Purpose:

This issuance establishes the policies and procedures addressing the use and operation of State vehicles by DCF employees.

Authority:

- N.J.S.A. §39:1 et seq.
- N.J.S.A. §39:3-17.1
- N.J.S.A. §39:4-97.3

Policy:

A. Permitted Use of State Vehicles

1. All operators of State vehicles issued by DCF shall be employed by the Department of Children and Families, be on the State of New Jersey Centralized Payroll system, and have a valid driver’s license. Only the employee who is assigned to a vehicle at any time is permitted to operate the vehicle. Student interns, volunteers, service providers, and contracted employees shall not operate or drive State vehicles.

2. Employees are prohibited from using personal vehicles to transport clients. Families shall be transported in a State vehicle. State vehicles are used by staff for transportation when conducting family-centered, work-related activities only (e.g., to conduct field work, and may be used by authorized employees in the Office of Licensing(OOL), Office of Information Technology (OIT), Facilities, Institutional Abuse Investigation Unit (IAIU), and Office of Education (OOE) (bus drivers)). State vehicles are not used to attend off-site meetings or trainings.

3. IAIU investigators shall not use his or her personal vehicles for any case or investigation related work. A state car shall be made available in each region for the field investigators.
4. Individual exceptions to this policy shall be made on a case-by-case basis by the Commissioner, the Director of CP&P, the Director of IAIU or the designee of any of those persons, when justified by extenuating circumstances.

B. Who Can Ride in the State Car
1. Only State employees on official State business, business invitees (contracted employees), another DCF employee who commutes with the assigned driver, or clients known to the Division on official State business, may ride as passengers in a State vehicle provided the transportation is deemed work-related.

2. All passengers shall be listed as participants and have an established relationship and a participant’s role to be eligible to be transported. Participants shall become inactive when transportation is no longer required, or the family no longer requires services.

C. Driver’s License
1. An employee whose job responsibilities require driving shall possess a valid driver's license. The Department has the authority to prohibit an employee from operating vehicles or motorized equipment on the job if any question exists about the validity of his or her driver's license. Under no circumstances is an employee permitted to operate a State vehicle without a valid driver’s license.

2. If at any time an authorized vehicle operator's license is suspended, revoked, or expired, in any state or jurisdiction, the employee shall notify the employee’s immediate Supervisor within one (1) business day of their knowledge of their license being impacted.

3. The Department of Children and Families shall prohibit any employee with more than five (5) points on his or her license from operating a State-owned or leased vehicle. It shall be the responsibility of the employee to advise the employer when he or she has reached or shall reach the level of five (5) assessed points. That notification shall be made within one (1) business day of the assessment of the fifth (5th) point. Vehicle operators with five (5) or more points shall be required to reduce his or her points to less than five (5) points within 30 days of such notification either by standard point reduction or by a New Jersey Motor Vehicle Commission approved point reduction program. Fees for such programs are the employee’s responsibility.

4. The Department shall periodically monitor employees’ drivers' licenses for validity. An employee who is authorized to use and who operates a state vehicle under an expired, suspended, or revoked license, or who fails to report a change in the validity of his or her license or the accumulation of more than five (5) points, may be subject to:
   i. Suspension without pay,
ii. Removal, or
iii. Other action as determined by the Department in consultation with the Office of Employee Relations (OER) and management.

5. Any employee whose license in suspended for failure to pay surcharges or parking tickets shall be afforded a period of five (5) business days from the effective date to provide proof of a valid license.

6. During the five-day (5) period, the Department may place the employee on temporary assignment, special assignment, or other assignment. If the employee cannot provide proof of a valid driver’s license at the end of the five-day (5) period, he or she shall be subject to one of the actions described in "Vehicle Operation as Job Function" Policy Section J.

D. Appropriate Use of State Vehicle – Lawful Operation

1. Employees shall comply with all laws governing operation of a motor vehicle. Failure to do so may result in disciplinary action.

E. Smoking Prohibited

1. All persons are prohibited from smoking at any time in a State vehicle. This applies to the driver of the vehicle and all passengers.

F. Personal Use of Employees Prohibited

1. The personal use of a permanently or temporarily assigned State vehicle is prohibited. This includes, but is not limited to all State equipment or property issued with the vehicle such as E-Z Pass transponders, GPS devices, etc.

2. During normal work hours when conducting family-centered, work-related activities, (e.g., field work) the vehicle may be used for authorized lunch break periods, which shall be recorded on CP&P Form 16-68 Vehicle Log, immediately after returning the vehicle.

3. The use of a State vehicle for personal errands, any form of personal shopping, or personal business activity during the authorized lunch or break period is prohibited. The need for emergency medical treatment or prescription drugs by staff in an urgent situation would not be considered unauthorized use. This includes prohibition on the use of a State vehicle for personal errands, any form of shopping, or personal activity during an authorized lunch or break.

Note: This section does not apply to assisting with errands for clients. Workers shall be able to transport clients to assist with errands. Workers shall clearly document this transportation on the Contact Activity Note.

G. Use of Wireless Devices:

1. Consistent with State law, DCF employees shall be able to use hands-free wireless devices, while operating a State motor vehicle. This applies to both State-issued wireless devices and personal wireless devices.

2. In the interest of safety, an employee shall pull the State vehicle over to a safe location, off the road and out of traffic, before using a wireless device.
3. Employees who use State vehicles and need to determine directions, shall program any GPS they have prior to driving and may listen to it as they drive. If there is a need to re-program the device, the driver shall pull over and stop driving to do so.

H. Safe Use of Vehicles
1. Drivers are responsible for operating safe vehicles and, as such, shall report unsafe conditions as soon as possible to the office Vehicle Coordinator. Prior to the operation of any State vehicle, it is the individual driver’s responsibility to complete a pre-trip visual inspection of the vehicle.
2. The vehicle operator shall not operate a state vehicle when any impairment compromises his or her ability to safely operate a vehicle. The Department reserves the right to obtain medical clearance from a State approved physician.
3. No one shall operate a State vehicle while under the influence of drugs or alcohol including prescribed or over-the-counter medications that warn against operating machinery while taking such medication.
4. Children, family members, or service recipients of any kind shall not be left unattended in a State vehicle for any length of time, under any circumstances.
5. Vehicles shall not be left running when the vehicle operator is not seated in the driver’s seat. Vehicles shall be locked when unattended.

I. Use of Child Safety Seats and Seat Belts Required - Role of New Worker
1. State law requires that drivers of motor vehicles and passengers in every seating position in the vehicle are correctly restrained. Every DCF employee is responsible to ensure that he or she, and all passengers being transported, are properly restrained whenever a vehicle is in motion or is on a roadway.
2. New Workers are permitted to transport children and families as soon as he or she starts working in the local office and has family contact. The Worker’s driving record shall be cleared by Human Resources (HR) prior to operating a vehicle.
3. If the Worker has not had the mandatory car seat training and has to transport a child in need of a car seat, the Worker shall seek the Certified Passenger Safety Technician (CPST) designee(s) in his or her office who has been through the 4-day National Certification training for assistance.
4. If the CPST designee(s) for the office is not available to assist the new Worker, the Worker shall seek help of his or her Supervisor to assist in locating a staff member, who has had the mandatory car seat training to support the Worker. See, CP&P-III-C-2-500, Car Safety Seats.

J. Vehicle Operation as Job Function
1. Loss of the ability to use a State-owned or leased vehicle under this policy by State employees for whom vehicle operation is a job function, is cause for disciplinary action, up to and including termination of employment.

K. State Vehicle Assignment

1. All DCF offices shall follow a standardized State vehicle dispatch system in accordance with this Policy.

2. A Dispatcher Repairer shall be assigned to each cost center or cost center group. The Dispatcher Repairer shall report to the DCF Office of Facilities and Support Services (OFSS).

3. Each office shall assign a primary and a back-up staff person who shall be responsible for assuming the dispatching duties of the office. The dispatch of State vehicles to employees shall be the responsibility of the designated office staff. All State vehicles assigned to an office shall be in one vehicle pool and not assigned to any specific unit.

4. The Office Dispatcher, or the appointed designee, shall be responsible for adhering to the following procedures:
   
   i. Ensure vehicles assigned to the office fleet are equally dispatched regardless of age, model, or mileage unless the work assignment requires a specific type of vehicle.
   
   ii. Distribute keys and all vehicle credentials to the employee.
   
   iii. Close out vehicle log and check in keys and credentials when the vehicle is returned.
   
   iv. Maintain keys and all credentials in a secure place.
   
   v. Using the DCF 16-68, Daily Vehicle Log electronic vehicle log or manual vehicle log, identify employees who are responsible for a moving or parking violation or a vehicle misuse allegation.
   
   vi. Report the ending mileage for each assigned vehicle through the DCF electronic vehicle log or manual vehicle log by the 10th day of each month.
   
   vii. Implement a routine vehicle cleaning schedule.

5. The Dispatcher Repairer shall be responsible for adhering to the following procedures:

   i. Report any lost credentials, fuel cards, or E-Z Pass tags to the Statewide DCF Vehicle Coordinator within 24 hours of the occurrence.
   
   ii. Ensure preventative maintenance schedules are adhered to for each vehicle.
   
   iii. Ensure damaged or unsafe vehicles are scheduled for repairs at Central Motor Pool (CMP) Transportation Services in a timely manner.
   
   iv. Ensure each vehicle has a valid inspection sticker when required by State law.
v. Complete a quarterly DCF State Vehicle certification for assigned vehicles.

vi. Contact Transportation Services for towing when a vehicle is out of commission or breaks down on assignment.

vii. Complete monthly inspections on each vehicle assigned to the local fleet.

Note: The Dispatcher Repairer may not sit in the office he or she is assigned. The Dispatcher Repairer is assigned multiple offices and may or may not have a seat designation in any particular assigned office.

L. Monitoring of Motor Fuel Usage

1. The State Vehicle Coordinators responsibility is to ensure refueling transactions for all vehicles assigned to DCF, and all refueling transactions made with State issued fuel cards ("Ward" cards) are related to DCF programs and services and are reasonable and appropriate.

Note: State issued fuel cards refer to all gasoline cards issued by the State, its agencies, or employees, including "Ward" fuel cards which are utilized at CMP fueling stations. **State fuel is only to be used in State vehicles.**

2. Employees shall be subject to corrective or disciplinary action if it is determined that they have failed to abide by DCF or Department of Treasury (Treasury) policies or regulations established for the appropriate use of a State vehicle or a State issued fuel card.

3. Employees are not to return a State vehicle with less than one-half of a tank of gasoline. If the gasoline reading is less than one-half of a tank, the employee is responsible to fill the tank with gasoline prior to returning the vehicle.

Procedures:

1) Logging Assigned Vehicles

   a. Employees document use of a State vehicle by making all appropriate log entries, including starting and ending mileage and mileage for all stops, including lunch breaks, when permitted.

2) Employee Responsibilities

   a. When an employee signs out a vehicle for use in the field, the employee is responsible for all credentials, including, but not limited to registration, insurance cards, E-Z Pass tags, GPS, and keys. When returning the vehicle to the dispatch desk, ensure all credentials are accounted for. If a key has been lost, the employee who signed out the vehicle is responsible for reimbursing the State for the cost of the replacement key.

3) Logging Out Vehicles
a. Vehicles are logged out for use through the designated dispatcher or employee for the office by giving the appropriate information needed to the dispatcher to log into the vehicle database (e.g., name, title, destination, etc.)
   i. The employee performs a pre-trip inspection of the State vehicle. This includes the following steps:
      1. Look over the vehicle to see if there is any visible damage. If there is damage, notify the dispatcher immediately.
      2. Check to ensure that the vehicle credentials are in the vehicle’s glove compartment and are valid. Also check to ensure the inspection sticker is valid. If any of the above items are missing or not valid, notify the dispatcher and do not drive the vehicle. If the above steps are not completed, the employee shall be responsible for any violations incurred while the State vehicle is assigned to that employee.

4) **Logging Vehicles in**
   a. Upon arrival back to the Local Office, park the State vehicle in a safe location with windows up and doors locked.
   b. Return the keys and gas card, along with the vehicle’s ending mileage, to the Local Office dispatcher and request that they enter the information needed to return the vehicle back into the vehicle pool for use.

5) **Security of State Vehicles**
   a. Drivers are responsible for the security of State vehicles and contents. The vehicle shall be legally parked with the engine off, doors locked, and windows up when left unattended. Therefore, any charges incurred for the towing or release of illegally parked vehicles are the employee’s responsibility. If a GPS is in the State vehicle, the employee secures such GPS in the glove compartment, out of sight, whenever the vehicle is unattended.
   b. When necessary, some employees may need to take State vehicles home due to the lack of a secure parking facility at the work location. The Local Office Manager with OFSS determines if such an arrangement is needed to protect the State cars assigned to that office. Management staff are not permitted to take State vehicles home.
   c. Keys to State vehicles are turned in daily, before the start of the work day, to permit use of the vehicles for family-related purposes. An employee is prohibited from taking a State vehicle home when such employee is not planning to work the next day. If the employee who has a State vehicle cannot come to work, such employee notifies the office when calling in that he or she has a State vehicle and it is made available for pick-up.

6) **Reimbursement for Gasoline**
a. When State pumps are not operational, and gasoline is needed, the employee pays for the gasoline and obtains a receipt. The employee submits requests for reimbursement through the Cost Center Manager to the Office of Facilities and Support Services using the CP&P Form 16-106, Request for Emergency Fuel Purchases.
b. The original receipt for the gasoline purchased is attached to the Request for Reimbursement of Emergency Purchases form and indicate number of gallons purchased, the cost, and the full license plate number of the State vehicle.

7) Out of State Travel
   a. When State vehicles are used for travel 25 miles or more beyond the borders of the State and a credit card is required, advanced notice is to be given to the DCF Supervisor of Transportation Services by filling out the appropriate form ADMV-106, State of New Jersey Request for Credit Card Assignment. The DCF Supervisor of Transportation Services obtains the commercial credit card from the Department of Treasury, CMP, and issue the card to the requester.
      i. The commercial credit card is only used to purchase fuel, oil, or to make minor repairs under $100.
      ii. Upon the Worker’s return to the office, the commercial credit card along with all receipts for purchases is returned to the DCF Supervisor of Transportation Services within two (2) business days.

8) Vehicle Tracking System
   a. The tracking system produces a monthly exception report for all refueling transactions that meet the following criteria or other criteria as established by CMP:
      i. Multiple refueling transactions (more than two (2) transactions per day).
      ii. Multiple refueling during a short time period.
      iii. Excessive gallons of fuel based on fuel tank capacity of vehicle.
      iv. Refueling before or after normal business hours.
      v. Excessive refueling based on mileage, office location, and work.

9) Assignment
   a. CMP forwards the monthly exception report to the DCF State Vehicle Coordinator. DCF’s State Vehicle Coordinator separates the reports by cost center and distributes the reports to the responsible Local Office Manager or Program Supervisor for review and investigation. A copy is also sent to the Area Director or Program Director.
      i. Upon receipt of the monthly exception report, the Local Office Manager or Program Supervisor investigates and responds to the incident(s) noted on the report. The response includes the following information:
1. Driver’s name, title, and home address;
2. A statement signed by the employee as to whether the vehicle was being used for official State business;
3. A narrative addressing all incidents noted in the exception report;
4. An explanation, if the vehicle was being used after normal working hours, on a holiday, or weekend; and
5. An indication of whether any corrective or disciplinary action was taken.

ii. The Local Office Manager or Program Supervisor returns the exception report response to the DCF Office of Facilities and Support Services within two (2) weeks of receipt of the request for information.

iii. DCF’s Office of Facilities and Support Services and DCF’s Supervisor of Transportation Services reviews the exception report response for completeness and action taken.

iv. In cases where there appears to be suspicious activity or abuse in the State vehicle refueling transactions or transactions made with State issued credit cards, the monthly exception report(s) and response(s) are forwarded to the DCF Office of Employee Relations for appropriate administrative action. Such reports may be forwarded to appropriate law enforcement authorities.

10) Parking and Camera Issued Violations While Using State Vehicles
a. All DCF employees who are drivers of State vehicles are responsible for resolving, with the appropriate court, within the required timeframe, all parking violations issued against vehicles assigned to them at the time the summons or ticket is issued. Drivers who fail to resolve such violations prior to the State paying the ticket are responsible for all fines as well as administrative fees charged to the Department and be subject to corrective or disciplinary action.

b. The following is the procedure regarding parking violations:
   i. Upon Treasury notification, OFSS enters the violation information into the DCF unpaid summons database, identifies which office was in possession of the vehicle at the time of the violation, and notifies that office of the unpaid ticket. Simultaneously, OFSS notifies OER of the violation and the office where that vehicle is assigned.
   ii. The DCF office cost center manager identifies the driver who was in possession of the vehicle at the time of the violation and forwards that information to OFSS and to OER within two (2) business days of the initial notification.
   iii. OER initiates appropriate action against the driver of the vehicle for failure to pay the ticket in the required time period.
iv. OFSS shall update the DCF unpaid summons database identifying the driver of the vehicle.

v. The DCF cost center Manager is responsible to collect:
   1. The full amount of the fine and the 20% administrative fee charged by Treasury from the identified driver of the State vehicle.
   2. Payment is in the form of a check or money order payable to: “Treasurer, State of New Jersey” and sent to DCF OFSS, Director, through interoffice mail, Cost Center 933 within seven (7) working days of the initial notification.

vi. Once payment is received, OFSS indicates in the DCF unpaid summons database that the violation and administrative charge has been paid in full by the driver.

vii. OFSS notifies OER at the end of each month of all unpaid parking tickets attributed to DCF State vehicles for follow-up and any appropriate additional disciplinary action for failure to pay the fine and administrative costs.

viii. OFSS forwards the payment to the DCF Office of Accounting which is responsible for the proper crediting of DCF accounts.

ix. Tickets issued via a camera enforcement violation system is forwarded to the employee who committed the violation upon identification and such employee is responsible for paying the assessed fine. The employee is not responsible for the 20% administrative fee charged by Treasury.

11) Accidents While Using State Vehicles
   a. All accidents involving State vehicles are reported to the DCF Vehicle Coordinator within 48 hours of the accident. Employees complete the RM-1A, State of New Jersey Accident Report, by following the instructions printed on the form. The report is signed by the person completing the form and the immediate Supervisor.
   b. It is the responsibility of the employee operating the vehicle at the time of the accident to submit the RM-1A within 48 hours of the accident. If the employee is unable to complete the form, the employee’s Supervisor does so. The completed RM-1A shall be submitted to “DCF Vehicle Coordinator, Office of Facilities Management CC# 933.”
      i. Failure to submit the RM-1A in a timely manner may result in the employee being held responsible for any administrative cost imposed on DCF by Treasury.
      ii. When damage exceeds $500 or there is an injury, a Police Accident Report is filed. If the police are not at the accident site, a SR 1, Division of Motor Vehicles Accident Report, is submitted to the
Division of Motor Vehicles. Secure the form from the Division of Motor Vehicles or any police station.

12) **Unreported Body Damage**
   a. Before a State vehicle is brought to a CMP Facility for servicing, a pre-inspection should be done by the car coordinator or staff person to identify any damage. If damage is found, the person delivering the vehicle submits a completed **RM-1B (Incident Report)** to CMP. If it is unknown how the damage occurred, this is stated on the report, which is dated on the date the damage is discovered. The report is signed by the person completing the **RM-1B** and the immediate Supervisor.
   b. The Division of Risk Management advises the Vehicle Coordinator when they learn that a State employee and the State of New Jersey are being sued because of a motor vehicle accident involving a State vehicle. Upon notification of being sued, the DCF employee immediately follows established procedures for requesting legal representation through the DCF Office of Legal Affairs. See: **CP&P IX-L-1-100**.

13) **Complaints Received Regarding Use of State Vehicles**
   a. Drivers are responsible for all complaints received regarding his or her use of a State vehicle. Vehicle complaints are received from the Department of Treasury and forwarded to the Supervisor of Transportation Services. The Supervisor of Transportation Services identifies where the vehicle in question is assigned.
   b. The complaint is then forwarded to the appropriate Local Office with a copy to the Area Director or Cost Center Manager to identify the driver of the vehicle at the time in question. The Local Office Manager meets with the identified employee to determine facts regarding the complaint and send a written response to the DCF Supervisor of Transportation Services within two (2) weeks.
   c. The DCF response to the complaint is sent to the Department of Treasury. Appropriate action is taken against the employee, if determined to be warranted, by the DCF Office of Employee Relations.

14) **Taxability of Personal Commutation Use of State Provided Vehicles**
   a. The Commutation Program is only for use in offices where there is either insufficient parking for State vehicles assigned to the office or problems with vandalism to cars in the parking area.
   b. Offices get authorization from OFSS prior to assigning cars to employees for commuting. Vehicles are assigned only to employees who live closest to the office, but in no case should a vehicle be assigned to an employee living or commuting more than 15 miles from the office, unless good cause is shown to Facilities Management. The name of each employee assigned a vehicle for regular commutation is submitted to Facilities Management.
along with the employee’s home address and normal mileage for one-way commute to the work location.

c. All DCF employees, other than Managers, working in the office affected are eligible to participate in the program if they possess a valid driver’s license to operate a motor vehicle in the State of New Jersey.

d. Employees in all offices may also have occasion to take a State vehicle home to conduct DCF business the following morning. Commutation with a State vehicle is a taxable fringe benefit under federal and New Jersey law. Therefore, all employees who take a State vehicle from the office to home and from home to the office, whether or not they are participating in a Commutation Program, shall keep a record of the commutation use and report it to Facilities Management.

   i. A commutation log, which includes the employee’s name, last four digits of their social security number, and the number of one-way trips, shall be maintained by each employee and submitted on the first (1st) of the month to the office designee use form CU-1, and

   ii. The information should be compiled on form CU-2 by the Office designee and shall be submitted to the Director of Facilities by the 5th day of each month. State Centralized Payroll shall include the value of the commutation trips in the gross wages on regular Pay Period 26 displayed in the box entitled “Taxable Benefits” and on the W-2 forms of affected employees. See, circular, State of NJ Department of Treasury (Treasury), 19-05-OMB, Taxability Of The Personal Use Of State Provided Vehicles And Driver Services. This OMB circular is updated annually by Treasury. The current version of 19-05-OMB, Taxability Of The Personal Use Of State Provided Vehicles And Driver Services, will have applicable authority in this issuance. If employees make a field visit on the way to work or on their way home, such a visit is not considered commutation.

e. All vehicles assigned to take home as part of the Commutation Program, shall be returned to the office by 9:00 a.m. the following work day and be available to sign out by other Workers. All vehicles assigned within the Commutation Program remain pool vehicles and the local office manages the day-to-day logistics of assigning vehicles to employees.

f. If an employee is not working because of illness, it is driver’s responsibility to make arrangements with the cost center Manager or his or her designee to have the vehicle returned to the office by 9:00 a.m.

g. If any employee has a State vehicle during the day but is unable to return to the office by the time the assigned commuting driver is scheduled to leave, it is the employee’s responsibility to inform the Supervisor. The Supervisor
assigns another car to the commuting driver to enable the assigned commuting employee to get home.

h. The prohibition on the personal use of State vehicles applies to those being used in the commutation program.

Note: The value of the commutation use of a State vehicle is currently set at $1.50 per one-way commute. The State shall not withhold State or federal income tax on the vehicle fringe benefit, however employees are responsible for any tax liabilities.

Key Terms (Definitions):

- “Valid Driver’s License” includes compliance with all New Jersey motor vehicle statutes, including, but not limited to, the 60-day limitation on out-of-state licenses pursuant to N.J.S.A. 39:3-17.1.
- “Wireless Device” includes cellular phones, all other wireless communication devices, and hand-held portable computing devices.

Forms and Attachments:

- ADMV-106, State of New Jersey Request for Credit Card Assignment
- Form 16-68, Vehicle log.
- RM-1A, State of New Jersey Accident Report
- SR 1, Division of Motor Vehicles Accident Report

Related Information:

- CP&P-III-C-2-500, Car Safety Seats

Policy History:

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