



<b>Approved by:</b> Christi W. Branscom, Commissioner	<b>Policy Number:</b> VAM-2
<b>Signature:</b>	<b>Supersedes:</b> 02/11/14, 08/13/21, 09/06/22
<b>Application:</b> Anyone who Uses State Vehicles and Equipment	<b>Effective Date:</b> 05/20/24
<b>Authority:</b> Tenn. Code Ann. §§ 4-3-1102, 4-3-1104, 4-3-1105(9)	

**Subject:**

## Utilization of Vehicles and Equipment

*If any portion of this policy conflicts with the applicable State and Federal laws or regulations, that portion shall be considered void. In such an event, the remainder of this policy and the procedures described within shall not be affected and thereby remain in full force and effect.*

- I. **POLICY STATEMENT:** State vehicles and equipment shall be used only for State purposes, unless specifically authorized to do otherwise.
- II. **PURPOSE:** To establish procedures for the utilization of State vehicles and equipment assigned to agencies/subdivisions of Tennessee State government. To establish guidelines to ensure the safe, efficient, and economical utilization of State vehicles and equipment.
- III. **RESPONSIBILITY:** All Tennessee State government agencies/subdivisions are responsible for using the most cost-effective option for their employees' transportation needs, as determined by DGS Vehicle and Asset Management division (VAM) in conjunction with the agency/subdivision, whether it be owned, leased, or rented vehicles, or public transportation. In accordance with established regulations, agencies/subdivisions are responsible for the proper assignment and use of State vehicles and equipment; rental costs, when applicable; the investigation of allegations of misuse or abuse of State vehicles and equipment; fuel cards; parking tickets; and moving violations. The agency/subdivision head may make temporary exceptions to established regulations in the event of disaster or emergency situations, such as tornadoes, floods, or riots, when the protection of life and property is involved.

#### IV. DEFINITIONS:

1. State employee – Any authorized State employee, elected official, appointee, or other individual as provided by law who is in control of a State vehicle or State equipment and possesses a valid driver's license for the type of vehicle being operated or a valid license for the type of equipment being operated. Part-time and seasonal employees are considered State employees.
2. Agency/subdivision – Any department, office, board, bureau, commission, or other unit of Tennessee State government.
3. Authorized passenger – A State employee or other individual involved in the conduct of State business.
4. Official State business or State business – Any activity conducted by a State employee that is directed or controlled by an agency/subdivision to advance the lawful policies and purposes of the agency/subdivision or the State.
5. State vehicle – Any motor vehicle owned, rented, borrowed, or leased by the State of Tennessee that is used primarily to transport people or property over roads, highways, or State property. Rental vehicles are considered State vehicles when rented by a duly authorized State employee and while used for official State business.
6. State equipment – Any motorized equipment owned, rented, borrowed, or leased by the State of Tennessee with an acquisition cost of \$5,000 or more. Rental equipment is considered State equipment when rented by a duly authorized State employee and while used for official State business.
7. State attachments – Any attachment for State equipment with an acquisition cost of \$5,000 or more. Rental attachments are considered State attachments when rented by a duly authorized State employee and while used for official State business.
8. Telematics – A system installed on most State vehicles that captures vehicle usage data which can be used to improve fleet efficiencies, driver safety, maintenance, and vehicle allocation.

- V. **RESTRICTIONS:** The following restrictions apply to the operation of State vehicles and equipment. Under very limited circumstances and on a case-by-case basis, the Commissioner of DGS may consider, but is not required to, granting a written request for an exception to these restrictions.
1. Only a State employee can operate a State vehicle or equipment. All State employees with driving privileges will be enrolled in the AMVR monitoring program. This program serves to ensure the employee retains a valid driver's license.
  2. Only authorized passengers engaged in official State business may be transported in a State vehicle. This restriction does not apply to vehicles that are under a Class B, Assignment 1 assignment (see policy #VAM-3, "Assignment of State-Owned Vehicles and Equipment").
  3. State employees using rental vehicles should follow their agency's/subdivision's approval processes and rental guidelines.
  4. All State employees operating State vehicles or equipment are required to use proper safety procedures for that type of vehicle or equipment as required by the manufacturer and/or State or federal law. This includes utilization of seat belts when the vehicle or equipment is in motion. No person shall operate a passenger motor vehicle on any highway, as defined by Tenn. Code Ann. § 55-8-101(22), in this State unless such person and all passengers who are four years of age or older are restrained by a safety belt at all times.
  5. All State employees operating State vehicles or equipment are required to follow all State laws, including but not limited to, those limiting the use of cell phones and other mobile devices while operating a vehicle (see Tenn. Code Ann. § 55-8-199).
  6. State vehicles are not to be used for personal purposes. This restriction does not apply to vehicles that are under a Class B, Assignment 1 assignment (see policy #VAM-3, "Assignment of Vehicles and Equipment").
  7. The cost of repair or abuse that occurs to a State vehicle while in the custody of a State employee will be charged back to that employee's agency/subdivision, regardless of fault.
  8. Parking and moving violations will be paid for by VAM and charged to the appropriate agency/subdivision. Each agency/subdivision should investigate these violations and determine if the employee should reimburse the agency/subdivision and determine any disciplinary action. Note, this subsection does not apply to an accident involving a State vehicle. If a State vehicle is involved in an accident while being operated by a State

employee, the State employee must follow the procedures described in Section VIII of the [Department of General Services Operator's Guide](#) found in the vehicle.

9. Smoking and vaping shall be prohibited in all State vehicles (see also Tenn. Code Ann. § 4-4-121).
10. The transportation of animals is prohibited in State vehicles. Exceptions for service animals must be approved by the head of the agency/subdivision of the State employee and the Commissioner of the Department of General Services.
11. State employees operating State vehicles are to be aware of the probability of telematics installed in their vehicle and should immediately inform their supervisor if it becomes disabled due to maintenance or for any other reason.

VI. MISUSE:

1. Misuse of State vehicles and equipment includes, but is not limited to:
  - i. Conviction of driving under the influence of alcohol or drugs while using a State vehicle.
  - ii. Violation of traffic laws (e.g., the use of radar detection devices in State vehicles, exceeding a posted speed limit, reckless driving, illegal parking, etc.).
  - iii. Careless operation that results in damage to a State vehicle or equipment or injury to a person.
  - iv. Use of a State vehicle or equipment for personal business, when not part of the allowed usage.
  - v. Damage to the exterior or interior of a State vehicle or equipment caused by the negligent actions of the State employee or authorized passenger.
  - vi. Tampering with the telematics system installed on a State vehicle.
2. Allegations of misuse or abuse of a State vehicle or equipment will be sent via email to the head of the State employee's agency/subdivision for investigation.
3. Agencies/subdivisions are responsible for investigating misuse allegations to determine if the reported misuse occurred, and if misuse is confirmed, for taking any disciplinary actions, up to and including dismissal, they deem appropriate.

4. If an agency/subdivision determines that misuse occurred, and its disciplinary actions include suspension of the employee's driving privileges, it must notify VAM of the suspension and the duration of the suspension within 24 hours of the decision to suspend. Additionally, if an agency/subdivision learns that an employee's driver's license no longer qualifies them to operate a State vehicle, they should notify VAM within 24 hours of that discovery.