

MICHIGAN DEPARTMENT OF CORRECTIONS POLICY DIRECTIVE	EFFECTIVE DATE 04/07/2003	NUMBER 01.03.120
	SUBJECT VEHICLE USE	
SUPERSEDES 01.03.120 (06/17/02)		
AUTHORITY MCL 257.1 et seq.; 791.203		
ACA STANDARDS 3-4189; 3-4190; 1-ABC-3A-23		
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POLICY STATEMENT:

State-owned and private vehicles shall be used for official business as set forth in this policy.

POLICY:

GENERAL PROVISIONS

- A. State-owned vehicles shall be used only for official business specifically approved by the Warden, Special Alternative Incarceration Program (SAI) facility Administrator, Field Operations Administration (FOA) Regional Administrator, Correctional Facilities Administration (CFA) Regional Prison Administrator, office or bureau head, or designee in accordance with this policy and in compliance with federal, state, and local laws. Radar detector, laser detector or jamming devices shall not be used in state-owned vehicles.
- B. Transportation of offenders shall be in accordance with PD 04.04.135 "Custodial Transportation of Offenders" and PD 06.01.120 "Arrest, Restraint and Detention of Prisoners, Parolees, and Probationers". An offender shall not be transported anywhere as a passenger in the back of a truck or trailer of any kind, on the fender, tailgate or side of a moving vehicle, or as a passenger on a farm tractor.
- C. Persons in a state-owned vehicle who are occupying a vehicle seat equipped with a safety belt shall use the belt when the vehicle is in motion. Vehicle windows shall be closed and the doors locked when the vehicle is not in use. Smoking in state-owned vehicles is prohibited.
- D. Exclusively represented employees shall be governed by their bargaining unit agreement where in conflict with this policy.

DRIVER LICENSES

- E. Employees shall possess a valid driver's license when operating a state-owned or personal vehicle on official business. The license shall be from the State of Michigan or the state or province in which the employee resides, with endorsements appropriate to the vehicle type. If an employee is required to use a vehicle on official business, it is the employee's responsibility to notify the appropriate supervisor if the license is no longer valid (e.g., revoked or suspended) or has been restricted in any way that would limit his/her operation of the vehicle. The Administrator of the Bureau of Human Resources shall ensure that each employee signs a Driver's License Verification form (CAJ-196), attesting to his/her understanding of these requirements. The form shall be retained in the employee's personnel file.
- F. Employees shall possess a valid Commercial Driver License (CDL) with appropriate endorsements if they operate:
 - 1. A vehicle with a gross vehicle weight rating (GVWR) of 26,001 pounds or more.
 - 2. A vehicle towing another vehicle with a GVWR over 10,000 pounds.
 - 3. Combination vehicles having a gross combination weight rating (GCWR) of 26,001 pounds or

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more towing vehicles not more than 10,000 pounds GVWR.

4. A vehicle designed to carry 16 or more people (including the driver).
 5. A vehicle carrying hazardous material in amounts requiring placarding.
- G. Employees who possess a CDL shall be subject to substance abuse testing in accordance with federal law, Civil Service Commission rules and applicable collective bargaining unit agreements.
- H. Prisoners in Community Residential Programs and all offenders in FOA facilities are prohibited from driving state-owned vehicles. Prisoners in CFA facilities are authorized to drive state-owned vehicles only as required for their work assignments and only on Department or other state-owned property (e.g., state parks). Under no circumstances shall a prisoner be permitted to drive a state-owned vehicle requiring a CDL.
- I. Supervisors shall ensure that prisoners authorized to drive a state-owned vehicle pursuant to Paragraph H have a valid driver license with endorsements appropriate to the vehicle type. This requirement does not apply to the operation of farm tractors and equipment, bulldozers, and construction equipment. The Department shall pay the cost of the license. Prisoners shall not have the license in their possession except while actually working on the assignment which requires it.

MAINTENANCE AND CONTROL OF STATE-OWNED VEHICLES

- J. Each Warden, SAI facility Administrator, FOA Regional Administrator, CFA Regional Prison Administrator, office or bureau head, or designee shall designate a specific employee or employees to be responsible for maintenance and control of all state-owned vehicles in their vehicle pool. A specific vehicle may be assigned for individual staff use over an extended period of time with approval of the appropriate Warden, Administrator, office or bureau head, or designee. State-owned vehicles shall be kept overnight at an employee's residence only if the residence is en route to a temporary work site or with prior approval of the Director.
- K. Persons designated to maintain and control state-owned vehicles shall maintain a daily travel log developed by the Department of Management and Budget (DMB) to record trip purpose, destination, miles traveled and driver's signature. Drivers shall ensure that for each trip log notations are entered on separate lines to record the date and distance traveled:
1. To a final destination.
 2. To return from a final destination.
 3. In a local area whether occurring at the point of origin or at a final destination.
- L. If an accident or vehicle damage has occurred, the driver shall file a report with the appropriate law enforcement agency, enter a notation in the vehicle log and complete a DMB Vehicle Damage Report. The driver shall report the accident or vehicle damage in accordance with the information provided on the Vehicle Damage Report within one business day after the incident. Upon return to their work site, drivers shall immediately report any accident, vehicle damage, or mechanical or safety problems to their immediate supervisor and the vehicle pool supervisor.

PERSONAL USE OF STATE-OWNED VEHICLES

- M. Personal use of state-owned vehicles is prohibited except that employees using a state-owned vehicle for an official overnight trip may use the vehicle to travel within the destination vicinity for purposes of dining, shopping and recreation. Employees on an official day trip may use the vehicle within the local area to travel to a restaurant for lunch.

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PRIVATE VEHICLES

- N. Employees may use a private vehicle for conducting state business, except as set forth in Paragraph B. However, a supervisor may require use of a state-owned vehicle if it is to the Department's advantage to do so. In such cases, an employee may still use a private vehicle, but will not be reimbursed for mileage.
- O. Employees using a private vehicle shall be reimbursed at the higher mileage rate set forth in the Standardized Travel Regulations issued by the Department of Civil Service and DMB only if private car approval is obtained from DMB or if a state-owned vehicle is unavailable. Except as set forth in Paragraph N, employees using a private vehicle shall be reimbursed for mileage at the lower rate set forth in the Standardized Travel Regulations if a private vehicle is used in lieu of an available state-owned vehicle.
- P. Personal vehicles used by staff for conducting state business must be insured as required by state law. The State of Michigan is not responsible for injury or loss resulting from use of personal vehicles.
- Q. Personal vehicles used by staff for conducting state business shall not display commercial advertisements or endorsements.

OPERATING PROCEDURES

- R. The FOA and A&P Deputy Directors, the Administrator of the Bureau of Human Resources and each Warden shall ensure that procedures are developed as necessary to implement requirements set forth in this policy directive; this shall be completed within 60 calendar days after the effective date of the policy directive. This requirement includes ensuring that their existing procedures are revised or rescinded, as appropriate, if inconsistent with policy requirements or no longer needed.

AUDIT ELEMENTS

- S. A Primary Audit Elements List has been developed and will be provided to Wardens and the Executive Policy Team to assist with self audit of this policy, pursuant to PD 01.05.100 "Self Audit of Policies and Procedures".

WSO:OPH:03/17/03