ATTACHMENT C

Joint Committee on Administrative Rules

ADMINISTRATIVE CODE

TITLE 44: GOVERNMENT CONTRACTS, PROCUREMENT AND PROPERTY MANAGEMENT
SUBTITLE D: PROPERTY MANAGEMENT
CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES
PART 5040 STATE VEHICLES AND GARAGE
SECTION 5040.350 AUTHORIZED USE

Section 5040.350 Authorized Use

a) State-owned vehicles shall only be used for public purposes and in the best interests of the State. When performing official duties on behalf of the State, authorized uses include:

1) travel between places of State business, places of temporary lodging, places to obtain meals, and/or other locations necessary to perform official duties;

2) travel to/from places to obtain emergency medical assistance or supplies;

3) transport of:

A) other State officers or employees who are on official State business;

B) consultants or contractors working on behalf of the State;

C) commercial firm representatives working with the State;

D) wards of the State;

E) residents of State facilities or institutions; and

F) others as authorized in writing by an agency head;

4) transport of materials, equipment, supplies, tools, parcels, luggage, or other items necessary or required to perform official duties;

5) operation of a State vehicle by a State contractor when required to meet the needs of a State contract and when authorized in writing by an agency head;

6) operation of a State vehicle when on a travel-related assignment (including, but not limited to, pick-up and return of a vehicle and necessary commuting);

7) commuting in an assigned vehicle when one of the conditions set forth in

Section 5040.340 of this Part is met and the employee has complied with:

A) the certification requirements of Section 7-601 of the Illinois Vehicle Code [625 ILCS 5/7-601]; and

B) all applicable reporting requirements of the Office of the Comptroller;

8) operation of a specially equipped vehicle where a State official or employee is required to have constant access to the equipment in the vehicle (for purposes of this Section, "specially equipped vehicle" means a vehicle equipped with communications equipment regularly used to transmit over a network of the Emergency Management Agency); and

9) any other use when for public purposes and in the best interests of the State, and authorized in writing by an agency head.

b) Unauthorized use of a State-owned vehicle includes, but is not limited to:

1) transportation for shopping, meals, entertainment, recreation or vacation purposes unrelated to the performance of official State business;

2) transport of any person for any purpose unrelated to official State business;

3) operation of a vehicle beyond the vehicle's rated capability;

4) transport of materials, equipment, supplies, tools, parcels, luggage, or other items unrelated to the performance of official State business;

5) transport of hazardous or dangerous materials such as acids, explosives, weapons, ammunition, or highly flammable materials unless authorized in writing by an agency head or in an emergency;

6) transport of items or equipment that may constitute an obstruction of safe driving or hazard to pedestrians or other vehicles; and

7) any use in violation of applicable statute, rule, or executive order.

c) Any employee or official using a State vehicle in a manner contrary to this Section shall be personally responsible for and assume the risk of:

1) personal injury to the employee/official and to third parties; and

2) damage to the property of the employee/official, the State, and third parties.

d) Agencies are responsible for establishing written policies and procedures to ensure all vehicle use is in accordance with this Section. In the event of a violation of this Section, the user's agency head:

1) is responsible for instituting corrective action, which may include discipline up to and including discharge; and

2) shall require and verify the user has paid the State for each mile or fractional mile of unauthorized use. Payment to the State shall be equal to the amount reimbursed to State employees for the use of personal vehicles (see 80 Ill. Adm. Code 3000.300(f)(2)).

e) Agencies may establish policies consistent with or more restrictive than the rules set forth in this Section.

(Source: Amended at 25 Ill. Reg. 6221, effective April 17, 2001)