

## OPERATING POLICIES AND PROCEDURES

CATEGORY: VEHICLE OPERATION	DATE ISSUED: 1-01-94 REVISED: 4-02-12	EFFECTIVE DATE 4-16-13	POLICY NO: VO-6
TITLE: <b>RULES OF VEHICLE USE AND OPERATION</b>			PAGE 1 OF 3

1. Drivers of State vehicles shall abide by all motor vehicle laws of the State of Delaware and all promulgated policies and procedures issued by the Office of Management and Budget through Fleet Services. Employees utilizing state vehicles found in violation of motor vehicle laws; determined to have used a vehicle without authorization; discovered commuting in a state vehicle without approval; misusing a fuel card; determined to be the cause of vehicle accidents; disconnecting the vehicle tracking system; or any other misuse of state vehicle resources will be adjudicated by Fleet Services as follows:
2. All violations including but not limited to speeding, red light violations, accidents, and public complaints of unacceptable driving behavior will be tracked by Fleet Services. Any combination of three infractions in a rolling twelve month time period will result in a suspension of driving privileges for all State owned vehicles.
  - Upon discovery of a potential violation, Fleet Services will formally request, in accordance with Delaware Code Title 29 Subsection 7105, an investigation from the employing agency Human Resources unit to determine the facts of the complaint and then provide appropriate counseling or discipline according to the severity of the complaint. This first request will act as a first warning from Fleet Services. If however in determination of facts, Fleet Services finds the actions of the driver are particularly grievous (e.g. fuel theft, DUI, etc.), driving privileges can be withdrawn immediately. The length of a suspension of privileges will be determined by the Fleet Administrator and may range from thirty days to a permanent suspension, based upon the severity of the offense.
  - A second violation of vehicle operation or procedure will result in an investigation request and written response to Fleet Services. The second investigation request will also warn that a third violation will result in a thirty day suspension of driving privileges.
  - Should a third violation occur, a request for an investigation and written response will be required of the employing agency. Regardless of the actions an agency may take, a driver recorded by Fleet Services with a third violation will be suspended from driving any State owned vehicle for thirty days.
  - A fourth violation within twelve months after a thirty day suspension will result in a ninety day loss of driving privileges.

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- A fifth violation within twelve months after a ninety day suspension will result in the permanent suspension of an employee's driving privileges.
- 3. All appropriate parking fees shall be reimbursed by the authorized driver's Department/Agency.
- 4. In accordance with Title [29, Delaware Code, §6505](#), all fines for parking tickets and moving violations are the sole, personal responsibility of the driver.
- 5. Under current State of Delaware law, [Title 21, Delaware Code, §4802](#), all authorized driver and passengers are required to wear seatbelts.
- 6. Smoking, by Executive Order Number Seventy-One, is prohibited in all State vehicles.
- 7. No hitchhikers are allowed in Fleet Services vehicles.
- 8. [Title 14, Delaware Code](#), prohibits the transportation of preprimary, primary and secondary pupils in vehicles rated to carry 10 passengers in addition to the driver. This law applies to trips from home to school or any school-related events. Vehicles needed to transport more than 10 pupils must meet State of Delaware and federal specifications applicable to school buses.  
  
Fleet Services will not reserve 12 or 15 passenger vans for the purpose of transporting preprimary, primary and secondary pupils on trips from home to school or any school-related events.
- 9. Per [Delaware Code Title 21§4174C](#) utilizing a cell phone or texting device while driving is prohibited.
- 10. It is the responsibility of all drivers to keep the interior of Fleet Services vehicles clean and presentable. All trash must be removed from vehicles before they are returned. Trash cans will be provided at each motor pool for this purpose. Vehicles requiring major interior cleaning will incur a surcharge to the driver's Department/Agency. Minor interior and all exterior cleaning shall be the responsibility of Fleet Services.

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11. All drivers are to fill the fuel tank if the gauge reads at or below  $\frac{1}{2}$  before returning it to the pool site. Failure to refuel at or below  $\frac{1}{2}$  tank will result in a penalty charge assessed to the driver's Department/Agency.
12. Any discovery of vehicle damage, fuel theft or financial loss to Fleet Services attributable to any state, contractual or otherwise, authorized driver or those who may have access to Fleet Services property, will be the responsibility of the employing agency, department or contractor. Upon discovery of loss and evidence that determines those responsible, Fleet Services will invoice the agency, department or contractor for the full amount of the loss or damage. Agencies, departments or contractors will be responsible to prosecute and obtain reimbursement from those causing a loss. Fleet Services will provide supporting evidence to support a claim to recover agency, department or contractor losses.