



**DEPARTMENT OF PUBLIC SAFETY
POLICIES & PROCEDURES**



POLICY NUMBER	
ADM: 06	
EFFECTIVE DATE: 07/14/2006	ORIGINAL ISSUED ON: 11/15/1991
REVISION NO: 1	

SUBJECT: VEHICLE USAGE FOR NON-COMMISSIONED EMPLOYEES

1.0 PURPOSE

The purpose of this policy is to restrict the use of departmental vehicles for commuting and to establish standards regarding the use of departmental vehicles by DPS employees.

2.0 POLICY

It is the policy of the DPS to disallow usage of departmental vehicles for commuting between an employee's residence and the workplace unless that employee routinely responds to emergencies. It is also the policy of the DPS to restrict the use of departmental vehicles to qualified employees who are on official business and who have successfully completed the state-sponsored Defensive Driving Course.

3.0 APPLICABILITY

This policy applies to all non-commissioned employees of the Department of Public Safety.

4.0 REFERENCES

- A. NMSA 15-8-1 thru 15-8-11
- B. NMAC 1.5.31 thru 1.5.3.27
- C. DFA White Paper. July 12, 2002

5.0 DEFINITIONS

- A. **Departmental Vehicle** – Any vehicle listed on the DPS inventory.
- B. **Qualified Employee** – An employee who is on official business and who has successfully completed the state-sponsored Defensive Driving Course.
- C. **DPS** – The Department of Public Safety.
- D. **Secretary** – The DPS Cabinet Secretary.

6.0 PROCEDURE

The Special Operations Bureau of the State Police Division will be responsible for the management of all departmental vehicles. The Bureau will assign vehicles according to the following categories:

A. Departmental Vehicles Assigned to Individual Employees:

- 1. Departmental vehicles will be assigned only to those employees who routinely respond to emergencies. The individuals who meet any one of these requirements must request a vehicle assignment through their division or director. The vehicle will be issued to an individual through a written order issued by the Secretary or the appropriate Deputy Secretary.

VEHICLE USAGE

2. The individual employee will be responsible for the care, maintenance and proper use of the assigned vehicle.
3. Individuals are subject to IRS guidelines regarding the value of the vehicle in assessing the employee's wages.

B. Departmental Vehicles Assigned to a Division, Office or Bureau

1. Departmental vehicles may be issued to a particular division, office or bureau when it has been established that these divisions require the use of a departmental vehicle on a regular basis. This will be determined through a written justification from the affected division director to the appropriate Deputy Secretary or the Secretary for those assigned directly to his/her office.
2. These vehicles may be operated by any qualified employee.
3. Vehicles acquired with special funds designated by law for specific program purposes shall be assigned to the division which administers the specific program and in accordance with the laws governing the special fund.
4. Vehicles purchased with funds specifically appropriated to a division or program shall be assigned to the division or program which purchased it, unless specifically reassigned in writing by the Secretary.

C. Departmental Vehicles Maintained in a General Use Pool

1. The Special Operations Bureau will maintain a number of departmental vehicles in a pool for general use. The bureau will maintain and account for these vehicles. However, the routine care and maintenance (e.g. assuring safe and proper operation, cleanliness etc.) associated with driving the vehicle, will be the responsibility of the employee using the vehicle. Expenses will be charged to the proper division or bureau.
2. Vehicles assigned to this pool may be operated by any qualified employee.

D. Authorized Passengers

1. The following list of personnel may be passengers in a departmental vehicle:
 - a. DPS Employees.
 - b. Members of the public who are being provided with assistance.
 - c. Any other person with whom the driver is conducting business.
 - d. Any other person serving in an official capacity who has been approved by the employee's supervisor.

E. Fleet Accidents

1. If a departmental vehicle is involved in an accident that results in injury to anyone or damage to the vehicle or other property, the employee must report the accident to a supervisor at the earliest opportunity.
2. Refer to ADM: 18 Fleet Accident Policy for additional requirements.

F. Proper Use of Departmental Vehicles

VEHICLE USAGE

1. The employee who operates a motor vehicle shall obey all motor vehicle laws and rules of courteous driving.
2. A departmental vehicle that is assigned to an employee for out-of-town travel may be used for reasonable personal business during the time that this out-of-town business is being conducted. However, travel to and from the out-of-town location will be limited to the most direct route.
3. Employees are prohibited from operating a department vehicle while under the influence of any legal drug that would impair their driving ability.
4. Employees are strictly prohibited from operating a department vehicle after consuming alcohol or any illegal drug for which the employee has no prescription.
5. No person shall smoke or use smokeless tobacco products of any type in any state vehicle.
6. No person shall possess a weapon while operating a motor vehicle unless they are a certified law enforcement officer on duty.
7. No pets are allowed at any time in state vehicles.

G. Engine Maintenance

1. It is the responsibility of the employee who fuels a vehicle to also check the oil level of the engine and add oil as is reasonably necessary. The Special Operations Bureau is responsible for oil changes, lubrication and other timely, necessary maintenance for all vehicles assigned to the department motor pool.

7.0 ATTACHMENTS

NONE

8.0 APPROVAL

APPROVED BY: s/John Denko DATE: July 14, 2006
DPS Cabinet Secretary