



# OFFICE OF MANAGEMENT AND ENTERPRISE SERVICES

## FLEET MANAGEMENT DEPARTMENT

### ADMINISTRATIVE RULES OAC 260:75

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**TITLE 260. OFFICE OF MANAGEMENT AND ENTERPRISE SERVICES  
CHAPTER 75. FLEET MANAGEMENT DEPARTMENT**

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**260:75-1-1. General Provisions**

(a) **Definitions.** The following words or terms, when used in this Subchapter, shall have the following meaning unless the context clearly indicates otherwise:

- (1) "**Administrator**" means the chief executive officer of the Division of Capital Assets Management of the Office of Management and Enterprise Services.
- (2) "**Chief administrative officer**" means an individual responsible for directing the administration of a state agency. The term does not mean one or all of the individuals that make policy for a state agency.
- (3) "**Class**" means compact car, medium size car, full size car, medium size station wagon, full size station wagon, police car, pickup, truck, SUV, van, bus, aircraft or motorcycle.
- (4) "**Department**" means the Fleet Management Department within the Office of Management and Enterprise Services.
- (5) "**Director**" means the Director of the Office of Management and Enterprise Services or his designee.
- (6) "**Fleet Card**" means the card assigned to vehicles under the leasing or ownership authority of the Department for the purchase of fuel, ancillary accessories and services, and general service maintenance.
- (7) "**Fleet Manager**" means the administrative head of the Fleet Management Department appointed by the Director.
- (8) "**Office**" means the Office of Management and Enterprise Services.
- (9) "**State agency**" means any state board, bureau, commission, department, authority, public trust, interstate commission, the Judiciary, the Legislature, and the Office of the Governor.
- (10) "**VIN**" means vehicle identification number.
- (11) "**Written**" or "**In writing**" means a tangible or electronic record of a document, communication or representation, including handwriting, typewriting, printing, photostating, photography, e-mail or other electronic format or record. A "signed" writing includes an electronic sound, symbol or process attached to or logically associated with a writing and executed or adopted by a person with the intent to sign the writing.

(b) **Agency authorized signatures.** A chief administrative officer shall designate in writing to the Department, the name of any person authorized to sign on behalf of the agency for the purposes of this chapter.

(c) **Waivers.** The Director may waive any requirement of this chapter unless statutes mandate the requirement.

(1) All requests for waivers shall be in writing and must include justification for the waiver request.

(2) The Office shall respond in writing as to the approval, conditional approval, or denial of a waiver request within fifteen (15) working days of receipt of the request.

### **260:75-1-2. Vehicle inventory control**

(a) **Fleet inventory.** The Department shall maintain a current and complete inventory of all state vehicles compiled from the following:

(1) Each state agency shall maintain a current and complete inventory of the motor vehicles it owns or leases which includes the following information for each vehicle:

(A) Current agency vehicle number.

(i) Agencies that do not have a vehicle numbering system shall develop one for the purposes of this Chapter.

(ii) A state agency shall not change an established vehicle number without prior written authorization of the Fleet Manager.

(B) Make, model, class and year of all vehicles;

(C) VIN;

(D) License tag number;

(i) State assigned tag;

(ii) Confidential tag assigned, if applicable;

(E) Vehicle location; If the operator is authorized to take the vehicle home [Reference 47 O.S., Section 156.1]:

(i) the unit number of the vehicle, and the city and county where the vehicle is located must be on file; and

(ii) the operator's legal name, residence street address and telephone number shall be made available to the Department upon request;

(F) Designation of "owned", "loaned" or "leased" and the legal name and address of the vendor; and,

(G) Type of fuel used in the vehicle

(i) Original factory fuel type;

(ii) Converted fuel type, if applicable.

(2) State agencies shall also include the following information on the inventory for each motor vehicle it owns:

(A) Purchase date;

(B) Odometer reading at time of purchase; and

(C) Original cost.

(3) Each state agency shall submit written notice of the acquisition or disposal of a motor vehicle to the Department no later than fifteen (15) days after said transaction takes place. Notice of the acquisition of a vehicle shall include the information required in (1) of this subsection.

(b) **Vehicle acquisition by a state agency.** All state agencies with authority to own motor vehicles shall submit to the Department a vehicle acquisition request for approval by the Director, or delegate, not less than thirty (30) days prior to the proposed purchase of any vehicle, whether or not exempt from the Oklahoma Central Purchasing Act.

(1) The request for approval shall include a copy of the purchase order or requisition and state the following:

- (A) The intended use and justification for the vehicle;
- (B) Whether the vehicle is a replacement, addition, etc.
- (C) Whether the purpose of the vehicle has changed since the last replacement;
- (D) Any options selected over the standard equipped vehicle with justification for the options.
- (E) The supplier of the vehicle;
- (F) The agency has sufficient funds to acquire and maintain the vehicle;
- (G) The statutory authority of the agency to acquire a vehicle.

(2) **Director consideration.** Within fifteen (15) days of receipt of a state agency request, the Director, or delegate, will review the information and send notice to the agency of the approval or denial of the acquisition.

(3) **Fleet Manager consideration.** The Director, or delegate, may request the Fleet Manager to review and verify information provided in a state agency acquisition request.

(4) **Director notification.** The Director shall provide the state agency written notice of the approval or denial of the acquisition request in the following manner:

- (A) Issue a notice of approval indicating the proposed purchase is appropriate; or,
- (B) Issue a notice of denial of the proposed purchase; or
- (C) Issue a notice of an alternative acquisition recommendation.

(c) **Vehicle disposal.** A vehicle owned by a state agency may be sold or disposed of in the manner authorized by OAC 580:65 and the Surplus Property Act, if:

- (1) the vehicle has been in use for sixty thousand (60,000) miles; or
- (2) at least twenty-four (24) months have elapsed since the day the purchase claim was approved for payment thereof; or
- (3) the vehicle has damage of Two Thousand Five Hundred Dollars (\$2,500.00) or more; or
- (4) the Fleet Manager has provided written authorization to dispose of the vehicle.

(d) **Vehicle disposal procedure.** All agencies shall notify the Fleet Management Department not less than thirty (30) days prior to the proposed disposal of any state-owned vehicle. The notice shall be in writing and include the following:

- (1) Agency vehicle number;
- (2) Reason for selling, (age, mileage, or other);
- (3) Estimated value of vehicle;
- (4) Type of sale (public auction, sealed bid, etc.); and
- (5) Proposed date of sale.

(e) **Notification of final disposition.** All agencies shall provide written notice to the Department of the final outcome of sale within fourteen (14) days after disposition, which shall include:

- (1) Agency vehicle number;
- (2) Selling price of vehicle;

- (3) Any changes in the method of disposal;
- (4) A list of any vehicle(s) not disposed of;
- (5) A completed copy of the inventory report information required by (a)(1) of this section; and
- (6) Any other information the Department may request to maintain accurate inventory of state vehicles.

**260:75-1-3. Vehicle management control**

(a) **Agency fleet management policies and procedures.** A state agency shall file or update a detailed written description of its current fleet management policies and procedures with the Department annually. State agencies which have made no changes to their fleet management policies and procedures during the year may file a statement of "no change."

(b) **Agency monthly inventory report.** A state agency shall submit a report of all vehicles it owns and/or leases monthly to the Department in the format required by the Department. The report shall be due on the 10th of each month and shall contain information for each vehicle owned and/or leased representing the month preceding the report, which includes:

- (1) Agency name and number;
- (2) Vehicle number;
- (3) Hours or mileage as of a specific date and time;
- (4) Fuel cost and number of gallons used;
- (5) Type of maintenance performed on vehicle specified in the following manner:
  - (A) "P" - preventive maintenance - internal repair;
  - (B) "E" - preventive maintenance - outside repair;
  - (C) "B" - body work - internal repair;
  - (D) "W" - body work - outside repair;
  - (E) "M" - mechanical repair - internal repair; or
  - (F) "R" - mechanical repair - outside repair.
- (6) Cost of any repairs listed pursuant to (5) of this subsection.

**260:75-1-4. Use of state owned and leased vehicles**

(a) **State vehicle driving conditions.** Every driver of a state owned vehicle shall comply with the following conditions:

- (1) A state owned or leased vehicle shall not be used for personal transportation to stores, shopping centers, lakes, parks, golf courses, athletic events, etc.
- (2) A state owned or leased vehicle shall not be used for hauling a trailer other than a trailer that is state owned or that is rented or leased for official business.
- (3) All state statutes, traffic rules and regulations shall be observed.
- (4) All city ordinances related to traffic, parking, etc. shall be observed.
- (5) Safe and courteous driving habits shall be used at all times.
- (6) Tobacco use in state owned or leased vehicles is prohibited.
- (7) Driving under the influence in state owned or leased vehicles is prohibited.
- (8) Except for communication radios, use of hand-held devices while driving in state owned or leased vehicles is prohibited.

(9) Agencies will be billed for any and all repairs to, loss of value, or additional maintenance of Fleet Management vehicles occurring as a result of driver abuse, negligence, fault or undesignated vehicle use.

(10) Agencies may choose to recover the expense from the employee for any and all repairs, loss of value, or additional maintenance of state owned or leased vehicles occurring as a result of driver abuse, negligence, fault or undesignated vehicle use.

(11) Carrying alcohol, illegal drugs or weapons in state owned or leased vehicles is prohibited unless it is related to the mission of an agency.

(12) Transporting animals in state owned or leased vehicles is prohibited unless it is related to the mission of an agency.

(b) **Prohibited drivers and passengers.** Persons other than state employees shall not be permitted to drive or ride in state owned or leased vehicles, unless authorized by the using agency and then only on official state business.

(c) **Traffic violations.** State-owned or leased vehicles shall not be driven in excess of the speed limit posted by states and municipalities. All traffic violation fines shall be the sole responsibility of the driver involved.

#### **260:75-1-5. Service, lease and rental rates**

(a) **Fleet operation funding.** The Department shall fund all operation, repair, insurance, and maintenance expenses for vehicles issued.

(b) **Service rates.** A lease or rental rate shall be set by the Department and charged to each agency to recover the costs listed in (a) of this section. A copy of these rates shall be furnished to all agencies upon request.

(c) **Notice of rate change.** If the Fleet Manager determines it is in the best interest of the State to change the lease or rental rate to ensure the recovery of expenses listed in (a) of this section, the Administrator will send written notice to the chief administrative officer of each agency or department of the new rate at least thirty (30) days prior to its effective date.

(d) **Payment due date.** Payment for Department services as authorized by 74 O.S., Section 78c. shall be paid no less than monthly to the Office.

(e) **Delinquent accounts.** State agencies that are delinquent thirty (30) days or more with payment to the Office shall be considered in arrears. Written notice of the delinquency and outstanding balance may be sent to the agency.

(1) Accounts delinquent for more than forty five (45) days shall be subject to suspension by the Fleet Manager. Suspension of an account bars the agency from use of Department services until payment is received and the account is no longer in arrears.

(2) The Administrator may waive suspension if it is determined that the suspension will disrupt vital services to the public, cause undue hardship, or is otherwise in the best interest of the agency and/or the state.

(f) **Other agency expenses.** An agency that leases or rents Department vehicles is responsible for and shall pay the Department for any expenses related to the replacement, recondition, repair, or loss of value at the time of sale, of a leased or rented vehicle due to an accident or incident when the agency is found to be at fault.

(1) Unless a third party is determined to be responsible for the damage, an agency shall be responsible for up to the Department's deductible of \$2,500.00 under the

Physical Damage Insurance Policy through the state Risk Management Department. If the loss is not recoverable from the third party, the leasing or renting agency shall be responsible for the Department's deductible.

(2) An agency shall be considered "at fault" and responsible for full cost of replacement, recondition, repair, or the loss of value at the time of sale, of a leased or rented vehicle, if it is determined that certain conditions contributed to the replacement or repair which include, but are not limited to, the following:

- (A) failure to comply with Department preventative maintenance standards established in 260:75-1-10;
- (B) operation of a vehicle in unsafe conditions such as continuing to operate a vehicle after serious warnings were indicated, e.g. caution light has engaged, smoke coming from under the hood, blown tire, etc.;
- (C) use of a vehicle inconsistent with the performance of work related activities.

#### **260:75-1-6. Daily reservations and monthly assignments**

(a) **Advance reservations.** All reservations require prior approval of the Department.

(1) An agency shall submit a written request for reservation to the Department prior to the beginning date of the reservation. An agency shall provide sufficient advance notice to ensure vehicle availability. The reservation must be submitted during the Department's business hours, Monday through Friday, excluding state holidays.

(2) The reservation shall specify the desired class of vehicle and desired date and time period for use of the vehicle. The Department may request additional information as determined necessary to facilitate the reservation.

(3) The Department may impose conditions and time limitations pursuant to the rules of this subchapter and state law.

(b) **Prioritization of reservations.** Except as otherwise provided, the Department shall issue approved reservations on a first-come, first-served basis.

(c) **Fleet Management requisition.** A Fleet Management requisition form, signed by the chief administrative officer or designee shall be presented to the Department each time a vehicle is picked up for use by a state agency.

(d) **Cancellations of reservation.** Written notice of cancellation shall be submitted to the Department no less than one (1) working day prior to the reservation date. An agency shall be charged the minimum daily rate for the applicable vehicle class for failure to cancel a reservation prior to the scheduled pick up time.

(e) **Monthly assignments.** A written request for a vehicle to be assigned to an agency on a monthly basis shall be signed by the appointing authority of the agency or designee and include the following information:

- (1) Legal name of employee assigned to the vehicle
- (2) Address of employee
- (3) Employee's work telephone number
- (4) Official duty station of employee
- (5) Type of work performed by employee
- (6) Territory to be covered, and
- (7) Approximate miles to be driven per month.
  - (A) The requesting agency will be advised of the approval or denial for each request.

(B) A new, signed request shall be submitted monthly to the Department between the 25th and the last working day of each month. The request shall include the name of the driver and current mileage of the vehicle.

**260:75-1-7. Gasoline and oil purchases**

(a) **Fleet card purchases.** Gasoline and oil for Department vehicles shall be purchased from authorized fueling locations with the state issued fleet card furnished with each vehicle.

(1) The current vendor of the state fleet card is determined by award of applicable contract.

(2) Access to a list of available fueling locations is provided by the Department.

(3) Agencies shall adhere to fleet card policies established by the Director.

(b) **Required fuel for Department vehicles.** Unless otherwise specified in this subsection, use only regular unleaded fuel in Department vehicles. Regular unleaded fuel may be blended to contain ethanol at levels approved by the federal Environmental Protection Agency (EPA). Department vehicles identified by marking or decal as:

(1) "Flex-fuel" may use blended fuel up to and including eighty-five percent ethanol;

(2) "CNG" may use compressed natural gas;

(3) "LPG" may use liquefied petroleum gas;

(4) "LNG" may use liquefied natural gas;

(5) "Biodiesel" may use fuel that contains a blend of diesel fuel and biological products at a level approved by the EPA.

(6) "Plug-in hybrid (PHEV)", "electric vehicle (EV)", "neighborhood electric vehicle (NEV)", or "low-speed vehicle (LSV)" may use electricity.

(7) "Dual-fuel" or "bi-fuel" may use a combination of the fuel types specified in this subsection.

**260:75-1-8. Wrecker service, on-the-road breakdown and repairs**

(a) **Department fleet policies.** Agencies utilizing Department vehicles shall adhere to maintenance/repair, fleet card, road assistance and accident policies established by the Director.

(b) **Agency fleet policies.** Agencies utilizing their own vehicles shall adhere to any agency fleet policies.

(c) **Department wrecker service.** An owning agency may contact the Department whenever towing or a service call is required in or near the Oklahoma City metro area and between the hours of 7:30 a.m. and 4:30 p.m., Monday through Friday, excluding holidays.

(d) **Private wrecker service.** In accordance with policies established by the Director, an agency utilizing Department vehicles may contact a private wrecker service whenever towing or a service call is required outside the Oklahoma City metro area, and/or after 4:30 p.m. on Monday through Friday, on weekends or holidays. Agencies utilizing their own vehicles may contact a private wrecker service in accordance with any agency fleet policies.

(e) **Driver negligence.** Agencies may be billed for any towing, impound and/or service call expenses incurred as a result of driver negligence or fault as stated in section 260:75-1-5 for agency leased and owned vehicles.

**260:75-1-9. Other credit and cash purchases**

(a) **Invoices.** All invoices or sales slips for expenses, for Department owned vehicles, approved by the Department shall be billed to the Department. An invoice must contain the following:

- (1) Vendor's legal name, street and mailing address and telephone number;
- (2) Date of purchase;
- (3) Vehicle number;
- (4) Quantity and cost of each item used, labor time and charge;
- (5) Driver's signature; and
- (6) No state sales tax shall be charged.

(b) **Cash purchases and payments.** The Department does not provide reimbursements for cash purchases. A state agency must make all authorized vehicle-related purchases in accordance with the Fleet Card procedures established by the Director.

(c) **Invoices to other agencies.** The Department is not responsible for payment of invoices charged to any other agency.

**260:75-1-10. Care and maintenance of vehicles**

(a) A state agency and each driver employed by said agency shall assume the responsibility for proper maintenance of any Department-owned vehicle in its use, according to the maintenance schedule established by the Director.

(b) A state agency and each driver employed by said agency shall assume the responsibility for proper maintenance of any agency-owned vehicle in its possession, according to the maintenance scheduled established by an agency.