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# COMMONWEALTH OF VIRGINIA



## OFFICE OF THE GOVERNOR

### Executive Order 89 (2005)

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#### **PURCHASE, ASSIGNMENT AND USE OF STATE-OWNED VEHICLES**

By virtue of the authority vested in me as Governor under Article V of the Constitution of Virginia and under the laws of the Commonwealth, including but not limited to §§ 2.2-120 and 2.2-121, and Chapter 11 of Title 2.2 of the Code of Virginia, and subject to my continuing and ultimate authority and responsibility to act in such matters, I hereby establish policies and procedures for the purchase, assignment, use and maintenance of state-owned vehicles registered with the Department of Motor Vehicles, hereinafter referred to as “vehicles”.

#### **Preamble**

The Commonwealth of Virginia today owns more than 8,000 passenger-type vehicles to assist State agencies and institutions in fulfilling their missions. Approximately half of these vehicles are leased to agencies through the centralized vehicle fleet; individual institutions and agencies own the remainder. Rules governing the appropriate use of centralized fleet vehicles are specified in the Code of Virginia and through rules promulgated by the Department of General Services.

The people of Virginia have a right to expect use of such vehicles to be strictly limited to the necessary performance of official business. Vehicles are not to be purchased by agencies or permanently assigned to agencies from the "centralized fleet" (as defined in Chapter 11 of Title 2.2 of the Code of Virginia) for reasons of convenience or perquisite. The purchase, assignment, use and maintenance of such vehicles are to be

determined solely according to whether it will promote safety, efficiency and economy in state government.

Efficient vehicle utilization implies that use of a state-owned vehicle is less costly than personal reimbursement for mileage traveled in personal vehicles, or where the use of a vehicle is the only or most cost-efficient means to satisfy a business or operational need. Efficient operations also demand that inventory be properly recorded, that vehicles are replaced when it is no longer cost-effective to maintain them, and that vehicle maintenance, operations, and purchases are based on best business practices. The Joint Legislative Audit and Review Commission (2004) and the Auditor of Public Accounts (2004) have reviewed the Commonwealth's policies and practices and have recommended steps to improve over-sight and management of the significant Commonwealth resource and investment in vehicles.

To eliminate unnecessary expense associated with excessive use of state-owned vehicles and to effectively manage these resources in accordance with best businesses practices, I hereby establish new policies and procedures governing the purchase, maintenance, assignment, and use of vehicles.

### **Specific Directives**

1. The authority of the Director of the Department of General Services under § 2.2-1180 of the Code of Virginia to promulgate regulations governing the centralized fleet shall extend to all vehicles owned by the Commonwealth. The Director of the Department of General Services shall develop a consistent, efficient, and cost-effective fleet management program for all vehicles owned by the Commonwealth that considers each agency and institution's needs and usage. Thus, all vehicles in the central fleet as well as those directly purchased and maintained by specific agencies and institutions shall be operated in accordance with policies and procedures that comply with the Code of Virginia, this Executive Order and DGS Rules and Regulations. The Department of General Services shall prepare and submit a report on the performance of the statewide fleet management program to the Governor and General Assembly by October 1, following the close of each fiscal year.
2. The head of each and every agency or institution of the Commonwealth shall limit authorization of commuting in vehicles to those employees whose job duties meet the requirements set forth in the Code of Virginia as well as policies and procedures established by direction of this Executive Order. The Director of the Department of General Services shall develop and publish uniform regulations for this purpose. Use of state-owned vehicles for commuting shall be authorized only when it is the most cost-effective or practical alternative, or as an employee's job duties affecting public health, safety and emergency response may require. For the purpose of this Executive Order and as used in § 2.2-1179 of the Code of

Virginia, "commuting" shall mean driving between home and office where such driving is not connected to a departure for, or return from, a trip on official state business.

3. Notwithstanding the foregoing paragraph, no appointee serving at the pleasure of the Governor shall use a state-owned vehicle for commuting. Such appointees may use a state-owned vehicle for driving between home and office only when connected to a departure for, or return from, a trip on official state business. The limitation of this paragraph shall not apply to the Secretary of Public Safety, the Superintendent of State Police, nor to those appointees who, in the judgment of the Secretary of Public Safety, need access to state-owned vehicles for the purpose of responding to job-related emergencies from their residence.
4. The head of each and every agency or institution of the Commonwealth shall be directly responsible for ensuring compliance with this Executive Order and all applicable statutes and regulations governing the purchase, assignment, use and maintenance of state-owned vehicles, including the requirement that such vehicles be used strictly for official business. The Director of the Department of General Services shall develop policies and procedures providing criteria for agencies and institutions to apply when making a decision regarding the assignment of a state-vehicle from the centralized fleet or purchase of an agency vehicle. Agencies and institutions shall report annually to the Department of General Services on their use of assigned and owned vehicles in accordance with such criteria. This report requirement will cause agencies and institutions to evaluate annually, at a minimum, vehicle requirements to support their mission and otherwise meet the vehicle use criteria set forth in the Code of Virginia and the Governor's financial and administrative management standards. Vehicles that no longer meet the criteria will be managed in accordance with established surplus property policies and procedures. Each agency and institutional head shall ensure that due consideration is given to the economy of reimbursing employees for mileage incurred by using personal vehicles in lieu of state-owned vehicles, and shall assist the Director of the Department of General Services in eliminating the use of state-owned vehicles where such use does not advance the goals of efficient and economical operation of state government.
5. The Commissioner of Motor Vehicles shall by October 1, 2005 assess the use of blind tags on state-owned vehicles, and shall restrict such use to law enforcement vehicles and to such other vehicles as he determines are regularly used in the course of official business, the effective performance of which makes blind tags essential. The Commissioner of Motor Vehicles, in consultation with the Department of General Services, shall develop policies and procedures for registration, transfer and disposal of state-owned vehicles.

This Executive Order rescinds Executive Order Number Twenty (2002), issued by Governor Mark R. Warner.

This Executive Order shall be effective upon its signing and shall remain in full force and effect until amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia this 12th day of July, 2005.

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Mark R. Warner, Governor

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Secretary of the Commonwealth