

1.00 INTRODUCTION

1.10 BASIS, PURPOSE, AUTHORITY, AND RESPONSIBILITY

1.11 Basis and Purpose.

The purpose of these rules is to set forth the items which define the relationship between the Division of Central Services and user agencies. State agencies which use services provided by the Division of Central Services are bound by these rules.

1.12 Authority

Title 24, Article 30 of the Colorado Revised Statutes (1997) directs the executive director of the department of personnel to "Adopt such rules and regulations as may be necessary to carry out the purposes and provisions of this part 11" §24-30-1105(1)(c) C.R.S. (1997).

1.13 Responsibility.

It is the responsibility of the Department Executive Directors to ensure compliance with these rules. In institutions of higher education, Executive Director means the Chief Executive Officer of the institution.

1.20 APPLICABILITY AND DEFINITIONS

1.21 Applicability.

The action of requesting and using service applications available from the Division of Central Services signifies that the requesting agency is familiar with these rules and agrees to the conditions listed herein.

1.22 Definitions.

- .01 Agency means institution, department, board, commission, division, section or unit of state government.
- .02 Contract is a formal, legally binding agreement between two parties.
- .03 Service means printing, mailroom, messengers, office supplies, copiers, microfilm, forms management, graphic arts, motor pool, and other support functions which are or may be used by the State of Colorado as a practical and economical means of improving administrative productions and efficiency.

2.00 SERVICE EQUIPMENT REQUESTS

2.10 AUTHORITY AND PURPOSE.

Statutory authority for this rule is CRS 24-30-1104(1)(b), (h), 24-30-1105(1)(a), (b) and (f). The purpose of this rule is to set forth procedures to be followed by agencies in acquiring and maintaining service equipment.

2.20 APPLICABILITY

2.21 Agencies wishing to acquire, by whatever means, service equipment or maintenance of such equipment are subject to this rule.

2.22 This rule is applicable to agencies located within the jurisdictional area of the Division of Central

Services as defined in CRS 24-30-1104(1).

- 2.23 Service equipment includes, but is not limited to: postage meters, mail slitters, candler, addressing or folding equipment, copy or stat camera, camera lucida, microfilm equipment, printing press, spirit duplicators, mimeograph machines, plate makers of any type, bindery equipment, typesetting equipment, cameras, and office copiers.

2.30 FORMS

- 2.31 Agencies will submit a service equipment request form number CS-00-5-01 to the Division of Central Services prior to the acquisition or repair of service equipment.
- 2.32 Agencies must receive approval from the Division of Central Services prior to submission of a purchase order to the Division of Purchasing or decentralized purchasing units.

2.40 PROCESSING

- 2.41 Within 5 working days of the receipt of a service equipment request, the Division of Central Services will acknowledge the receipt by return mail. The acknowledgment will include the date of receipt, the name(s) of the person(s) who are responsible for evaluating the request, and the anticipated date of final action by the Division of Central Services.
- 2.42 In general, service equipment requests will be evaluated on the following factors: anticipated budgetary growth of the agency; cost of the equipment; equipment accessories anticipated; constancy of need for use of equipment; agency statutory tenure; agency location; relative advantages of rental, lease, lease-purchase, and purchase; suitability of equipment to agency stated need; and, the needs of the state. In all cases, benefit to the state will be the paramount consideration.
- 2.43 If the Division of Central Services has not completed final action on the request by 20 working days after the receipt of the request, the requesting agency will be sent a notice explaining the delay.

3.00 SERVICE CONTRACT APPROVAL

3.10 AUTHORITY AND PURPOSE.

Statutory authority for this rule is CRS 24-30-1104(1) (b), (h), 24-30-1105(1) (a) and (b). The purpose of this rule is to establish procedures to be followed by state agencies when executing contracts for services which are within the purview of the Division of Central Services.

3.20 APPLICABILITY

- 3.21 Agencies wishing to contract for services or for personal services for the performance of service functions are subject to this rule.
- 3.22 This rule is applicable to agencies located within the jurisdictional area of the Division of Central Services as defined in CRS 24-30-1104(1).
- 3.23 Services requiring approval from the Division of Central Services include but are not limited to: motor pool; mailroom or messenger services; office copying; word processing; microfilming; image scanning; design and management of forms; graphic design; typesetting, printing, and binding.

3.30 FACTORS CONSIDERED.

In general, contracts will be evaluated on the following factors: benefit to the state of the service contract; constancy of the need for the service; relative advantages of contractual and employee provision of services; suitability of the contract to the agency's stated needs; and the cost and availability of the service if provided by state employees.

4.00 REPORTING REQUIREMENTS

4.10 AUTHORITY AND PURPOSE.

In order to meet the functions of the Division of Central Services as defined in CRS 24-30-1104(1) (b), (c), and (i), the Division of Central Services will require reports from agencies operating service functions. Statutory authority for these reporting requirements is CRS 24-30-1105(1)(e).

4.20 APPLICABILITY.

These rules are applicable to state agencies of the executive branch of state government located within the Division of Central Services' jurisdictional area as defined in CRS 24-30-1104(1); and, which operate service functions as defined by CRS 24-30-1102(4).

4.30 REPORTING PROCEDURES

4.31 Notification

- .01 Agencies required to submit reports are those so notified by the Director of Division of Central Services.
- .02 The Director of the Division of Central Services will notify the director of reporting agencies 120 working days before the report is to be received by the Director of the Division of Central Services.
- .03 Notification will be sent in letter form.

4.32 Content and Time Frame

- .01 The notification letter will identify the content of the report. Items that may be included are: operating capabilities, overhead costs, production data, performance information and overall effectiveness of the service function.
- .02 Reports will be required on a quarterly basis. They are to be received by the Director of Division of Central Services by the close of the 10th working day of January, April, July and October.
- .03 Information required in subsequent reports will be intended to build upon the data base of previous reports. Consequently, information requested may change from one reporting period to another.
- .04 The report will cover the preceding three months.

5.00 INTERAGENCY MOTOR POOL

5.10 AUTHORITY AND PURPOSE.

Statutory authority for this rule is CRS 24-30-1104(2). The purpose of this rule is to set forth procedures to be followed by agencies in utilizing the Interagency Motor Pool.

5.20 RESPONSIBILITIES

5.21 Division of Central Service's Responsibilities.

The Division of Central Services shall be responsible for the provision of vehicles in good operating condition, for use by state agencies at a competitive cost.

5.22 State Agency Responsibilities.

- .01 General Requirements. Employees of the state entrusted with interagency motor pool vehicles are responsible for the proper care, operation, maintenance, and protection of the vehicle while the vehicle is under rental by the employing and using agency. It is the responsibility of the requesting agency to ensure that the agency's employees who use an interagency motor pool vehicle are fully acquainted with the requirements of these rules.
- .02 Use for Official State Business Only. Vehicles shall not be used for any reason other than as necessitated by the conduct of official state business.
- .03 Vehicle Damage. Whenever an interagency motor pool vehicle is damaged while in the custody of a state agency, the agency will be furnished a statement of damages by the Division of Central Services, and the agency shall be financially responsible for the damage. In accordance with competitive bidding mechanisms established by the Division of Purchasing and State Fleet Management, costs resulting from damage shall be billed to the user agency. The only exception is in the case of maintenance neglect on the part of the Division of Central Services.
- .04 Towing. Prior written approval of the interagency motor pool supervisor must be obtained to use interagency motor pool vehicles to tow any other vehicles including trailers. The agency using an interagency motor pool vehicle shall be liable for any damage caused as a result of towing.
- .05 Driver's License. Assignment of interagency motor pool vehicles will be made only to state employees who hold a valid driver's license. It is the responsibility of the requesting agency to verify the license.

5.23 Operator Responsibilities.

A state employee who operates an interagency motor pool vehicle assumes full responsibility for the vehicle until its return to the interagency motor pool. This includes personal possession of a valid driver's license, proper care of the vehicle, storage charges, and personal responsibility for parking and traffic violations. State employees issued a vehicle are responsible for exercising reasonable diligence in the care of the vehicle at all times. Failure to take proper care of an interagency motor pool vehicle may be justification to refuse further vehicle issuance.

5.30 PASSENGERS

Only state employees or other personnel, when identified by the using agency as being directly involved in the mission of the travel may be carried as passengers. Personal pets are not allowed.

5.40 MAINTENANCE AND SUPPLY

5.41 Inclement Weather.

During inclement weather, the Division of Central Services will provide all season tires and/or chains for vehicles. It is the responsibility of the vehicle operator to verify that the appropriate tires and/or chains are on the vehicle before leaving the interagency motor pool. These items are not to be purchased without permission from the Division of Central Services.

5.42 Emergency Repairs.

- .01 Major vehicle problems must be reported to the Division of Central Services before repair work is

authorized. If after regular working hours, drivers are expected to minimize any repairs until the next working day when the Division of Central Services may be contacted.

- .02 Items or repairs of an emergency nature must be billed directly to the Division of Central Services and not charged on a credit card.

5.43 Normal Maintenance. The following items may be purchased with a credit card issued by the Division of Central Services - motor fuel and petroleum products, greasing, washing, tire and tube repairs, oil filters elements and service, air filter service, brake fluid, grease fittings, light bulbs, battery charging, windshield wiper blades, labor on oil change, and other minor maintenance items.

5.44 Credit Cards.

- .01 Credit cards for the purchase of motor fuel and petroleum products, greasing, washing, tire and tube repairs, oil filter elements and service, air filter service, brake fluid, grease fittings, light bulbs, battery charging, windshield wiper blades, and labor on oil change will be supplied to the vehicle operator when the vehicle is acquired.
- .02 The vehicle operator will be the only person to sign the charge ticket for purchases made for the interagency motor pool vehicle.
- .03 The vehicle driver must certify the correctness of the charge ticket before signing the charge ticket. The charge ticket must include the correct date, odometer reading, and vehicle license plate number.
- .04 The credit card for each vehicle must be used to record vehicle account information on the top portion of the charge ticket. Each driver of a vehicle is provided with a credit card. Lost, stolen or damaged cards must be reported to the Division of Central Services immediately. In the event a credit card is lost, stolen or damaged, the Division of Central Services will issue a replacement card.

5.50 USE CHARGES

Use charges will be billed to the user agencies when the vehicle is returned to the interagency motor pool or on a monthly basis if the vehicle is being used for on an extended basis. These use rates will be as currently in effect and published by Central Services.

5.60 DAMAGE REPORTING AND RESPONSIBILITY

5.61 General.

Employees responsible for the operation of an interagency motor pool vehicle shall exercise every precaution to prevent damage to the vehicle. In the case of damage, the employee shall be responsible as provided in these rules. If operation of the vehicle is not impaired, the operator should proceed to his official destination. If the vehicle is damaged to the extent that it can no longer be operated safely, the driver will call the interagency motor pool. If damage occurs after normal working hours, the driver will arrange for towing service to the nearest garage and call the interagency motor pool the next working day.

5.62 Reporting.

The driver of the vehicle is responsible for notifying the following persons immediately, either in person or by telephone of any accident in which the vehicle is involved: interagency motor pool supervisor; employee's official supervisor; and state, county, and local authorities as required by law. The vehicle driver shall record information pertaining to the accident on an accident report form as provided by the

Division of Central Services. This form must be submitted to the vehicle driver's official supervisor for review within 48 hours of the accident. This form as filed by the driver and signed by the supervisor, shall be turned into the interagency motor pool within 72 hours of the accident.

5.63 Cost Liability.

The State of Colorado does not carry collision insurance on interagency motor pool vehicles. Whenever a vehicle is damaged, all costs incurred in the removal and repair, or, in the case of a total loss the replacement of the vehicle, including travel and other costs attributed to the accident, may be charged to the agency employing the vehicle operator.

5.64 Term of Responsibility.

Agencies shall be responsible for the use charges of a vehicle until the damaged vehicle is returned to the interagency motor pool garage or until the official time of the accident as recorded by law enforcement officials on their reports, whichever is earlier.

5.70 STOLEN VEHICLES

Text to be added.

5.80 IMPLIED CONSENT

The action of requesting the use of and actually utilizing an interagency motor pool vehicle signifies that the requesting agency is familiar with these rules and agrees to the conditions and responsibilities as listed herein.

6.00 COMMUTING USE OF STATE-OWNED MOTOR VEHICLES BY STATE OFFICERS AND EMPLOYEES

6.10 AUTHORITY, PURPOSE AND APPLICABILITY.

Statutory authority for this rule is sections 24-30-1104(2), 24-30-1112, and 24-30-1113, C.R.S.(1988 Repl. Vol). The purpose of this rule is to set forth standards for the commuting use of State-owned motor vehicles. This rule also complies with the regulations of the Internal Revenue Service (IRS) of the Government of the United States. This rule shall apply to all State agencies and institutions of higher education and their employees, as defined in section 24-30-1102(5), C.R.S. (1997).

Except as set forth herein, the Fleet Management Program shall interpret, administer, and enforce this rule on behalf of the Division of Central Services, and the Department of Personnel.

6.20 DEFINITIONS.

As used in this rule and regulation:

- .01 "Commuting" means the authorized use of State-owned motor vehicles by State officers or employees for the purpose of traveling between the employee's official work station and residence. Authorized commuting shall be of two types:
 - a. "Exempt commuting" means that the commuter will not be required to reimburse the State for the commuting use of State-owned motor vehicles.
 - b. "Reimbursable commuting" means that the commuter is required to reimburse the State for the commuting use of State-owned motor vehicles.

- .02 "Control employee" of a government employer is any:
- a. Elected official, or
 - b. Employee whose compensation is at least as much as that paid to a federal government employee holding a position at Executive Level V (\$108,200).
- .03 "Convenience of the State" means situations in which: (1) compelling issues of public safety or welfare; or (2) standards of efficient public service may make necessary, suitable, and fitting the execution of certain governmental responsibilities without unnecessary delay or lapse of time.
- .04 "*De minimis*" means the personal use of a State-owned motor vehicle that is of so small a value that accounting for it would be unreasonable or administratively impractical. *De minimis* personal use of a State vehicle would be, for example, a stop for lunch between two official business destinations.
- "*De minimis*" use does not include the following examples: use of a State-owned motor vehicle for the purpose of transporting any person including family members, friends, or relatives; recreational use of a State-owned motor vehicle; transporting or storing personal property of any kind that is not related to commuter's job performance; use of a State-owned vehicle in support of any charitable philanthropic, religious, political or fraternal entity or activity; any unlawful use of a State-owned motor vehicle. These are examples of prohibited use that are not "*de minimus*" and such prohibited use is not limited to these examples only.
- .05 "Director" means the "director of Central Services."
- .06 "Executive director" means the head of any principal department, as described in section 24-1-103, C.R.S. (1997), or the head of any institution of higher education.
- .07 "Law enforcement officer" is a full-time employee of a governmental unit responsible for preventing or investigating crimes involving injury to persons or property (including catching or detaining persons for such crimes). The law allows these officers to 1) carry firearms, 2) execute search warrants, and 3) make arrests (other than citizen's arrest). These officers regularly carry firearms except when working undercover. A law enforcement officer includes an arson investigator if the investigator meets these requirements.
- .08 "Official work station" means the site to which the State officer or employee routinely reports, or the first site to which the employee reports, in order to discharge officially assigned duties. In the event of multiple work station assignments, the official work station is the principal work location at which the employee receives instruction, direction, and official communications.
- .09 "Qualified nonpersonal use vehicle" is any vehicle the employee is not likely to use more than minimally for personal purposes because of its design. These would include clearly marked police and fire vehicles, unmarked vehicles officially authorized for use by law enforcement officers, ambulances, hearses, vehicles designed to carry cargo with a loaded gross vehicle weight over 14,000 pounds, delivery trucks with seating for the driver only, or driver plus a folding jump seat, a passenger bus with a capacity of at least 20 passengers used for its specific purpose, school buses, tractors and other special purpose farm vehicles. The Director may designate other motor vehicles as qualified non-personal use vehicles from time to time.

- .10 "State officers and employees" ("State employees") means any person lawfully entrusted with the possession, use, and control of a State-owned motor vehicle.
- .11 "State-owned motor vehicle" is as defined in section 24-30-1102(6), C.R.S. (1997), and includes all motor vehicles so defined that are leased to the State.

6.30 STATEMENT.

Use of State-owned or leased motor vehicles by State officers or employees for any personal purpose, is prohibited. Authorized commuting, or *de minimis* personal use as defined in 6.20.01 and 6.20.04 above, is not prohibited.

6.40 GENERAL PRINCIPLES.

Exempt commuting and reimbursable commuting will be governed by the following general principles:

- .01 Commuting will not be authorized unless it can be shown to the satisfaction of the state agency's executive director that it promotes a legitimate, nonpartisan, governmental interest of the State of Colorado; the efficient operation of the Fleet Management Program; and, that it is cost effective to the State agency authorizing or requesting authorization of commuting.
- .02 Commuting will not be authorized for any reason other than is necessitated by the conduct of official State of Colorado business.
- .03 This rule 6.00 does not apply to vanpooling authorized under section 24-30-1116, C.R.S. (1997).

6.50 LIMITATIONS AND JUSTIFICATIONS

The following criteria limit or justify authorized commuting. Authorized commuting that is not exempt commuting is reimbursable commuting and reimbursement shall be payable as required in 6.62 of this rule as appropriate.

- .01 Exempt commuting may be permitted, for the convenience of the State, when the motor vehicle is a qualified nonpersonal use vehicle, and is not likely to be used more than a *de minimis* amount for personal purposes.
- .02 To qualify for exempt commuting, the driver of an unmarked police vehicle must qualify as a law enforcement officer as defined in 6.20.07.
- .03 Reimbursable commuting may be permitted for any State employee who is on call at all times when the employee is not on a regular shift and must have access to a State-owned motor vehicle at his or her residence.
- .04 Reimbursable commuting may be permitted for any State employee who is required to commute to and/or from his or her official work station for the convenience of the State and for bona fide noncompensatory business reasons.
- .05 *De minimis* commuting use will occur when, on occasion, a State employee takes a State-owned motor vehicle to his residence the evening prior to a planned business trip or the evening following an after-business-hours conclusion of a business trip. Reimbursement will not be required on these occasions.

6.60 AUTHORIZATION/REIMBURSEMENT.

State-owned motor vehicles may not be used for exempt commuting purposes or reimbursable commuting purposes without (1) prior written authorization of an application — *the Commuting Authorization Form* — by the executive director of the principal department employing the applicant and (2) the Director's favorable determination, based on review and verification of the application and support documents, in accordance with section 24-30-1113, C.R.S. (1997).

- .01 Authorization for both exempt and reimbursable commuting will be granted for an indefinite period. Agencies are responsible for informing the Division of Central Services of any changes that might affect this authorization.
- .02 Authorized reimbursable commuting shall be reimbursed by the commuter at a rate of \$1.50 per one way commute for non-control employees, as defined by the Commuting Valuation Rule in IRS regulation §1.61-21(f), and as published in IRS publication number 535, *Business Expenses*.
- .03 Authorized reimbursable commuting for control employees shall be reimbursed by the commuter by the Vehicle Cents-Per-Mile Rule as defined by IRS regulation §1.61-21(e), or by the Automobile Lease Rule as defined by IRS regulation §1.61-21(d), and as published in IRS publication number 535, *Business Expenses*.
- .04 State-owned motor vehicles authorized for any type of commuting will be returned to the commuter's agency during all extended periods of foreseeable non-use such as commuter's use of annual leave or sick leave.
- .05 Reimbursement shall be for 20 days per calendar month.
- .06 Reimbursement shall be due and payable monthly by payroll deduction.

6.61 PROCEDURES.

A State employee may request authorization for exempt or reimbursable commuting by submitting a completed *Commuting Authorization Form* (supplied by the Fleet Management Program) to his or her executive director for approval. The executive director's authorization shall be conditioned solely upon applicant's compliance with this rule 6.00 and section 24-30-1113, C.R.S. (1997). The executive director will forward approved *Commuting Authorization Forms* to the Division of Central Services for the Director's determination.

- .01 A separate *Commuting Authorization Form* is required for each State employee requesting commuting authorization.
- .02 Commuting authorization is approved upon the basis of the commuter and type of commuting requested, not by motor vehicle. Changes in motor vehicle assignment from like motor vehicle to like motor vehicle do not require reauthorization.

6.62 CREDIT TO AGENCY FOR COMMUTING USE.

Moneys derived from reimbursement on vehicles shall be deposited to the credit of the division. The division will issue credits to agencies for that portion of monthly billing that is determined to be commuting use and has been reimbursed by the employee.

6.63 EMPLOYMENT CONTRACTS.

This rule 6.00 is applicable to employment contracts entered into after July 1, 1992 that stipulate the use of a State-owned motor vehicle by the contractor.

6.64 ENFORCEMENT.

When, in the considered opinion of the Director, a commuter has:

- .01 Failed to reimburse at the proper rate promulgated in this rule; or,
- .02 Failed to authorize a reimbursement payment by payroll deduction consistent with his actual commuting use, as promulgated in this rule, of a State-owned vehicle; or,
- .03 Failed to furnish appropriate or complete documentation of his commuting.

The Director shall dispatch by first-class United States Mail a demand for additional commuting reimbursement payment for the period in question or additional documentation in support of the commuter's claim. The commuter shall, within 15 days of the date of the Director's demand, furnish the Director either (1) the funds demanded, or (2) the additional documentation demanded; or initiate an appeal of the Director's demand under 6.65 of this rule.

6.65 APPEAL.

Affected or aggrieved State employees wishing to appeal determinations made under 6.60 or 6.64 of this rule may appeal in writing within 10 working days of the Director's decision to the Executive Director of the Department of Personnel, who will respond in writing with a decision within 30 calendar days. This decision will be binding and final. Individual State employees may appeal:

- .01 Any determination made by the Director pursuant to the provisions of subsection 3 of section 24-30-1113, C.R.S. (1997), or this rule, that adversely affects them.
- .02 Any demand for commuting reimbursement made by the Director under provisions of paragraph (4)(a) of section 24-30-1113, C.R.S. (1997), or this rule.

6.66 FINANCIAL RESPONSIBILITY.

A State agency may be held financially responsible for any reimbursement or other cost required of its employees, under the provisions of this rule, but not timely paid.

7.00 MOTOR VEHICLE ACQUISITION, OPERATION, MAINTENANCE, REPAIR, AND DISPOSAL

7.10 AUTHORITY AND PURPOSE.

Statutory authority for this rule is section 24-30-1104(2), C.R.S. The purpose of this rule is to set forth procedures to be followed by State agencies and State officers and employees in motor vehicle acquisition, operation, maintenance, repair, and disposal.

7.20 VEHICLE ACQUISITION.

7.21 Size of State Fleet.

The size of the state fleet may be increased only as a result of authorized new or expanded programs.

7.22 Additional/Replacement Vehicles.

Requests from any State agency for additional or replacement vehicles will be handled as follows:

- .01 *Vehicle Request Form.* State agencies requesting an additional vehicle on permanent assignment from State Fleet Management (SFM) will be required to complete a *Vehicle*

Request Form. Supporting data should be submitted with the completed form and should include copies of recent legislation, Long Bill and any other supporting data specifically addressing the new or expanded program for which vehicle support is requested.

- .02 *Short-term Requirements.* Short-term needs, such as seasonal requirements, if approved, will be met with existing vehicles, as available. Requests for short-term leases will be made by the requesting agency's completing and submitting to SFM a *Vehicle Request Form*.
- .03 *Vehicle Availability.* If requests for short-term assignments are approved, but the vehicles are not available within the existing fleet, SFM will work with the requesting agency to acquire the vehicle by commercial lease for a specified time period. SFM cannot guarantee the availability of additional vehicles when required.
- .04 *State Fleet Management's Budget Request.* If the request is approved, SFM will provide from its existing fleet a temporary vehicle, if available, and will include in its next budget request a dollar amount sufficient to purchase the permanent vehicle. Such budget request may be made in the form of a Supplemental Budget Request, where appropriate and applicable, rather than waiting for the next annual budget cycle. When existing vehicles are assigned on a temporary basis, every effort will be made to assign vehicles appropriate for the intended use, and only vehicles that are found to be in a safe operating condition will be assigned.
- .05 *Grant Funded Vehicles.* Agencies will notify SFM of those grants that will have a material impact on fleet acquisition. Where grants continue more than one fiscal year and no accommodations are made by the agency to replace original grant vehicles, SFM will not continue to maintain these vehicles when it is not cost-effective.
- .06 *Fiscal Responsibility.* Each agency must work with SFM to ensure that adequate funding levels are determined, requested, and adhered to once approved. When vehicles are replaced, the agency will be held fiscally responsible for any term lease obligations unless otherwise agreed upon in advance with SFM. Fiscal planning and responsibility will include monthly lease costs of vehicles and attachments, and operating costs to cover fuel, maintenance, and accident expenses currently charged by SFM through a monthly cost per mile basis.

7.23 Minimum miles per year.

SFM will not acquire (purchase or lease) any vehicle for permanent assignment unless it can be demonstrated that each vehicle requested will be driven at least 12,600 miles per year, except as justified because of unique use, as outlined in Section 9.32.

7.24 Purchasing Rules.

All vehicle acquisitions, whether by purchase or lease, will be made in compliance with the State's existing purchasing procedures and rules. Purchase requisitions will be submitted by SFM to the State Purchasing Division for acquisition of State vehicles.

SFM will provide each agency, through its designated Vehicle Coordinators, various reports to identify vehicles for replacement as part of the annual State budget cycle. Each year, by a date specified by SFM, all pending vehicle purchases for the current fiscal year will be finalized. Any changes (vehicle types, options, etc.) to this list will not be accepted by SFM after this date, unless *extraordinary* circumstances support change requests.

In addition to vehicle replacements, agencies will submit and identify additional vehicle needs

requests that may result from expanded programs or additional funding. These requests will be reviewed by SFM and are subject to legislative approval for permanent assignment.

7.25 Size of Vehicles.

The size of any motor vehicle shall not be greater than is necessary to accomplish its purpose. All efforts will be directed toward acquiring cost-effective vehicles.

7.26 Vehicle Selection/Life-cycle Costing.

The primary consideration in selecting the appropriate vehicles is to match the vehicle to the job it is expected to perform. Vehicles that meet usage requirements as well as service and maintenance requirements will be given preference.

Aside from the initial cost of the vehicle when purchased new, other factors must be considered, including

- .01 *Operating and Maintenance Costs.* The anticipated cost of fuel and maintenance.
- .02 *Resale Value.* The resale value (salvage value) of the vehicle, after its useful life is exhausted.
- .03 *Fuel Economy.* Low energy consumption shall be a favorable factor in determining the low responsible bidder.

7.27 Vehicle Specifications.

Vehicle specifications will be written with the goal of standardizing vehicle purchases as much as possible. Vehicle purchases shall be based on specifications as requested by the State agency, developed in cooperation and consultation with the Division of Central Services and the Motor Vehicle Advisory Council.

SFM will provide base level vehicles with agency-justified options.

7.28 License Plates, Titles, and Registrations.

As new vehicles are received into the Program, these vehicles will be registered with the Department of Revenue, and license plates issued by the Department of Revenue will be assigned and attached to each vehicle.

"Undercover plates" will be issued only for vehicles directly involved in undercover law enforcement activities, where the employee's identity must be kept secret, or as otherwise allowed by Department of Revenue policy.

Personalized plates are not authorized for State-owned vehicles, regardless of who pays for the plates.

Assigned license plates may not be moved from one vehicle to another.

In the event license plates are lost or stolen, new plates, with a new number, will be issued, and SFM's records will be adjusted to reflect the change.

All vehicle titles, regardless of ownership, will be kept by SFM. Titles to vehicles owned by other State agencies will be returned to the State agency for purposes of vehicle disposal. Following such disposal, appropriate sale data, including date of sale, sale price, and name of buyer, will be

promptly reported to SFM. Any unsold vehicles will be corrected for SFM data, and the title to the unsold vehicle will be returned to SFM.

Annually, the Department of Revenue, Motor Vehicle Division, will mail to the vehicle user a registration renewal notice. The registration renewal and, where required, the emissions test will be the responsibility of the agency to which the vehicle is assigned. SFM will pay for the expense of a properly authorized emission test.

If the location to which a vehicle is assigned is changed, SFM and the Department of Revenue, Motor Vehicle Division, must be notified of the change and given a new mailing address to which future renewal notices may be sent. Such notification will be the responsibility of the using agency.

7.29 ALTERNATIVE FUELED VEHICLES.

As requirements are set forth to implement increased usage of alternative fueled vehicles (AFV's), each agency will work with SFM to use and promote AFV's to the extent practicable to meet State and Federal requirements.

7.30 VEHICLE OPERATION

7.31 Use of State-owned Vehicles.

State-owned vehicles are to be used for official State business only, and not for personal purposes.

7.32 Commuting.

The use by a State employee of any State-owned vehicle for commuting must be requested and approved in accordance with Section 6.00, *Commuting Use of State-Owned Motor Vehicles by State Officers and Employees*.

7.33 Traffic Rules.

All State employees are expected to operate the vehicle in a courteous manner and are required to comply with existing traffic laws. Any traffic citations issued to the driver, as a result of non-compliance, are the responsibility of the driver.

7.34 Alcohol/Drugs.

No State-owned vehicle will be operated by any individual who is under the influence of alcohol or drugs. Section 42-4-1301, C.R.S. (1997). Smoking, or other tobacco use, is not permitted in vehicles.

7.35 Drivers License.

All authorized drivers of State-owned vehicles enrolled in the SFM Program must have in their possession a valid drivers license.

7.36 Driver's Responsibilities.

Drivers of State-owned vehicles must assume certain basic responsibilities with regard to the vehicle with which they are entrusted. These responsibilities include proper care, operation, maintenance and security of the vehicle, required emissions inspections, fueling, checking fluid levels, cleaning, safety, etc.

State-owned vehicles may not be used for personal errands, including transporting family members or pets. An exception to transporting family members may be granted in those

instances where that family member is functioning in an official State capacity. Operators of State-owned vehicles may not pick up hitchhikers or provide transportation for any unauthorized individual. In situations where public safety is a concern, as determined by a state employee on official state business whose job is related to public safety, unauthorized individuals may be provided assistance including transportation to the nearest location where there is no longer an unsafe situation.

State-owned vehicles may not be loaned to or driven by any unauthorized individual.

SFM vehicles may not be used to tow any other vehicle.

All drivers and/or Vehicle Coordinators are expected to read and become familiar with the contents of the manufacturer's *Operator's Manual*, and the *SFM Vehicle Binder*, both of which are furnished with each SFM vehicle.

7.37 Taking State-owned Vehicles Out of the State or Out of the Continental U.S.

When approved by the agency employing the driver, State-owned vehicles may be taken out of the state, as required in the performance of official duties.

Vehicles may *not* be taken out of the continental United States without prior written notification and explanation from the State agency to the State Fleet Manager. Agencies taking vehicles out of the United States will be responsible for obtaining any necessary additional liability and collision insurance, at their expense, before the vehicle is taken across the border. Should the vehicle become inoperable (either because of accident damage or mechanical problems) while out of the country, the operator should contact his/her employing agency and SFM for assistance. Agencies will be responsible for any additional repair or service costs that are in excess of typical costs.

7.38 Fuel Purchases.

All drivers of State-owned motor vehicles are expected to comply with the following regarding the purchase of fuel for State vehicles.

- .01 State fueling systems shall be used wherever practical. In the absence of such facility, only self-service islands of retail outlets shall be used. Exceptions to this policy may be granted only because of driver's physical limitations or emergency needs. The driver's supervisor shall document such exceptions.

All purchased fuel will be of a regular grade of gasoline. Premium grades will not be used unless specifically required by the manufacturer.

- .02 State agencies with fuel dispensing capability are required to bill SFM on a regular, monthly basis. Fuel issues may not be accumulated for longer periods. All invoices will contain, by license and/or asset number, date of fueling, number of gallons, price per gallon, and total cost.
- .03 SFM furnishes automated fueling system cards that can be used in some State-owned dispensing facilities. Not all State pumps are on this automated system, however, and in those cases other methods of recording fuel issues may be required. An acceptable method of fuel dispensing calculation will be on file with SFM. Fuel dispensed through commercial stations having special contracts with the State may require special reporting procedures. When card lock or other similar fuel vendors are used, the agency will ensure that all SFM data requirements are met.

- .04 SFM also furnishes a State fuel credit card with each vehicle assigned. This credit card is honored by most major oil companies and can be used for purchasing fuel at commercial outlets, or as specified by SFM.

The State (fuel) Credit Card may be used to purchase only those supplies and/or services itemized on the reverse side of the card.

The State (fuel) Credit Card is valid only for the vehicle described on the front of the card, and the cards may not be interchanged.

No other State agency is authorized to issue State gasoline credit cards for vehicles in the SFM Program.

- .05 Where necessary, an employee may pay for fuel using personal funds and receive reimbursement from SFM through his/her own agency. Such reimbursement will be made only when a properly itemized and signed receipt is provided. SFM will not reimburse for fuel taxes.

7.39 Accident Reporting.

Drivers of State vehicles shall exercise every precaution to prevent damage to the vehicle. The driver of the vehicle is responsible for notifying the following persons immediately, either in person or by telephone, of any accident in which the vehicle is involved: interagency motor pool supervisor; employee's official supervisor; and state, county, and local authorities as required by law. The vehicle driver shall record information pertaining to the accident on an accident report form as provided in the *SFM Vehicle Binder*. This form must be submitted to the vehicle driver's official supervisor for review within 48 hours of the accident. This form, as filed by the driver and signed by the supervisor, shall be turned into the interagency motor pool within 72 hours of the accident. Accidents involving personal injuries must be reported to SFM within 24 hours of the accident (or on the next regular business day) by telephone and followed up with a written report. The driver must file a "State of Colorado Report of Motor Vehicle Accident" within ten days of an accident if damage to any one vehicle or property exceeds \$1,000, or the accident resulted in bodily injury or death.

7.40 VEHICLE MAINTENANCE

7.41 Preventive Maintenance.

All State-owned vehicles will be serviced on a regular basis, at frequencies and intervals appropriate for the vehicle assignment as determined by SFM. To protect the State's investment and not jeopardize the coverage of the manufacturers' warranty, the prescribed preventive maintenance will, at a minimum, comply with the manufacturers' recommendations for service. Repairs required because of failure to follow the scheduled preventive maintenance will be the responsibility of the agency to whom the vehicle is assigned. SFM will authorize all vehicle services when needed.

7.42 Purchasing Tires & Glass.

The purchase of replacement tires and glass will be governed by instructions published by SFM in the *Vehicle Binder*, furnished with each vehicle. Any exceptions to this policy must be approved in advance by SFM.

7.50 VEHICLE REPAIRS

7.51 Vehicle Condition.

No State employee is expected to drive a State vehicle if the condition of the vehicle is determined to be

unsafe. If an unsafe mechanical condition is discovered, it should be reported and corrected immediately. The driver should refer to the *Vehicle Binder* for instructions on how to report vehicle mechanical problems.

7.52 Procedure for Obtaining Repair Authorization.

If the vehicle's preventive maintenance schedule is adhered to, many otherwise needed repairs can be avoided. If repairs are needed, the driver should consult the Vehicle Binder, furnished with each vehicle. The Vehicle Binder, prepared by SFM, contains specific instructions for obtaining the necessary authorization for repairs.

Calls requesting repair authorization will be handled by SFM directly. The request for repair authorization must be made—and authorization given—**BEFORE** any repairs are begun. The cost of work performed without proper authorization may be billed to the using agency.

Where “Garage Agreements” have been entered into and signed by authorized representatives of SFM and another State agency, and where the provisions of any such agreement differ from the instructions in this paragraph, the procedures outlined and agreed to in the “Garage Agreement” will take precedence over the instructions in this paragraph. However, the intent of this paragraph and any garage agreement in effect shall have a common goal of costeffective maintenance and repair of State vehicles.

7.53 Process for Determining if Repairs are Justified.

Prior to authorizing any major mechanical repairs or major body repairs, SFM will make a determination as to whether the cost of the repair is economical and in the best interest of the State. Such determination is based, in part, on a process that compares the adjusted book value of the vehicle with the estimated cost of repairs. Other factors considered include the demand for uninterrupted vehicle support, the availability of a suitable replacement vehicle, the anticipated remaining life of the vehicle due to age, mileage, and/or scheduled replacement, etc.

7.54 Selection of Repair Facility.

Drivers must use State-owned repair facilities, where practical, as the first source for obtaining needed repairs. If a State facility or a repair at a State facility is not readily available, facilities in the private sector may be used. SFM will refer drivers to authorized repair facilities. In the case of an emergency occurring during hours that SFM is not available, the driver may obtain the minimum repairs necessary to continue the trip or wait until regular business hours. Repairs exceeding fifty dollars (\$50.00) must have SFM approval. Drivers should be aware that obtaining repair services after regular business hours may not be possible.

7.60 VEHICLE DISPOSAL STANDARDS

7.61 Disposal Criteria.

SFM will review and approve all requests for vehicle disposal. One or more of the following shall be used in considering the disposal of State motor vehicles:

- .01 *No Longer Needed* - The State no longer has a need for the vehicle.
- .02 *Minimum Replacement Mileage* - State-owned vehicles will not normally be replaced until they have been driven for 75,600 miles. Vans assigned to the Vanpool Program will be operated for 100,000 miles or 10 years, whichever may come first.
- .03 *Uneconomical to Repair* - Vehicles that have sustained extensive damage or vehicles that

require substantial mechanical repairs, may be disposed of earlier, if it can be shown that the cost of repairs would be uneconomical and the State's interests would be better served by disposing of the vehicle rather than repairing it.

7.62 Methods of Disposal.

After a vehicle has met replacement criteria, the vehicle may be disposed of by public auction. If other methods of disposal are required because of unusual circumstances (out-of-state location, etc.) the method of disposal must be approved in advance by SFM.

7.70 REPORTING REQUIREMENTS

7.71 Vehicle Coordinator.

Each agency will be required to designate an individual or individuals, who is/are knowledgeable about the agency's vehicle fleet, to serve as the *Vehicle Coordinator*. Such designation will be at the Department level if possible, but additional designations may be arranged by mutual agreement with SFM. The individuals so designated will be the contact persons through whom SFM will communicate Fleet related matters.

The Vehicle Coordinators will be the key contacts in coordinating the following (but not limited to):

- .01 Routine and special reports
- .02 Vehicle accident reports
- .03 Preventive maintenance and repairs
- .04 Verifying and/or correcting vehicle data
- .05 Vehicle assignments and terminations
- .06 Commuting privileges
- .07 Vehicle needs and specifications
- .08 DOR registrations and emissions compliance
- .09 Monthly mileage reporting
- .10 Communicating with internal agency fiscal officers to ensure that agency funding levels for vehicle expenses are properly managed.

7.72 Monthly Vehicle Log Form.

For each vehicle permanently assigned, the using agency is required to furnish SFM with an accurate monthly odometer reading by a date specified by SFM.

If the odometer reading is not furnished to SFM by the specified monthly reporting date, the agency to whom the vehicle is assigned will be billed at the default mileage (currently 1,000 miles). In addition, the agency to which the vehicle is assigned may be assessed an administrative fee of \$25 for each vehicle for which the odometer reading was not reported as herein specified.

If, for the subsequent reporting period, the using agency submits an accurate odometer reading

by the due date, SFM's billing will show the actual odometer reading reported, and, if appropriate, the billing will reflect any credits due. The administrative fee, however, is non-refundable.

These odometer readings will be recorded on a pre-printed monthly Vehicle Log Form furnished by SFM, unless electronic submission of data is furnished in a format specified or approved by SFM.

7.73 Preventive Maintenance Reporting.

Each agency is responsible for assuring that the preventive maintenance prescribed by SFM is followed for the vehicle(s) assigned to that agency.

Following the completion of a preventive maintenance service, each agency will report to SFM the following:

- .01 Date of service
- .02 Odometer at time service was performed
- .03 Type of service

SFM provides space on the monthly Vehicle Log Form for reporting preventive maintenance service.

7.74 Emissions Test.

All State-owned vehicles assigned to areas within the AIR Program area are subject to the emissions testing requirements of the State's AIR emissions Program.

If an emissions test is required and the State vehicle fails the emissions test, it will either be brought into compliance or the vehicle will not be driven. SFM will pay for the expenses incurred to bring a vehicle into compliance if the repairs are authorized in advance as per instructions in the SFM vehicle binder.

Each agency is responsible for monitoring the expiration date of the emissions sticker on the windshield and getting the emissions test performed when it is due. SFM will pay for required emissions tests.

7.75 Responsibility.

Citations issued for expired emissions stickers are not the responsibility of SFM.

7.80 NONCOMPLIANCE

7.81 Accountability.

State agencies may be held financially accountable for all costs resulting from the violation of these rules relating to the misuse of State-owned motor vehicles.

7.82 Revocation of Assignment.

As outlined in Section 8, noncompliance with these rules may be grounds for revocation of vehicle assignment.

7.83 Disciplinary Action.

At the discretion of the employing agency, corrective and/or disciplinary action may be appropriate for State employees found to be in violation of these rules.

7.90 ACQUISITION BY OPERATION OF LAW.

7.91 Forfeiture.

The head of any State department, institution, or agency that comes into possession of a motor vehicle of the type described in section 24-30-1102, C.R.S. (1997) by operation of law including but not limited to seizure, confiscation, or forfeiture under sections 33-6-102, 16-13-506, C.R.S. (1997) or other law,

shall report the following to the Director within 10 days of the vehicle's judicial forfeiture order or perfection of the State's right and interest in the vehicle:

- a. Location of the motor vehicle.
- b. A copy of the perfected Certificate of Title.
- c. The name, address, telephone and FAX number of a responsible official contact within the agency.
- d. License plate number.
- e. Planned usage of the motor vehicle to include time lines.

.01 Agencies are notified that motor vehicles acquired by operation of law are, pursuant to section 24-30-1101, C.R.S. (1997), "Stateowned motor vehicles" and are subject to Fleet Management Program oversight. The number of motor vehicles authorized for agency use may not be exceeded through such acquisition.

8.00 REVOCATION OF ASSIGNMENT OF STATE-OWNED MOTOR VEHICLES

8.10 AUTHORITY AND PURPOSE.

Statutory authority for this rule is C.R.S. 24-30-1112. The purpose of this rule is to set forth procedures to be followed in the permanent assignment of State-owned motor vehicles and to establish the basis and procedure for revocation of such assignments.

8.20 PERMANENT ASSIGNMENT OF VEHICLE

8.21 Definition.

A permanent assignment is defined as the issuing by State Fleet Management of a motor vehicle to any State agency for a period exceeding twelve continuous months.

8.22 Vehicles for Assignment.

Vehicles for assignment will be acquired in accordance with sections 7.20 and 9.20.

8.30 RESTRICTIONS ON ASSIGNMENT OF VEHICLES

8.31 Favoritism.

Requests for assignment or reassignment of motor vehicles shall not be honored when the purpose of the assignment or reassignment is to provide a newer or lower mileage vehicle to a State officer or employee

on the basis of rank, position, management authority, length of service, or other nonessential purpose.

8.32 Number of Vehicles.

Once the appropriate fleet size has been established for each State agency, requests for additional vehicles will not be honored if such assignment would exceed the maximum number of vehicles authorized. Exceptions may be made if the request is based on documentation authorizing new or expanded programs.

8.40 BASIS FOR REVOCATION.

Revocation of assignment may occur when it has been reasonably determined by the State Fleet Manager that:

8.41 Unofficial Use.

The vehicle has been used for purposes other than official State business;

8.42 Failure to File Reports.

An agency fails to submit required reports or when the required reports which have been filed fail to meet the established standards as published by the Division, and such deficiencies are not cured within thirty calendar days after receiving notification from State Fleet Management of such deficiency;

8.43 False Information.

False information has knowingly and willfully been supplied on an application for permanent assignment, commuting reimbursement form, or other required report or form;

8.44 Required Signature.

An individual required to do so fails to sign all reports or forms submitted for vehicles permanently assigned and fails to cure the deficiency within thirty calendar days after receiving notification from State Fleet Management of such deficiency;

8.45 Abuse.

A State-owned motor vehicle has been abused;

8.46 Accident Reports.

Failure on the part of an employee or the employing State agency to file a proper vehicle accident report according to sections 5.62 and 7.39 of these rules; or

8.47 Preventive Maintenance.

Failure to follow the prescribed preventive maintenance frequencies, or failure to obtain necessary repairs as determined by State Fleet Management; failure to obtain annual emissions certification, where required; or

8.48 Violation of other rules.

A violation of other rules or regulations promulgated by the Division has occurred which warrants revocation of assignment as specified in those rules and regulations.

8.49 Low Mileage.

Failure of vehicles to meet the minimum annual mileage criteria and where utilization of the vehicle cannot otherwise be reasonably justified (See Section 9.30).

8.50 PROCEDURE FOR REVOCATION OF ASSIGNMENT

8.51 Notice of Suspected Violation.

If the Director, Division of Central Services, determines, in accordance with paragraph 8.40, above, that there is sufficient cause for revocation, a written notice will be sent to the affected agency. The notice will identify the vehicle involved, outline the suspected violations which are considered causes for revocation, and request the affected agency to correct the situation within 30 calendar days.

8.52 Corrective Action.

If, within 30 calendar days, the using agency fails to correct the conditions outlined in the written notice, the Director, Division of Central Services, will notify the affected agency that the assignment of the vehicle is being revoked. If so notified, the affected agency will immediately return the vehicle to State Fleet Management.

8.60 REASSIGNMENT

8.61 New Vehicle Requests.

Requests for reassignment of a vehicle, following the revocation of assignment, shall not be honored until State Fleet Management is reasonably assured that the violation for which a vehicle was previously revoked will not recur.

8.70 REPORTING REQUIREMENTS

8.71 Utilization Reports.

Annually, following the close of each fiscal year, State Fleet Management will prepare and distribute, to each State agency, a listing of vehicles that have not met the minimum annual threshold mileage rate for permanent assignment (12,600 miles per year).

8.72 Low Mileage.

For each and every State-owned motor vehicle that is driven less than 12,600 miles per year, the using agency shall furnish State Fleet Management with justification for continued retention of the vehicle (see section 9.32).

8.80 REVOCATION

8.81 Action Required.

If the responsible State agency cannot justify such lower mileage, permanent assignment shall be revoked immediately.

8.90 APPEALS PROCESS

8.91 Appeals.

If the affected agency feels that revocation is unwarranted, the Executive Director/University or College

President, or designee, of such agency may appeal the decision of the Director, Division of Central Services to the Executive Director, Department of Personnel, who will respond in writing with a decision within 30 calendar days. This decision will be binding and final.

9.00 ANNUAL VERIFICATION OF MINIMUM MILEAGE

9.10 AUTHORITY AND PURPOSE.

Statutory authority for this rule is C.R.S. 24-30-1112. The purpose of this rule is to set forth procedures to be followed in the annual verification of miles operated by State-owned motor vehicles.

9.20 UTILIZATION CRITERIA

9.21 Minimum Annual Mileage.

Unless an agency can justify to the Division of Central Services, State Fleet Management Program, the need for permanent assignment because of the unique use of a vehicle, a state-owned passenger motor vehicle shall not be permanently assigned to any State officer or employee who is likely to drive it on official business at a rate of less than 12,600 miles per year, unless

- .01 The State officer's or employee's duties are routinely related to public safety; AND
- .02 The State officer's or employee's duties are likely to expose such officer or employee routinely to life-threatening situations.

9.22 Unique Use.

The following *may* be considered as justification for unique use.

- .01 *Daily Usage* - Low mileage utilization, but vehicle used daily (75% of available work days);
- .02 *Special Vehicle/Equipment* - Low mileage utilization, but one-of-a-kind or specially equipped such that the vehicle is unable to be used for other purposes (e.g., wheel chair lift, or specially equipped for inmate transportation, etc.).
- .03 *Economics* - Low mileage utilization, but more cost effective than alternatives.
- .04 *Disposal Pending* - Vehicle will not remain on inventory records for more than six months.
- .05 *Unique Program Requirements* - Vehicle assigned to distinctive program with low-mileage or seasonal use.

9.30 REPORTING REQUIREMENTS

9.31 Utilization Reports.

Following the close of each fiscal year (using June 30 data), State Fleet Management will prepare and distribute, to each State agency, a listing of vehicles that have not met the minimum annual threshold mileage rate for permanent assignment (12,600 miles per year). Vehicles that have not been in their present use assignment long enough to establish a utilization pattern (less than six months) will not be included in the report.

9.32 Low Mileage.

For each and every State-owned motor vehicle that is driven less than 12,600 miles per year, the using

agency shall furnish State Fleet Management with justification for continued retention of the vehicle.

If the responsible State agency cannot reasonably justify such lower mileage, permanent assignment shall be revoked immediately.

9.33 Justification.

All low-mileage justification requests will be approved by the requesting agency's Executive Director/University or College president, or designee.

Statewide Travel Management Program Rules

20.00 Program Description:

The Statewide Travel Management Program coordinates and oversees official State of Colorado domestic and foreign government travel by State employees in order to achieve fiscal accountability and significant financial savings to the State.

20.10 Definitions:

- .01 **"Statewide Travel Management Program"** means the Program established under section 24-30-1118, C.R.S. and herein referred to as the "Program."
- .02 **"Travel Compliance Designee (TCD)"** means an employee designated by the executive director in each department or the chief executive officer of each institution of higher education to implement and enforce the rules established by the Program.
- .03 **"Travel Payment Program Provider"** means the commercial travel vendor that furnishes the travel payment program to the State.
- .04 **"Travel Payment Program"** refers to one or more of the following three forms of payment with the Travel Payment Program Provider:
 - (a) **"CTS"** refers to the centrally billed airfare accounts;
 - (b) **"Event Card"** refers to the centrally billed corporate liability cards; and
 - (c) **"Individual Card"** refers to the individual liability cards all which are described in section 24-30-1118, C.R.S.

20.15 Purpose, Authority, Applicability and Responsibility:

- .01 **Purpose:** The purpose of these rules is to implement the provisions of Colorado Revised Statutes 24-30-1118, C.R.S., for all State employee travel and to require that all travel for official State of Colorado business be expensed with the state Travel Payment Program. These rules and regulations for travel are for all departments, institutions of higher education, and agencies of state government.
- .02 **Authority:** Colorado Revised Statutes 24-30-1118 and 24-30-1105, C.R.S. These rules complement the authority of Fiscal Rules, Chapter 5 - Travel (1 CCR 101-1) made under authority of Colorado Revised Statutes 24-30-202(26), C.R.S.
- .03 **Responsibility:** It is the responsibility of executive directors of the principal departments to ensure their department's compliance with these rules. This responsibility extends to the chief executive officer of each institution.

- .04 **Applicability:** These rules apply to the individual travel of all officers, employees, board or commission members in the executive departments of state government, including the institutions of higher education, unless otherwise provided by law, and may apply to elected officials, and board or commission members at the discretion of the State agency or institution of higher education they serve, unless otherwise provided by law.

20.20 Responsibilities

.01 The Program shall:

- (a) Work with the State Purchasing Office to establish travel related price agreements, which may include airfare, lodging, vehicle rental and travel agencies.
- (b) Establish a Travel Payment Program that provides a variety of payment options for travel-related purchases including cash advances.
- (c) Monitor travel patterns and practices to identify cost-saving opportunities.
- (d) Report annually to the General Assembly on travel expenditures and incidents of non-compliance on behalf of state agencies.
- (e) Disseminate Program information to state agencies and institutions of higher education on a timely basis.
- (f) Monitor statewide compliance with travel-related rules and statutes.
- (g) Report noncompliance to the appropriate executive directors or chief executive officers.

.02 Department Executive Directors and Chief Executive Officers of Institutions of Higher

Education: In order to ensure compliance with these rules and to facilitate communication, the executive director of every principal department or the chief executive officer of every institution of higher education shall:

- (a) Designate a TCD and notify the Program of any changes to this assignment.
- (b) Enforce compliance with the Program rules by pursuing appropriate personnel action up to and including termination.
- (c) Require the Colorado commission on Higher Education to report annually to the General Assembly on travel expenditures and incidents of non-compliance on behalf of institutions of higher education.

.03 Travel Compliance Designee: In order to ensure compliance with these rules and to facilitate communication, the travel compliance designee of every principal department and institution of higher education shall:

- (a) Serve as liaison to his or her state agency and make available to employees of that agency lists of approved commercial travel vendors and other materials supplied by the Program.
- (b) Implement the rules of the Program in his or her State agency or institution of higher education.
- (c) Disseminate Travel Program information and policy to employees on a timely basis.
- (d) Monitor compliance of travel related rules and statutes within their agency or institution of

higher education.

- (e) Submit travel-related reports as required by the Program.
- (f) Maintain current documentation of signed cardholder agreements.
- (g) Provide guidance to the exception of purchasing travel insurance when deemed to be in the best interest of the State.
- (h) Report issues of noncompliance as appropriate to the Travel Program, appointing authority and executive director or chief executive officer.
- (i) Report, annually, detailed information for all state incurred charges not purchased with the CTS account.
- (j) Submit all plans for travel to any location within Washington DC, or to a meeting with any federal government agency or department in the greater metropolitan Washington DC area. Travel plans required shall include, the purpose of the trip, and a schedule of all appointments with any member of Congress or his or her staff or federal government department or agency personnel. The Executive Director of the Colorado Commission on Higher Education will develop his or her own travel policy consistent with this.

.04 **State Employees On Official State Travel:** State employees on official state travel shall:

- (a) Use Travel Payment Program for all airfare, rental car and lodging charges.
- (b) Comply with all travel related rules including, but not limited to, fiscal, procurement and Program rules.
- (c) Pay any money owed to the state Travel Payment Program Provider according to the terms and conditions agreed to by the state employee in the Travel Payment Program Provider cardholder agreement.

20.25 Travel Payment Program:

- .01 **Travel Payment Program:** This program consists of three different forms of payment for use of travel procurement: CTS accounts, Event cards and Individual cards.
- .02 **Use of the Payment Program:** The state Travel Payment Program shall be used for official in-state, out-of-state and international travel for all airfare, lodging, and vehicle rentals. The state Travel Payment Program may be used for reimbursable meals.
- .03 **Purpose of the Payment Program:** It is the intent of the State that the Travel Payment Program be used by State employees and officials solely to charge purchases of goods and services necessary for, or incidental to, travel for official State of Colorado government purposes. The card may not be used for personal expenses except as provided below.
- .04 **Issuing Authority:** Upon approval from supervisor and authorization by the TCD, a travel card may be issued to state employees, state board members or state commissioners for official government travel.
- .05 **Liability of Cardholder:** The individual cardholder shall be liable for all charges made to his or her travel card as provided in the Cardholder Agreement.
- .06 **Cash Advances:** The program has established a default of “no cash advance” for any event or

individual cards. It is up to each State agency or institution of higher education to determine if the cash advance option is to be implemented to meet the needs of a traveler (e.g. international travel). Travel advances shall be obtained by using the state travel card whenever possible. Under no circumstances shall a travel advance be requested from the State in excess of the statutory limit set by CRS 24-30-202 (20.1). Cash advances will not be allowed on the Event Card.

- .07 **Personal Use:** Personal charges made in conjunction with official state travel that cannot, for practical reasons, be charged separately are not in violation of the “no personal use” rule; however, the State will not reimburse the cardholder for any such incidental personal charges.

20.30 Extenuating Circumstances:

State agencies may deviate from these rules when, in their best judgment, extenuating circumstances exist which preclude use of the Travel Payment Program, as in the case of emergency situations threatening the public health, welfare or safety, or where an unforeseen travel itinerary change requires additional expenditures by employees not having a state travel card. The TCD will report the circumstances in the report of noncompliance otherwise required by these rules. In all cases, the Program is available for consultation, advice, and assistance.