



DHS-080-005/ Vehicle Use for State Business

Frequently Asked Questions:

1. ***What are examples of a traffic crime and examples of Class A, B, C and D traffic violations?***

Traffic crime examples include, but are not limited to:

- criminal driving while suspended;
- reckless driving;
- driving under the influence of intoxicants;
- failure to perform the duties of a driver to injured persons in the event of a collision;
- or, any reasonably similar driving offense.

Class A, B, or C traffic violation examples include, but are not limited to:

- violation of the basic rule;
- failure to obey a traffic control device;
- illegal U-turn;
- driving while uninsured;
- or any reasonably similar driving offense.

Class D traffic violation examples include, but are not limited to:

- unlawful use of a disabled parking permit or parking space;
- failure to notify of name and/or address change;
- no or defective equipment;
- or, any reasonably similar driving offense.

2. ***What are examples of vehicle related incidents that may require employees to receive additional driver education or coaching?***

Additional driver education or coaching may be required for vehicle related incidents, such as but not limited to:

- involvement in a traffic collision;
- conviction of a traffic offense;
- operating a vehicle in an unsafe manner;
- a citizen complaint concerning driving or operation of a vehicle;
- damaging a state vehicle or property while driving;
- any other vehicle related incident where education or coaching is deemed necessary by a manager, supervisor or the Office of Human Resources.

3. ***Can authorized drivers use state vehicles for purposes other than for conducting official state business?***

Drivers may use state vehicles only for the purpose of conducting official state business, unless permitted by State Vehicle Rules 125-155-510 and 520. DHS division or program management must approve all exceptions permitted by these rules.

4. ***Can I use my privately-owned vehicle for official state business?***

Only when authorized in advance by your manager or supervisor and only after completion and submission of the form for requesting to use a personal vehicle for conducting official state business, including travel to training. Approval may be event specific or for an extended time period. In the event that an employee must use their privately-owned vehicle to transport a client, the approval shall be event-specific.

5. ***Can other individuals, such as student interns, drive a vehicle for official state business?***

Other individuals, such as, but not limited to, student interns shall not be permitted to drive (even personal vehicles) for official state business, unless they have met all the required criteria to be an authorized driver as established in the DHS Vehicle Use for State Business policy; and, they have received authorization from the Office of Human Resources.

6. ***Can Foster Parents drive a state vehicle?***

Foster parents can drive state vehicles for necessary DHS business if they have met all the required criteria to be an authorized driver as established in the DHS Vehicle Use for State Business policy; and, they are using the state vehicle to transport foster children only (the state vehicle cannot be used to transport their own children).

7. ***Can other state or local governmental agencies borrow and drive a state vehicle assigned to DHS?***

Other state or local governmental agencies or DHS partners must have an intergovernmental or interagency agreement, which transfers liability to the borrowing agency, to drive a vehicle owned by or assigned to DHS, unless employees of another government or state agency are **performing the work of DHS** and not the work of their employer, in which case they may drive state vehicles without an agreement.

8. ***Can a state vehicle be used to transport an employee to emergency care for a work-related injury?***

State Vehicle Rules (OAR 125-155-530(2)) permit a state vehicle to be used to transport an employee to emergency care for a work related injury. Drivers shall not transport persons other than as authorized by the State Vehicle Rules. The following provides additional clarification:

When the employee has a work-related injury a supervisor may authorize use of a state vehicle to transport an employee who has been injured on the job. For severe injuries or when there is concern that complications may occur while transporting, 911 should be called.

A state vehicle may not be used to transport an employee to a doctor or emergency care when the employee is ill or experiencing symptoms of a medical condition that is non work-related. Supervisors should refer to the employee's emergency contact sheet to make arrangements for transportation if the employee is unable to safely drive themselves. 911 should be called for severe situations.

9. ***What are some examples of safe driving practices?***

- ✓ determine clear directions before departing;
- ✓ do not manipulate radios, personal data assistants or other equipment while the vehicle is moving;
- ✓ do not reach for objects in your vehicle if you have to take your eyes off the road;
- ✓ do not operate a vehicle if your ability to react is impaired;
- ✓ avoid driving during adverse weather conditions, unless circumstances dictate otherwise;
- ✓ ensure the use of seat belts by everyone in the vehicle and ensure any child passenger is legally restrained;
- ✓ use headlights at all times while operating a vehicle for official state business when the vehicle is not equipped with daytime running lights.

10. ***What should I do if I'm involved in a job-related vehicle collision?***

The driver must ensure that the appropriate notifications are made as noted in the DHS Vehicle Use for State Business policy and procedures and DAS Risk Management policy 125-155-700(5). These policies require drivers to report to their agency and to DAS Risk Management all collisions or

accidents occurring to any vehicle while on state business. When reporting the damage to the Motor Pool Division inquire as to an approximate damage amount, since the estimated cost of damage is one factor for reporting to DMV.

It is the driver's responsibility as a licensed driver to submit the Oregon Traffic Accident and Insurance Report form to DMV, when necessary. You must file an Oregon Traffic Accident and Insurance Report with DMV within 72 hours when:

- Damage to the vehicle you were driving is over \$1,500;
- Damage to any vehicle is over \$1,500 and any vehicle is towed from the scene as a result of damages from this accident;
- Injury or death resulted from this accident; or
- Damage to any one person's property other than a vehicle involved in this accident is over \$1,500.

You must file a report even if your vehicle was the only one in the crash.

Effective January 1, 2010, Oregon law also requires drivers to immediately notify law enforcement by the quickest means available when involved in a traffic accident meeting any of the same criteria listed above. If the driver is physically incapable of giving notice to a police officer or to a law enforcement agency as required, then occupants of a vehicle in the accident are responsible to notify law enforcement.

Following a vehicle collision, regardless of whether vehicle damage or occupant injury occurs, the supervisor and driver shall identify factors that contributed to the incident and take appropriate corrective action. DHS divisions should review each collision or accident involving any vehicle in use on state business. The review shall determine whether the collision or accident was preventable by reasonable safe driving techniques and recommend action to prevent recurrences.

11. *Are pre-operation safety inspections required to be conducted before driving a vehicle for official state business?*

No. However, divisions and/or programs shall ensure that a system for conducting regular inspections of vehicles has been implemented, including a system for communicating identified defects and needed repairs. A vehicle should not be operated to conduct official state business when it has known defects and/or needed repairs that may contribute to a collision or breakdown.

Safety committees should periodically evaluate the effectiveness of the system for conducting regular inspections of the state-owned or rental vehicles used by the employees at their facility.

12. *Can I use a cell phone or other wireless communication device while operating a vehicle for official state business if I use a hands-free device?*

The use of a wireless communication device with a hands-free device while operating a vehicle for state-related business is acceptable unless transporting clients. Managers or supervisors may grant specific employees or positions within their division a written exception to use a wireless communication device with a hands-free device while transporting clients.

Managers should carefully assess the increase in risk when deciding which employees or positions to authorize.

Policy and Procedure(s):

- [DHS-080-005](#), Vehicle Use for State Business
- [DHS-080-005-01](#), Vehicle Use for State Business

Form(s):

- DHS 0823: Request to Use Personal Vehicle on State Business [WORD](#) [PDF](#)
 - DHS 0822: Motor Vehicle Record Evaluation Risk Assessment Document [WORD](#) [PDF](#)
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