be driven over the road solely by the driver. This is permitted when the trip can foreseeable be made without the need to move in reverse. If a situation does develop and a reversing movement must be made, driver is responsible to determine if there are persons present who can be of assistance in ensuring that safety is maintained during the reversing movement. When the driver uses this option, the property custodian is to be informed as soon as practical after the completion of the movement. Property custodians will use this knowledge to minimize risk for future operations.

e. Responsibility. The driver is solely responsible to ensure that the trailer and towing vehicle is operated according to NYS V&T Law.

8-2. Training. Property custodians are responsible to insure that assigned drivers moving the trailer and towing vehicle described in this chapter are appropriately trained and licensed in the operations described. They are to be made totally familiar with operating trailer/towing vehicle combinations of the size and weight to be moved. Training is to be recorded and certified in a written signed memorandum to the individual, with concurrence endorsed by that individual. A copy is to be maintained in the property custodian's files, and, in the event of accident or incident, will be included in the package of documentation required to be submitted in accordance with DMNA Reg 27-11, DMNA Pam 1-2 and NYS V&T Laws.

CHAPTER 9

EXTERNAL REPORTING GUIDELINES

9-1. Fleet Management Reports. DMNA's Fleet Manager must submit the following reports:

a. Energy Policy Act of 1992 Report to include any AFVs. This report will be submitted by November 15th of each year to Clean Fueled Vehicles Program Coordinator at NYS OGS, Bureau of RI&FM.

b. Inventory of fleet vehicles along with any additions and/or deletions within the current year on a continual basis in the NYS OGS Fleet Program as changes in the DMNA fleet dictates to NYS OGS, Bureau of RI&FM.

9-2. DMNA Breakeven Fleet Mileage Analysis. See Figure 9-1, page 9-2.

DMNA BREAKEVEN FLEET MILEAGE ANALYSIS

<u>Vehicle Description</u>	<u>Number of Vehicles Per Type</u>	<u>Annual Replacement Disposal Mileage</u>	<u>Total Mileage Per Type</u>	
Sedans, Sub Compact Cars	1	15,000	15,000	
Station Wagons, SUVs, Trucks under 8,500 lbs.	11	16,667	183,337	
Vans, Passenger	8	12,500	100,000	
Trucks, Heavy Duty	3	12,500	37,500	
TOTAL	23	vehicles divided by	335,837	= <u>14,602</u> Breakeven Mileage Point

Disposal Criteria

<u>Vehicle Description</u>	<u>Age in Years</u>	<u>Maximum Mileage</u>	<u>Annual Disposal Mileage</u>
Sedans, Sub Compact Cars	6	90,000	15,000
Station Wagons, SUVs, Trucks under 8,500 lbs.	6	100,000	16,667
Vans, Passenger	8	100,000	12,500
Trucks, Heavy Duty	8	100,000	12,500

Figure 9-1.

DMNA Breakeven Fleet Mileage Analysis

CHAPTER 10**NYS EXECUTIVE DEPARTMENT PARKING PLACARDS
FOR USE IN NEW YORK CITY**

10-1. General. The NYS Executive Chamber annually provides a limited number of vehicle parking placards to the OTAG for agency vehicles assigned to the Civil Support Teams (CSTs), the Joint Task Force Empire Shield, and the OTAG for official use in specified areas of New York City (NYC). The proper display of a NYS Executive Department parking placard exempts the holder from the payment of parking meter fees for a DMNA vehicle on official business.

10-2. Assignment Criteria. A parking placard is assigned to a specific vehicle and signed for by a responsible officer or employee who uses or supervises the use of a specific agency vehicle. Improper use of the parking placard will be reported to the Director of MNLA for appropriate disciplinary action.

10-3. Requests for Parking Placards. DMNA personnel whose work requires driving and parking agency vehicles in NYC may request a NYS Executive Department parking placard by submitting a memorandum to the Special Assistant-State (MNAG-SAS); listing his or her name, directorate, contact information (telephone number, cell number and e-mail address), work assignment, vehicle make/model, vehicle license plate number and a justification for the request for a NYC parking placard. TAG, or his designee, will approve or deny requests for NYS Executive Department parking placards.

10-4. Issuance of Parking Placards. MNLA is responsible for the issuance of NYS Executive Department parking placards. MNLA will obtain from each person to whom a NYC parking placard is issued a signed custody letter identifying the serial number of the NYC parking placard and vehicle license plate for the vehicle to which the parking placard is assigned. Proper use of the placard should also be acknowledged.

10-5. Return of Expired Parking Placards. Expired parking placards must be returned to MNLA before the holder may be issued a new parking placard.

10-6. Notice and Effect of Violations. If the New York Police Department reports to the NYS Executive Chamber that a DMNA vehicle displaying a NYS Executive Department parking placard has violated a vehicle or traffic regulation/law (e.g. double parking or parking in an unauthorized area) of the Department of Transportation of the City of New York or of the State of New York, the parking placard must be surrendered to MNLA and the responsible holder of the parking placard may be subject to appropriate disciplinary action by DMNA.

CHAPTER 11**NYS EMERGENCY MANAGEMENT (EM) LICENSE PLATES**

11-1. General. NYS EM license plates are available to vehicles owned or controlled and registered by DMNA and will be eligible for the red emergency license plates. These license plates will aid in quickly identifying individuals with the critical need to enter areas that have restricted access and who should be on the road during times of emergency. The vehicles that play a “critical role” can be quickly identified to get immediate access to locations impacted by a NYS emergency; counter-terrorism actions, natural disaster relief, Empire Shield missions, and other just causes where DMNA and/or the NYARNG needs to react or act as a first responder.

11-2. Details of NYS EM License Plates. NYS EM license plates have a white background with red details and include the official name of DMNA with an “EM” indicator. The number of NYS EM license plates that will be issued will be determined and approved by the NYS Division of Homeland Security and Emergency Services (NYS DHSES).

APPENDIX B

DMNA VEHICLE DISPATCH LOG
LOCATION _____

Date(s)	NYS LENS Approved	Employee Name	Destination	Vehicle ID#	Time Out	Time Returned

APPENDIX C

Glossary

- C-1. **AFV** - Alternative Fueled Vehicles.
- C-2. **ARI** - Automotive Rentals, Inc.
- C-3. **CFR** - Code of Federal Regulations.
- C-4. **CSTs** - Civil Support Teams.
- C-5. **DCO** - Defense Connect Online.
- C-6. **DHSES** - Division of Homeland Security and Emergency Services.
- C-7. **DMNA** - Division of Military and Naval Affairs.
- C-8. **DMV** - Department of Motor Vehicles.
- C-9. **DOB** - Division of the Budget.
- C-10. **DPPA** - Drivers Privacy Protection Act.
- C-11. **EM** - Emergency Management.
- C-12. **FOUO** - For Official Use Only.
- C-13. **GAWR** - Gross Axle Weight Rating.
- C-14. **GSA** - General Services Administration.
- C-15. **GVWR** - Gross Vehicle Weight Rating.
- C-16. **J3-DO** - Domestic Operations Directorate.
- C-17. **J3-DO-CD** - Counter Drug Branch.

- C-18. JOC -** Joint Operations Center.
- C-19. LENS -** License Event Notification Service.
- C-20. MNAG-SAS-** Special Assistant-State.
- C-21. MNAV-OS -** Safety and Occupational Health Branch.
- C-22. MNBF -** Budget and Finance Directorate.
- C-23. MNCI -** Office of the Chief Information Officer/G-6
- C-24. MNFE -** Facilities Management and Engineering Directorate.
- C-25. MNHS -** State Human Resources Management Directorate.
- C-26. MNLA -** Legal Affairs Office.
- C-27. MNNM -** New York Naval Militia.
- C-28. MTA-** Metropolitan Transportation Authority.
- C-29. NYANG -** New York Air National Guard.
- C-30. NYARNG -** New York Army National Guard.
- C-31. NYC -** New York City.
- C-32. NYG -** New York Guard.
- C-33. NYS -** New York State.
- C-34. NYSTWY -** New York State Thruway.
- C-35. OGS -** Office of General Services.
- C-36. OIC&C -** Officer in Charge and Control.
- C-37. OSC -** Office of the State Comptroller.

- C-38. OTAG -** Office of The Adjutant General.
- C-39. PESH -** Public Employee Safety and Health Bureau.
- C-40. POV -** Personally Owned Vehicle.
- C-41. RI&FM -** Risk, Insurance and Fleet Management.
- C-42. RS-FO -** Regional Supervisor-Facilities Operation.
- C-43. SAD -** State Active Duty.
- C-44. SAR -** Search and Rescue.
- C-45. SFS -** State Financial System.
- C-46. SOP -** Standard Operating Procedure.
- C-47. SUV -** Sport Utility Vehicle.
- C-48. TAG -** The Adjutant General.
- C-49. V&T -** Vehicle and Traffic.

The proponent of this regulation is the Director of Facilities Management and Engineering. Users are invited to send comments, suggested improvements and changes on DA Form 2028 (Recommended Changes to Publications and Blank Forms) directly to The Adjutant General, ATTN: MNFE, 330 Old Niskayuna Road, Latham, New York 12110-3514.

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