

## Business Use of State Vehicles

### Resources:

- [Risk Management Defensive Driver Test](#)
- Travel information and forms visit the [state website](#),
- [Fleet website](#), [Court’s Intranet](#)
- [Section 12-05.02 Commute Use of State Vehicles](#)
- [Travel Trip Log](#)

### Purpose:

The business use of a state vehicle requires adherence to certain rules and standards. This section outlines the courts’ policies regarding business use of a state vehicle. Business use is defined as ANY court related use. Commuting from home to work (and back) is considered to be a non-court related use.<sup>1</sup> State risk and fleet policies prohibit the transportation of persons who are not state employees in fleet vehicles without prior written authorization.

State fleet vehicles are assigned to the Administrative Office, the districts and GAL to conduct court business.

### Policies for Use of a State Vehicle:<sup>2</sup>

B/C	1. The state is self-insured and has established policies prohibiting the transportation of most non-state employees (e.g., family or friends) in state vehicles without advance approval from the State Court Administrator or Deputy State Court Administrator. An exception to the prohibition of the transportation of non-state employees exists for persons transported in the course of official court business (e.g., youth transported for service work).
B/C	2. Pets or animals (except guide dogs for the blind) may not be transported in state vehicles.
B/C	3. Safety belts will be used by all occupants of the vehicle. Court employees who fail to use safety belts are subject to disciplinary action.
B/C	4. All traffic laws, including posted speed limits, must be strictly obeyed.

<sup>1</sup> See Commute Use of State Vehicle 12-05.01.

<sup>2</sup> These policies may apply to Business Use (B) and/or Commute Use (C) which are listed in the margins above.

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|     | <ul style="list-style-type: none"> <li>a. Any authorized driver who, while operating a state vehicle, receives a citation for violating a motor vehicle law shall immediately report the receipt of the citation to their respective supervisor.</li> <li>b. Failure to report the receipt of a citation may result in the withdrawal, suspension or revocation of State driving privileges.</li> <li>c. Any driver who receives a citation for violating a motor vehicle law while operating a state vehicle shall attend an additional Risk Management-approved mandatory defensive driver training program.</li> <li>d. Failure to attend the additional mandatory defensive driver training program shall result in the loss of state driving privileges.</li> <li>e. Any driver who receives a citation for a violation of motor vehicle laws, shall be personally responsible for paying fines associated with any and all citations. The failure to pay fines associated with citations for the violation of motor vehicle laws may result in the loss of state driving privileges.</li> </ul> |
| B/C | <p>5. No operating or being in actual physical control of a state vehicle in violation of Section 41-6a-502, (Driving under the influence of alcohol, drugs or with specified or unsafe blood alcohol concentration), Section 53-3-231, (Person under 21 may not operate a vehicle with detectable alcohol in body), or an ordinance that complies with the requirements of Section 41-6a-510, (Local DUI and related ordinances and reckless driving ordinances).</p> <ul style="list-style-type: none"> <li>a. Any individual on the list of authorized drivers who is convicted of Driving Under the Influence of alcohol or drugs (DUI), Reckless Driving or any felony in which a motor vehicle is used, either on-duty or off-duty, and whether in the state vehicle or their personal vehicle, may have his or her state driving privileges withdrawn, suspended or revoked.</li> </ul>  |
| B/C | <p>6. As per <a href="#">Utah Office of Administrative Rules R27-3-3</a>, state vehicles may not be driven by any individual other than a state employee with a current Utah State driver's license in her/his possession.</p>  |
| B/C | <p>7. State employees must be authorized by <a href="#">Risk Management</a> (once every two years) to drive a state vehicle by viewing the Driver Training Video and passing the test. As required by Risk Management <a href="#">Rule R37-1-8(8)</a> of the Administrative code:</p> <p>“Covered entities shall require and document that all employees and volunteers who operate entity vehicles, or their own vehicles on entity business, complete a Fund-approved or Fund-provided driver safety program at the time of initial employment and at least once every two years.”</p>  |
| B/C | <p>8. No personal property may be attached to State vehicles. Examples of such personal property include C.B. radios, stereo components, etc.</p>   |
| B/C | <p>9. Major Repairs: The Motor Pool Maintenance Supervisor (801 538-1389) must authorize all repairs over \$100. Motor Pool will provide instructions about where to take the vehicle to be repaired and will issue a purchase order number to the repair facility.</p>   |
| B/C | <p>10. No transporting acids, explosives, hazardous materials, flammable materials, and weapons and ammunition (except as authorized by federal and/or state</p>  |

laws). Otherwise, the transport of the above-referenced items or materials is deemed authorized when it is specifically related to employment duties.

B/C

11. Shelter - Where practical, off-street shelter must be provided for the State vehicle.

B

12. An employee or representative of the state spending at least one night on approved travel to conduct state business, may use a state vehicle in the general vicinity of the overnight lodging for the following approved activities:
  - a. Travel to and from restaurants and stores for meals, breaks and personal needs;
  - b. Travel to and from grooming, medical, fitness or laundry facilities; and
  - c. Travel to and from recreational activities, such as to theaters, parks, or to the home of friends or relatives, provided the employee or representative has received prior approval for such travel from his or her supervisor.

B

13. State vehicles must be used when available, on a first-come, first-served basis. Whenever possible, vehicles that are shared at a location should be scheduled and reserved as soon as a need is known, so that others can plan for availability.

B

14. State vehicles must be used by authorized persons on official court business within the state. State vehicles may not be used for out-of-state travel. The courts should utilize Enterprise Rental Cars (Section 12-06.00) for out-of-state travel. The Deputy State Court administrator must authorize an Enterprise rental for out-of-state use.

B

Travel outside the state of Utah to locations in the state of Utah that are more efficiently reached via travel through another state to the in-state destination is not considered "out-of-state" travel. For example, travel to Manila Justice Court through Wyoming is not out-of-state travel. Similarly, travel to the Utah Goshute Reservation through Nevada is not out-of-state travel. A state vehicle may be used without seeking Deputy State Court administrator authorization for in-state trips that are more efficiently reached with a leg that runs through another state.

15. Court officers or employees leaving their assigned area on official court travel must use State vehicles whenever possible. State vehicles are to be used for authorized purposes only. Utilizing State vehicles for unauthorized use may be considered a basis for dismissal.