

MVAC MINUTES – OCTOBER 11, 2006

The meeting was held on October 11, 2006 at Division of Wildlife. Art Hale started the meeting at 9:11 am.

In attendance: Chris Braun – DOW, Carol Hoisington – CDOT, Barb Crawford – DOW, Barb Garcia – DOHE METRO, Michael Stadler – DOHE UNC, Karen Griggs – CSP, Emily Dorman – DONR PARKS, Kyle Shelton – CSP, Ray Nelson – DPA, Kourtnie Harris – OEMC, Bruce Burgess – DOHE, Kelley Waite – DOHS, Patti Torres – DOLE, Duane Whitfield – RISK, Rod Wolthoff – DPA/SPO, Deann Valdez-LOTTERY, Doug Herr – DOC, Representing State Fleet
- Art Hale, Ron Clatterback, Sonny Otero, Bob Giovanni and Claudia Stevens.

Introductions were made around the room.

Legal Clarification-Opinion-Guidance – Rod Wolthoff

Continuation from last meeting: **Who can drive or be in a state vehicle?**

- State employees and authorized volunteers are covered.
- Independent Contractors – General Contractors & Subs of General Contractors: Get more information by using the form “Authorization for State Vehicles Use by Non-state Employees”. Duane in RISK was asked if there was an accident would RISK cover? Per Duane we may have to categorize them as authorized volunteers. Liability to car is covered with Authorized Volunteers but since they do not receive Workers Comp no injury payment would be covered. Ray Nelson of DPA questioned non-licensed vehicles such as snow-cats. They are State purchased and maintained but not licensed. Authorized Volunteers could operate the snow-cats or other non-licensed vehicles. Ray is not aware of any claims ever filed on snow-cats. Duane will check on this. Barb in DOW also brought up a situation of an ATV in the back of a State pickup. RISK did cover the damages to the ATV. Per Duane RISK will cover if attached to a State vehicle with the exception of animals or livestock.
- Patti in DOLE questioned job fairs and workshops where county employees ride together with State employees to various functions. County employees are not covered but should be covered by their county. Same situation with federal employees. All Government entities should reciprocate to each other.
- What about State appointed Board Members or Hwy Commissioners: Per Duane not covered and highly discouraged but knows it will continue to happen.
- What about shuttle busses and athletic busses at colleges: It was suggested that student/athletes at the beginning of school year or season sign a waiver form. Also, could there be a waiver form developed such as the State Patrol uses for ride alongs? Full time students are required to have insurance but part-time students are not. Per Barb from METRO people request cars for next

day and she won't have time to get correct signatures on form. Per Rod Wolthoff, the State has been very lucky to this point, but if there is an accident and a lawsuit that will set the precedent. We should be proactive and find a way to make the forms work.

- Art would like to go forward with the form. Include check for valid drivers license and possible waiver for riders. Please show form to your departments and prepare questions specific to your department and bring back for Duane to check on.

Commuter Policy

It is the Executive Director of each department who decides on who qualifies as Commuter. It was asked what if the person uses the car to go to dinner or lunch while on state business and gets in an accident. This is allowed as long as the individual does not travel an unnecessary distance to eat. This would be covered under de minimus use. Per Rod it should be a three part test: #1) Is its use a legitimate Governmental interest? #2) Is it cost effective? #3) Is it an efficient operation of the State Motor Vehicle fleet? Per Art, the Executive Director has to consider impact to payroll, i.e., putting on payroll, taking off, putting back on etc. Carol in CDOT is having this problem due to the duration of projects. Some projects may last only 45 days, other projects could last 2 years.

Immigration Laws

Per Rod due to new House Bill 1343 effective 8-7-06 any new contract or amended contract must include new provision #10 which states that no contractor or its subs can knowingly hire illegal immigrants to perform any service on a public contract. On purchase orders in the term & conditions provision #10 should be added. Any existing contracts are grandfathered but must be changed upon renewal. Per Rod the use of P-cards for purchases under 5k have been forwarded to State Controller and he has not received guidance regarding the new laws. We must be checking on the status of vendors and can ask for a W9, or self-proving affidavit, or can see how vendor is registered with the Secretary of State. The self-proving affidavit can be attached to the purchase order. Bruce from AURARIA brought up the problem of entering into a contract with an international company. This has caused one of their contracts to be stuck in limbo due to the new laws.

Safety Matters – Risk Mgmt – Duane & Bob

- Per Duane the 2006 Fall Conference will be held Thursday Oct 19 and Friday Oct 20. There will be a session entitled “Drivers Education for Employees”. Also they are having a keynote speaker Anne Soileau who is the Director of Louisiana State Civil Service speaking about lessons learned with Katrina.
- Bob Giovanni from Fleet would like everyone to check the cars packet for the white Vehicle Operator manual. On the last page is where the insurance card information is. Let him know if you are missing any. Bob has received the fifth

citizen complaint against state drivers for the year. We have had an unusually high amount of complaints for the year. Please cover with your people.

Oil Analysis, Fleet Commander, Motor Pool Status – Sonny

- Oil Analysis: We have gotten good response on sending in the oil kits. The only problem seems to be the 2006's. The results are coming back showing heavy metals. We are still investigating with the dealers and manufacturers.
- Fleet Commander: Robert in Motor Pool is being trained and we are also developing an online training for everyone. In the end we would prefer to use the Fleet Commander system. On Fleet Commander you can choose between North Campus and Downtown however there are only 30 cars at the downtown location. 20 cars had to be moved out due to the demolition. Per Art if there is a continuous need in the outlying areas for motor pool cars let him know because he can set it up for cars to stay there during this transition. This could be helpful in areas such as Colorado Springs, Ft Collins, Grand Junction, and Pueblo.
- Motor Pool Status: Still working on the new building however the demolition has slowed down due to residential complaints in the nearby areas. During the day they get complaints about the noise from our employees and at night they get complaints from the neighbors. The demolition crew has been put on a limited schedule of 4pm to 7pm due to the complaints.
- Sonny – We have two Natural Gas vehicles available through Motor Pool. One is at the North Campus and one is downtown. We will pilot this program so feel free to reserve these but keep in mind for local use only because there are limited places to get fuel. They will go approximately 150-175 miles per tank and are the cleanest combustion engine vehicles on the road today. We have brought one down here today if anyone would like to check it out after the meeting.

SB06-015 Data Needed, Vehicle Ordering Update – Ron

- SB06-015 Data: We are entering vehicles into the CARS system in Oct. We will also be sending out another request for the billing codes so vehicles can be assigned in the CARS system in November. A question was asked about how much the management fee was going to be for these vehicles. Per Ron it is \$14.50 per month per vehicle for all agencies except for Division of Wildlife which is 25.00 per month because they retain the auction proceeds.
- New Vehicle Ordering: The new vehicle ordering packets will be going out approx Nov 7-10. Terry Sisneros will send out specific ordering instructions for both the Fleet Coordinators and the end users when completing their vehicle orders. We will still use the letter of justification to explain why you need an option. You may want to advise your end users to send back their vehicle orders to the coordinators earlier than the SFM deadline so you can review them before sending them to SFM.

06-07 Physical Inventory - Art

- Please send in your inventories ASAP. We have about 2 to 3 weeks to enter the physical inventories into the CARS system. We have a new automated program that tracks the inventory in CARS. The auditors are concerned that we need to do an inventory every year, however with the new automated inventory program we do the inventory reconciliation each month, so we are hoping we would only have to do a physical inventory every 3 years. Last year the physical inventory was very successful, so be sure to do the same thing and we will be successful again this year.

E-85 Status-Maps and Info Sheets – Art

- Did everyone get their E-85 lists that asked for them? We still have maps and info sheets if anyone needs them.

Sonny – On oversized vehicles if you have any history on the last service done please let him know.

Sonny – Natural Resources has tires available. They are mostly 245/75/R16 light duty all season radials. Approx 12 to 14 available due to an upgrade they did.

Barb DOW – Was questioning about maintenance schedules so they will know when to do them. Can this be created so it will pop up in CARS. Sonny can get them the information but not yet developed for CARS.

Next Agenda - Legal Issues