

## ***General Policy – State Fleet Usage***

### **Policy:**

North Dakota Century Code (N.D.C.C. § 39-01-03) strictly prohibits the private use of motor vehicles that belong to the State. State vehicles must be used exclusively for official state business by state employees or others acting on behalf of the State.

### **Restrictions:**

#### **Drivers/Occupants**

Only state employees are authorized to drive a state fleet vehicle. N.D.C.C. § 32-12.2-0(8) defines state employee as individual working for BSC or the State of North Dakota or persons assigned by a competent authority to act on behalf of BSC or the State of North Dakota in an official capacity, temporarily or permanently, with or without compensation. The same standard applied to any occupant in the vehicle. For purpose of this policy, a competent authority for Bismarck State College includes all Vice Presidents. The Executive Vice President will have final authority. If any proposed vehicle driver occupant does not meet these requirements, a rental vehicle, or personal vehicle will need to be used.

#### **Activities**

State vehicles may be driven only to conduct state business for which the purpose is to fulfill the functions of the College and the State. The parameters of State business are established by and through various sources including: the constitution, the legislature through the laws of this State; and agency and department officials through implementation of administrative policies. The Executive Vice President will have final authority on what constitutes official state business.

Activities of students selected, directed, supervised and controlled by the institution may be deemed state business. Examples include, but are not limited to:

- Student trips that are included in a course syllabus and students are required to participate.
- Planned activity where the student cannot participate without the institutions involvement.
- Competitions or other events at which the College has requested the student group represent the institution.
- Collegiate athletic events
- Student groups not student driven, but controlled by institution in its activities (ex. SGA, Phi Theta Kappa, and Mystician)

Other activities that are not considered state business and therefore use of a state vehicle is prohibited include, but are not limited to:

- Hosting or sponsoring visiting delegation
- Activities of student driven groups (e.g. Student clubs, groups, and organizations) whether advised by a college employee or not
- Intramural events
- Transporting employment applicants or student athlete recruits to/from airport, restaurants and city tours for their convenience and not “official college business.”

## **Qualifications**

1. Drivers of state fleet vehicles must meet State Fleet policy requirements.
2. The driver must be at least 18 years of age and have proof of a valid and current driver's license.
3. Drivers who use large vans (12-15 passengers) must complete DOT training which includes an online and behind-the-wheel component.
4. Drivers transporting 16 or more passengers including the driver must have a valid CDL license with passenger endorsement. Drivers are limited to 10 consecutive hours and 14 total hours of operation in any given 24 hour period.
5. Employees, who operate fleet vehicles, on at least a monthly basis, must take the National Safety Council Defensive Driving Course (DDC) as soon as practical after accepting employment and every four years thereafter.

## **Operator Responsibilities**

It is the responsibility of the operator to become familiar with all the policies and procedures in the North Dakota State Fleet Manual. Examples include:

- Operators must immediately report all accidents involving state vehicles to the BSC Security Office.
- Operators must use state vehicles only for conducting state business and not for personal use.
- Operators can use state vehicles to reach the venue, lodging, and a place for meals when traveling, however, state vehicles cannot be used for personal errands or travel to places of entertainment.
- Vehicles cannot be taken to personal residence for overnight parking.
- Operators may not transport their spouse, children, animals, or hitchhikers in state vehicles.
- All occupants must wear properly fastened safety belts, shall not text message while driving and are prohibited from smoking whenever they travel in state vehicles.

To view full state fleet policy click on this link:

<https://www.dot.nd.gov/manuals/fleet/fsmanual.pdf>

If there is misuse of a state vehicle, employees must report the misuse to the BSC Campus Safety & Security Office. They will investigate the misuse and report findings to the appropriate supervisor(s). Vehicle operators and/or passengers may be subject to disciplinary action.

The manual requires operators to obey and comply with all traffic laws and regulation governing the operation of motor vehicles. Copies of all law enforcement traffic citations will be forwarded to the campus from the DOT for the appropriate disciplinary action. Operators must pay, without reimbursement, all illegal parking fees and traffic fines.

Operation of a state vehicle, other than within the scope of authorized State employment, may expose the driver to: personal liability; employment consequences; and even criminal responsibility for unauthorized use of a motor vehicle and misapplication of entrusted property. (N.D.C.C. § 12.1-23-06 and 12.1-23-07.)

## Procedures:

### Approval

All state fleet vehicle requests must be submitted on a Use of a State Fleet Vehicle Form. This form is available at

<https://core.bismarckstate.edu/departments/hrp/Shared%20Documents/Human%20Resources-Payroll%20Forms/Human%20Resources%20Forms/Use%20of%20a%20State%20Fleet%20Vehicle%20Form.pdf>. The form must be filled out in its entirety and approved/signed by an appropriate competent authority. Completed forms must be sent to the office of the Executive Vice President which will have final approval and make reservations with State Fleet.

### Authorizing Student Drivers

1. The BSC employee requesting use of state vehicles by or on behalf of a student group for an event or activity affiliated with a course or program at the College must submit a Request for Student Use of a State Fleet Vehicle Form to the office of the Executive Vice President a minimum of two weeks prior to the event.
2. All requests must disclose the full use of the vehicle and may be subject to additional reviews. Requests that involve passengers must provide a complete list of all passengers.
3. Requests involving student drivers must include the student's current license information.
4. The state fleet will validate the student's license.
5. The BSC employee requesting a student driver should make appropriate arrangements with the office of the Executive Vice President and is responsible for explaining usage procedures with the selected student(s).

### Vehicle Pickup

1. The State Fleet site is located to the north of the capitol building. Enter from 6th Street and Divide Avenue. The building is on the left.
2. The following information will be needed upon picking up the state fleet vehicle: dates, time, destination, vehicle type, cost center (1000), and department number (227).
3. The individual picking up the vehicle will need to bring their driver's license.
4. If a vehicle request is being cancelled, please call DOT ASAP.
5. It is highly recommended that gasoline/diesel be obtained from state fueling sites in order to save money. (See State Fleet Manual page 29-44 for locations.)
6. All state fleet motor vehicles have an assigned credit card which allow fuel purchase at state fleet sites and most commercial fuel locations.
  - o In order to use the credit card the user must have an authorized driver ID number.
  - o To obtain a driver ID number complete DOT Driver ID Request form at a minimum of 2 weeks prior to travel.
7. Upon returning, the mileage sheet printout from DOT, along with the fund and departments numbers for charging the mileage, should be turned in to the Office of the Executive Vice President.

### References:

SBHE 512 Student Drivers and Use of State Vehicles by Student Groups.

<http://www.ndus.edu/makers/procedures/sbhe/default.asp?PID=214&SID=6>.

North Dakota State Fleet Policy Manual:

<http://www.dot.nd.gov/manuals/fleet/fsmanual.pdf>

NDUS Guide to Authorized Use of State Fleet Vehicles, January 2014

<http://www.ndus.edu/makers/procedures/ndus-guide-to-authorized-use-of-state-fleet-vehicles/>

## **History of This Policy:**

First policy draft July 2010. Reviewed by the Operations Council (OC) on July 14, 2010 and approved by the Executive Council (EC) on August 12, 2010; October 9, 2013; reviewed by the Operations Council on August 12, 2015 and approved by the Executive Council on August 26, 2015.



# Use of a State Fleet Vehicle Form

**Form must be completed prior to departure.**

Requestor's Name		Department/Student Group	
Destination		Phone Number	
Type of Vehicle Required	Number of Vehicles Needed	Estimated Transportation Cost/Round Trip Mileage	
Depart Date	Depart Time	Return Date	Return Time
Purpose for attending function (be specific)			

If students are planning to ride in State Fleet, please answer the questions below:		
Questions	Yes	No
1. Is this trip a requirement of a class and outlined in the syllabus? (please attach a copy of the syllabus)		
2. Are all students in the class required to be on the trip?		
3. Are student class fees paying for this trip?		
4. Did students need to raise money for this trip?		
5. Can the student participate in the event without College involvement?		
6. Is the College requesting students to represent BSC at this event? If yes, attach documentation.		
7. Do you plan to have students drive the State Fleet vehicle?		
* If students are going to drive State Fleet vehicle on an authorized trip, their Driver's License Number and State is required below to check driving record.		

## Persons Traveling in the Vehicle

Name	*Driver License Number/State	Name	*Driver License Number/State
1.		2.	
3.		4.	
5.		6.	
7.		8.	
9.		10.	
11.		12.	
13.		14.	
15.		16.	

**Form must be turned in to the Office of the Executive Vice President.**

Comments/BSC/Special Request.

**Approval**

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**Requesting Employee**

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**Date**

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**Phone**

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**Supervisor/Dean**

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**Date**

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**Phone**

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**Vice President**

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**Date**

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**Phone**

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**Executive Vice President**

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**Date**

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**Phone**