



Division of Motor Fleet Management  
NC Department of Administration

# **MFM POLICY REGARDING USE AND MISUSE OF STATE VEHICLES**

# PURPOSE OF TRAINING

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- ✘ The purpose of this training is to familiarize state employees who (a) serve as agency Vehicle Misuse Report Coordinators, (b) use vehicles in the state fleet to conduct official business, and/or (c) are alleged to have misused state vehicles, with basic but essential Motor Fleet Management (MFM) policy and North Carolina traffic safety laws.
- ✘ The complete MFM Regulations Manual is available online at:  
<http://www.ncmotorfleet.com/regmanual.aspx>

# PURPOSE OF TRAINING

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- ✘ An individualized Certificate of Completion will be generated and kept on file with your agency Vehicle Misuse Report Coordinator.
- ✘ Violation of MFM Regulations, or subsequent allegations of misuse, may result in restricted future use of state vehicles – up to and including temporary or permanent barring of an involved employee from use of a state vehicle, or loss of vehicle assignment to an agency.

# 'THREE STRIKES' PROGRAM

- ✘ Effective Nov. 1, 2010, MFM will implement a “Three Strikes” program intended to increase compliance with MFM Regulations and North Carolina traffic safety laws – as well as increase the rate of misuse reports successfully closed by agencies.
  - + **FIRST INCIDENT AND/OR MISUSE REPORT:** Involved driver will complete this training module to ensure familiarity with MFM Regulations and responsibility to adhere to all traffic safety laws.
  - + **SECOND INCIDENT AND/OR MISUSE REPORT:** A written warning will be placed in the involved driver’s personnel file detailing the incident and enacting a three-month period in which no MFM-related incidents may occur.
  - + **THIRD INCIDENT AND/OR MISUSE REPORT:** One year loss of state vehicle use privileges for involved driver and review of agency’s state-assigned vehicles.

# MFM MISSION

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- ✘ MFM provides safe and efficient management, maintenance, repair and storage of state-owned passenger motor vehicles.
- ✘ MFM provides savings to the taxpayers of North Carolina by supplying a centralized source of passenger transportation for all state agencies and to all state employees in the performance of their official duties in the most cost-effective way.

# LOCATION, E85 FUEL, EMERGENCIES

- ✘ MFM's physical address in Raleigh is 1915 Blue Ridge Road. Drivers of state-owned vehicles may obtain gasoline and E-85 fuel at this facility.
- ✘ In case of an emergency, MFM employees answer the 1-800-277-8181 telephone line from 7 a.m. to 5 p.m. during the workweek. After 5 p.m. until 7 a.m. the next morning, and during weekends and holidays, the State Capitol Police answer calls to the toll-free number.

# MFM REGULATIONS

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- ✘ Persons who will be driving a state-owned motor vehicle must have a valid North Carolina driver's license and must show the license prior to obtaining a vehicle.
- ✘ For all persons responsible for agency-assigned MFM vehicles, MFM is required, by administrative code, to photocopy the driver's licenses of all persons who operate the vehicles and retain these photocopies on file.
- ✘ Whenever drivers have six or more points on their license, MFM will notify that the driver's agency will be held financially responsible for accidents by the driver.

# MFM REGULATIONS

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- ✘ Requests for temporary assignment of vehicles must be made on an FM-2, signed by the proper agency supervisor and presented to the dispatcher at the assigning motor pool.
- ✘ Vehicles dispatched from the Motor Pool are assigned on a first-come, first-served basis, with the exception of service vehicles (such as cargo vans, which may be reserved).
- ✘ Before a vehicle may be picked up, a valid driver's license must be presented to the Motor Pool dispatcher by the assigned driver and all other passengers who are subject to drive the vehicle during its temporary assignment.

# MFM REGULATIONS

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- ✘ Vehicles assignments may change if any of the following occur:
  1. If the vehicle is used for any purpose other than official state business.
  2. If reports are not submitted to the Department of Administration, or if the reports are inaccurate, incomplete or unacceptable to MFM and corrections are not made within 30 days of request.
  3. If false information is willfully and knowingly submitted on any report or application.
  4. If reports or forms are not signed properly and correction is not made within 30 days of a request to do so.

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# MFM REGULATIONS

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5. **If vehicle abuse occurs.** Abuse includes, but is not limited to: improper care and maintenance (including excess filth); willful damage (destruction of interior or exterior with foreign objects); excessive number of accidents or misuse reports, and reckless disregard for the proper operation of the vehicle (excessive moving or standing violations).
6. **If the vehicle is not being driven the 3,150 quarterly minimum mileage requirement and lower mileage cannot be justified.**
7. **If substantiated violations of motor vehicle laws are committed.**
8. **If other rules and regulations or policies are willfully violated.**

# MFM REGULATIONS

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- ✘ Travel logs (Form FM-12) for permanently assigned vehicles are to be filled out on a daily or trip basis when the vehicle is in use. Log entries should accurately reflect the use of the vehicle.
- ✘ The agency assigned the vehicle is responsible for keeping the log sheets available for audit for three years.

# MFM REGULATIONS

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- ✘ Gasoline purchases should be obtained from MFM facilities or other state-owned facilities except when state-owned facilities are closed, when travel is out-of-state, or when it is more cost-effective to buy commercially.
- ✘ When available, E-85 or E-10 fuel should be purchased for flex-fuel vehicles.
- ✘ A gasoline credit card and an electronic gasoline pump key is issued to each vehicle to access the 24-hour fueling stations.
- ✘ It is prohibited to use either the credit card or pump key for any personal use whatsoever.

# MFM REGULATIONS

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- ✘ The maintenance of permanently assigned and agency-assigned vehicles is the responsibility of the individual and agency to which the vehicle is assigned.
- ✘ It is the responsibility of persons assigned an MFM-owned vehicle(s) to keep the vehicle(s) clean. MFM no longer pays for vehicle washes. The cost of washes is the responsibility of the person or agency assigned the vehicle.

# MFM REGULATIONS

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- ✘ All accidents involving state vehicles or other property damage, regardless of amount of damage, must be reported, within 10 days, by calling 1-800-277-8181 or 919-733-4043.
- ✘ Information which should be obtained from the other driver includes name, address, telephone number, license plate number, insurance company and policy number. An Accident Reporting form, FM-16, must be completed and forwarded immediately to MFM.

# MFM REGULATIONS

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- ✘ State-owned passenger-carrying vehicles shall be driven only by state employees and used for official state business only.
- ✘ It is unlawful for any state employee to use a state-owned vehicle for any private purpose whatsoever.
- ✘ Commuting privileges approved by MFM are not considered a private purpose. An employee with an individual permanently assigned vehicle may drive the vehicle to and from his/her home when approved by supervisor.

# MFM REGULATIONS

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- ✘ It is the responsibility of the individual driver to observe all state motor vehicle laws and ordinances.
- ✘ All violations and fines, including parking tickets, shall be the responsibility of the driver or agency.
- ✘ Abuse of motor vehicle laws and ordinances may result in restriction or denial of the use of a MFM-owned vehicle.

# MFM REGULATIONS

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- ✘ Individuals and agencies are responsible for **secure and safe storage and parking of vehicles**. Repeated acts of vandalism may result in the agency being charged for repairs.
- ✘ It is the responsibility of the driver or the driver's agency to **pay all parking fees and any fines** assessed against the vehicle, including any towing fees resulting from improper parking.
- ✘ **MFM is not responsible for property left in parked vehicles** at any location, including the Motor Pool and Garage.
- ✘ Further, MFM is not responsible for the cost of duplicate keys or for the cost associated with locking a key in a vehicle.

# MFM REGULATIONS

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- ✘ Under no circumstances may a state employee operate a state-owned vehicle while under the influence of intoxicating beverages, drugs or substances, or transport (except in performance of law enforcement duties) these items in a state-owned vehicle.
- ✘ Hitchhikers are not allowed to ride in any state-owned vehicle.

# MFM REGULATIONS

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- ✘ Spouses and children are permitted to accompany state employees on trips in state-owned vehicles when sufficient space is available and when all travel is strictly for official state business.
- ✘ Family pets are not permitted in state-owned vehicles. Leader dogs for blind persons and other officially certified assistance dogs are excluded from this restriction.

# MFM REGULATIONS

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- ✘ When an employee is required to use a state-owned vehicle for travel while away from his/her work station, the vehicle may be used for travel to obtain meals and other necessities, but not for entertainment or any personal purposes.
- ✘ A state employee may not use a state-owned vehicle for obtaining meals and other necessities unless he/she is in travel status, approved commuter status, or approved office-in-home.

# MFM REGULATIONS

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- ✘ In accordance with General Statute:
  - + The driver and all passengers must use seat belts or age-and weight-appropriate restraint systems whenever the vehicle is in motion.
  - + Smoking is prohibited in state-owned vehicles.
  - + Using additional technology (ie, text messaging, etc.) while operating a vehicle is illegal.

# MFM REGULATIONS

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- ✘ Any traffic violations by state employees operating any MFM vehicle justifies a misuse/abuse letter from the MFM Director to the driver's agency head.
- ✘ If a state employee is involved in repeated infractions, he/she may be subject to denial of the use of any state-owned vehicle.

# MFM REGULATIONS

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- ✘ MFM may revoke the assignment or require the department using the vehicle to do so under specific conditions or if misuse or abuse has been established to a reasonable certainty. The following procedures will apply:
  - + 1. Complaints, concerns and questions received by MFM are acted upon and a written or electronic notice is sent to the proper agency head or designee.
  - + 2. Notification by MFM of a vehicle complaint will include specific documentation to support such claim. **Within 10 working days a written reply should be received by MFM** regarding the complaint, unless an extension is granted. If 30 working days pass, MFM will close the report and designate it **unresolved by agency**.

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# MFM REGULATIONS

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- + 3. MFM will review the allegation(s) and the response received by the agency head and/or alleged offender.
- + 4. After a full evaluation of the allegation and response, the MFM Director will determine if the vehicle assignment shall be revoked. **No revocation will occur based on an anonymous tip.**
- + 5. MFM reserves the right to temporarily terminate a vehicle assignment during the course of an investigation for any major allegation (such as driving while impaired).

# REVIEW OF COMMON MISUSE ALLEGATIONS



# REVIEW OF COMMON MISUSE ALLEGATIONS

- ✘ A recent review of nearly 30 years' worth of misuse reports showed a clear pattern of alleged violations. It is **your responsibility** to use the vehicle in accordance with MFM Regulations and North Carolina traffic safety laws.
- ✘ Also, be sure to use the same common sense and courtesy you apply when operating your personal vehicle.

# REVIEW OF COMMON MISUSE ALLEGATIONS

- ✘ If an observed behavior would cause you to glare at or comment disparagingly about another driver or passenger...
  - + Do not do it yourself in a state vehicle.
- ✘ All drivers are obligated to adhere to all traffic safety laws in North Carolina...
  - + Especially those who use taxpayer resources to travel in a state vehicle branded with a toll-free number to report misuse.

# REVIEW OF COMMON MISUSE ALLEGATIONS

- ✘ Everyone gets frustrated driving in traffic...
  - + But it is not appropriate for anyone in a state vehicle to react with angry words or gestures.
  
- ✘ If you are accused of speeding but *always* use cruise control...
  - + This is not a valid excuse. Set it at a lower rate of speed and/or have the vehicle serviced by MFM.

# REVIEW OF COMMON MISUSE ALLEGATIONS

- ✘ It's OK to not use your safety belt on the way to an appointment so your clothes stay crisply professional. ..
  - + NO. North Carolina law requires all occupants, in all seating positions, to use an age- and weight-appropriate restraint when the vehicle is in motion.
  
- ✘ If you are trying to keep pace with the driver of another state vehicle who is speeding or driving recklessly, or generally “going with the flow of traffic” ...
  - + Use common sense and maintain a safe speed. It's better to be late for a meeting while using a state vehicle than barred from using one in the future.

# REVIEW OF COMMON MISUSE ALLEGATIONS

- ✘ If I'm lost or late for an appointment, it's OK to send or check a text message while driving. ..
  - + NO. Whether in a state vehicle or your personal vehicle, texting while driving is illegal in North Carolina.
- ✘ Likewise, if you need to check directions or get one last look at materials before a meeting...
  - + Pull over to a safe location to review documents and make or receive cell phone calls or text messages.

# REVIEW OF COMMON MISUSE ALLEGATIONS

- ✘ Even though you drive right past your child's school – or your pharmacy or favorite dry cleaner or coffee shop, etc. – on the way to your workplace every day...
  - + It is a violation of policy to use a state vehicle for anything but official state business.
  
- ✘ If your official work duties do not include transportation of children...
  - + Do not have a child safety seat, kid's toys or similar property in the vehicle.

# REVIEW OF COMMON MISUSE ALLEGATIONS

- ✘ If you have permission to park a state vehicle in a non-state parking lot...
  - + Make sure you have written documentation from the person who authorized you to do so and that the designated location is noted on the FM30.
  
- ✘ Unless he or she also is involved in the transaction of official state business...
  - + Keep your pet out of state vehicles.

# REVIEW OF COMMON MISUSE ALLEGATIONS

- × You're safe stopping at a store to purchase items needed for an official activity or a meal while on travel status...
  - + But alcoholic beverages are not permitted in state vehicles. Same goes for other items not related to your job duties.
  
- × It's a good thing to be a "designated driver" with your personal vehicle...
  - + But never use a state vehicle as a designated party wagon.

# REVIEW OF COMMON MISUSE ALLEGATIONS

- ✘ If you get hungry while on official travel status...
  - + You *are* allowed to eat meals at restaurants, including drive-thru's and those located at shopping centers.
  
- ✘ Even if a state vehicle is assigned to an individual user, it is not “your” car.
  - + Treat it just as well, but understand that it is a public resource that is not to be personalized and may be reassigned as needed.

# CERTIFICATE OF COMPLETION

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- ✘ Congratulations! You have completed the MFM Policy Regarding Use and Misuse of State Vehicle training.
- ✘ Please [click here](#) to enter your information and generate a certificate of completion. Provide the signed original to your agency Vehicle Misuse Report Coordinator within five (5) business days and keep a copy for your records.