

STATE OF OHIO
ADJUTANT GENERAL'S DEPARTMENT
2825 WEST DUBLIN GRANVILLE ROAD
COLUMBUS, OHIO 43235-2789

TO: SEE DISTRIBUTION

FROM: Major General John H. Smith, The Adjutant General

DATE: October 15, 1999

**SUBJECT: POLICY – State Employee Procedure Letter #27
Commute Policy & Use of State Vehicles Policy**

1. REFERENCES:

a. Department of Administrative Services policy memorandum of March 15, 1999, subject "Updated IRS Rates and the Revised Policy on Commuting in a State Vehicle."

b. Department of Administrative Services Directive # 99-13, State Motor Vehicle Liability Program dated November 13, 1998.

2. SCOPE: This policy applies to all state employees, both bargaining unit and exempt, assigned a state vehicle either on a permanent or temporary, short-term basis.

3. POLICY: Section 125.831 of the Ohio Revised Code provides that the Director of Administrative Services may promulgate rules and procedures for implementing a comprehensive state fleet management program. The State of Ohio does not advocate the personal use of state vehicles.

4. FORMS: There are four state forms to administer the commute cost program:

ADM 3010 - Administered by AGOH-QM

ADM 3012 - Administered by AGOH-QM and original placed in payroll file

AGN 0051 - Administered by AGOH-SHRD

AGN 0052 - Administered by AGOH-SHRD

*This memorandum supersedes AGOH-SHRD State Employee Procedure Letter #27, dated 19 February 1993.

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5. EXEMPTION FROM COMMUTE COST CHARGES: These exemptions from the IRS commute cost charges exist:

Exemption A - Vehicle is not used to commute but remains overnight at headquarters (Pool Car). If this exemption is requested, stop here and retain form in agency for possible audit. Do not send the form to DAS/Fleet Management.

Exemption B - Vehicle assigned to employees whose duties are primarily field assignments and reports to his/her designated office an average of once a week or less.

Exemption C - Vehicle assigned to law enforcement personnel (strictly defined).

6. PERSONNEL TO BE CHARGED FOR COMMUTE COST: Any state employee who is assigned a state vehicle and does not meet one of the three exemptions stated above must sign and file an ADM 3012 with AGOH-QM. Anyone who has completed an ADM 3012 must prepare and attach an AGN Form 0051 to each bi-weekly time and attendance report (T&A). If an AGN Form 0051 is not submitted, then there will be an automatic charge of \$3.00 per day applied to your payroll record.

7. REPORTING PERSONAL USE MILEAGE AND COST: Any state employee who would happen to use a State vehicle for personal use must complete AGN Form 0052 at the close of the last pay period for each month and attach it to the time and attendance (T&A) report.

8. COMMUTE RATE EXPLAINED: Employees, in reality, will not have commute rates subtracted from their pay. The use of a state vehicle for commute to-and-from work is considered a fringe benefit by IRS. Therefore, your commute charges will be added to your gross income on your W-2 form each year.

9. GUIDELINES: State-owned vehicles are authorized for use in the performance of all essential travel duties related to the completion of state business. They are not authorized to be used for personal trips unrelated to the state business for which they were assigned; nor to attempt tasks which are beyond the vehicle's capabilities. When in doubt, the decision must be based on whether the vehicle's use in this task will serve the interest of the state, rather than the driver. Caution and discretion must be used at all times. The following guidelines are intended to aid in operating a state vehicle responsibly.

a. Authorized Use of State Vehicles

(1) Travel between the place where the state vehicle is dispatched and the place where the official state business is performed.

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(2) When on official travel status, between the place of state business and the place of temporary lodging.

(3) When on official travel status and not within reasonable walking distance, between either of the above places and places to obtain meals; places to obtain medical assistance (including drug store); places of worship, barber shops or hair salons; cleaning establishments; and similar places required to sustain the health, welfare or continued efficient performance of the driver, exclusive of places of entertainment.

(4) Transport of other officer, employee or guests of the state when they are on official state business.

(5) Transport of consultants, contractors or commercial firm representatives when such transport is in the direct interest of the state.

(6) Travel between the place of dispatch or place of performance of state business to your personal residence when specifically authorized by the proper authority in this agency.

b. Unauthorized Use of State Vehicles: Be advised that any unauthorized use of state vehicle will result in immediate disciplinary action. Such action may include suspension of all privileges to operate state vehicles. The following uses of state vehicles are prohibited:

(1) Any use for personal purposes, other than commuting which has been authorized as specified in Authorized Uses.

(2) Travel or tasks which are beyond the vehicle's rated capability.

(3) Transport of family, friends, associates or other persons who are not employees of the state or serving the interest of the state.

(4) Transport of hitchhikers.

(5) Transport of cargo which has no relation to the performance of official state business.

(6) Transport of acids, explosives, weapons, ammunition or highly flammable materials except by specific authorization or in an emergency situation.

(7) Transport of any item or equipment projecting from the side, front or rear

of the vehicle in a way which constitutes an obstruction to safe driving, or a hazard to pedestrians or to other vehicles.

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(8) When on official state business yourself, transport of other employees from headquarters to restaurants, cafes, drugstores or other places which are not in the service of state business.

(9) attending sporting events, including hunting and fishing, which are not in the service of state business.

(10) Extending the length of time the vehicle is in your possession beyond that which is required to complete the official purposes of the trip.

(11) Operating a state vehicle while under the influence of alcohol or drugs is prohibited.

c. Compliance with Traffic Laws: All drivers and passengers of a state vehicle must comply with all applicable state and local traffic laws including but not limited to:

(1) The driver and all passengers shall wear seat belts as required by Section 4513.263 or the Revised Code.

(2) The driver shall possess a valid Ohio driver's license.

(3) The driver and passengers shall comply with all applicable state and local traffic laws, the driver shall be personally liable for any criminal or civil penalty incurred.

(4) The driver shall comply with all applicable state and local parking laws. In the event of a violation of such state and local parking laws, the driver shall be personally liable for any criminal or civil penalty incurred. All drivers shall be required to notify his/her supervisor of any parking tickets as soon after receipt as possible. Such driver shall also provide his/her supervisor that such parking ticket has been paid, within ten (10) working days of receipt of such parking ticket.

Encls

1-ADM 3010

2-ADM 3012

3-AGN 0051

4-AGN 0052

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