State University of New York
University at Albany

Policy on the Use of State Owned Vehicles

Division of Finance and Business
Introduction

The University at Albany maintains state-owned vehicles for general business use as well as vehicles assigned to specific employees. Only University employees and students with a valid driver's license may drive a state-owned vehicle.

General use vehicles (cars, trucks and vans) are used for the delivery of supplies, equipment, furniture and other items between locations. Certain passenger vans and cars are used to transport individual University employees, students, and visitors to and from various meeting locations, airports, campuses, etc.

Passenger vehicles are assigned to employees in accordance with the New York State Division of the Budget ("DOB") and Office of General Services ("OGS") Policies pertaining to use of state vehicles. The Vice President for Finance and Business, or designee, will arrange for a vehicle to be provided to such employees as directed by the President in accordance with the mandates of state policies and state and federal tax laws.

This manual is intended to cover the basic policy of the University as it relates to passenger vehicles assigned to an employee for his/her exclusive use and passenger vehicles, vans, busses, and trucks maintained by the University and assigned to employees and students from time to time for use associated with official University business.

The Vice President for Finance and Business has designated the following offices to administer this Policy:

1. Assistant Vice President, Office of Human Resources Management—administrative oversight, including, but not limited to, execution and retention of acknowledgment forms and enforcement of the Policy;
2. Director of Payroll, Office of Human Resources Management—payroll and tax issues as fully set forth in the Policy; and
Purchase of Vehicles

State-owned vehicles for use by the University are purchased by the University Purchasing Office in accordance with the current State contract for vehicles or Item 300 of the SUNY Procedural Manual, and in accordance with the current policy on the purchase of vehicles in effect at the time of a purchase.

Once delivered, the vehicle is added to the "Vehicle Inventory Listing" maintained by the University. In addition, the Fleet Management Section of OGS is notified and provided with all relevant information.

The Vehicle Inventory Listing contains the following information for each vehicle:

- Year
- Make
- Model
- VIN Number
- ID Number
- License Plate Number
- Operator
- Decal Number
- Phone Numbers

Replacement or Removal of a University Vehicle from the Fleet

The University will remove a vehicle from its fleet when the cost of maintenance and repair is or is likely to exceed its value and/or the safety of the vehicle is in question and beyond practical repair pursuant to current surplusing policies and procedures, and/or to meet the business, fiscal and/or risk management needs of the University.

The University will replace a vehicle as needed and pursuant to applicable state policy on the purchase/replacement of vehicles.

The replacement or removal of a vehicle will be done in coordination with OGS.

Assignment of Vehicles to State Employees

A vehicle may be assigned to the President for his/her exclusive use.

A vehicle may be assigned to the Chief of the University Police Department for his/her exclusive use. If a vehicle is assigned, the vehicle may be an unmarked car, equipped with radios, sirens and lights, and the car may otherwise be designated as a "qualified nonpersonal use vehicle" as defined by the Internal Revenue Code and its regulations, as amended from time to time, and applicable NYS policy and procedures. The Chief of the University Police Department is responsible for the overall management of the University Police Department, and therefore, the safety of the University Campuses. The Chief is on-call at all times to respond to critical incidents for the 24 hour, seven day a week
assignment of a car is permitted for business use and commuting to and from home/work. Incidental personal uses such as stops within a reasonable distance of route to and from work are permitted. No unofficial passengers are permitted. All travel is restricted to within a two hundred (200) mile radius of the University at Albany campus unless permission is granted from the Vice President for Finance and Business, or designee, upon the recommendation of the Vice President for Student success.

A vehicle may be assigned to an employee for exclusive use when the employee's responsibilities require extensive travel on business essential to the University. However, if the University determines that personal use exceeds business use, or that it is more cost effective to reimburse the employee for use of his/her personal vehicle for University travel or use of public transpiration for University travel or a combination of both reimbursement and public transpiration for University travel, rather than assigning the employee a vehicle for exclusive use, the assignment of a vehicle may be terminated.

A vehicle may also be assigned to an employee by the University President when the President determines that such assignment is in the best interest of the University, considering the efficient use and assignment of University resources, including fiscal and personnel, for the health, safety and business demands of the University.

In addition, a vehicle may be assigned to an employee for use on official University business per day or overnight in accordance with applicable State University of New York ("SUNY") and University policy.

Assignment of Vehicles to Students at the University

Student drivers may be assigned to drive state-owned vehicles for official business of the University.

Students will be assigned to drive such vehicles only when it is not feasible to use another driver for the official business of the University. The President shall designate the person(s) who is authorized to appoint student drivers, and verify and maintain a copy of the students' valid licenses. A staff member must accompany the transport of the students driven by a student driver.

A separate authorization must be made for each trip driven by the student driver (unless the student is employed by the University, i.e., in a summer position), and a copy of the student driver's license must be obtained for each trip.

Student-owned vehicles shall not be used for official University business.

Use and Assignment of Passenger Vans

The use and assignment of passenger vans shall be in full compliance with the SUNY Policy "Passenger Vans," as attached to and made a part of this Policy.
Requirements and Prohibitions in the Operation of a State Vehicle

- Operation of a state vehicle must be in full compliance with all New York State laws.
- All eligible drivers must be employed by the University, the University at Albany Foundation, the University Auxiliary Services Corporation, the Research Foundation, the Fuller Road Management Corporation, the Alumni Association, the University of Albany Foundation Student Housing Corporation or be registered University students in good academic standing, and he/she must have a valid driver's license.
- Smoking in state vehicles is prohibited.
- Driving under the influence of drugs/alcohol is prohibited.
- Possession or use of alcohol, illegal drugs or other intoxicating substances in the vehicle is strictly prohibited.
- Use of cellular phones without a hands-free adaptor is prohibited.
- Texting while driving in a state vehicle is prohibited.
- Eligible drivers are personally responsible for any fines, fees, legal penalties and personal legal costs resulting from the receipt of tickets and citations received while operating, parking or in possession of a state vehicle.

Gas Cards

Gas cards may be obtained through Vehicle Operations Center from the OGS Fleet Management Section and provided to each driver. The gas card is assigned to individual drivers, not cars, and is password protected. The cost of gas is paid for by the University and the bills for gas card usage are sent directly to the Vehicle Operations Center. Any gas used in a state-owned vehicle and purchased by an employee with cash or personal credit card may be reimbursed via a ravel voucher with proper receipts attached.

EZ Pass Accounts

Employees may obtain their own E-ZPass accounts, and may be reimbursed by the University for the business usage upon submittal of a properly prepared travel voucher and receipt(s). Other toll charges incurred by eligible drivers for business travel may be reimbursed upon submittal of a properly prepared and approved travel voucher and receipts.

Mileage Logs for Employees Assigned a State Vehicle for Exclusive Use

Each employee who is assigned a state-owned vehicle for his/her exclusive use shall maintain a mileage log book. The purpose of the book is to account for the mileage associated with all employee business trips. The Internal Revenue Code ("IRC") requires that this type of reporting be maintained and used in the calculation of taxable benefit to the employee. The taxable benefit results from the personal use versus business use of an employer-provided vehicle. The determination of what mileage is personal use versus business use will be made in accordance with the mandates of the IRC, and its companion
regulations. (For tax purposes, note that commuting to and from home/work in a state vehicle is personal use, not business use.) Attached hereto is a sample mileage log book for the employee's printing and use. Note: employees assigned a qualified non-personal use vehicle are exempt from the business use substantiation.

Each employee, excluding the President, will turn in a business mileage log quarterly to the Vehicle Operations Center which will maintain logs for use in year-end tax reporting. In addition, the logs will be used to reconcile business trips with E-Z Pass usage. The President will report total and business mileage annually on the 'Agency Report of the Taxable Value of Personal Use for an Employer-Provided Vehicle' form provided by the Director of Human Resources.

The business mileage log will be turned in quarterly to the Vehicle Operations Center which will maintain the logs for use in year-end tax reporting. In addition, the logs will be used to reconcile business trips with E-Z Pass usage.

**Per the requirements of the Division of the Budget and the Office of the State Comptroller, personal use of a state-owned vehicle must be reported for the annual period of November 1 to October 31; this period shall be used for the reporting of personal use as income on a W-2 as issued by the Office of the State Comptroller.**

**Year-End Tax Reporting**

Each year the Payroll Division of the Office of Human Resources Management will determine the taxable benefit to each employee having a state-owned vehicle assigned to him/her for exclusive use. The amount determined to be a fringe benefit to the employee will be included in his/her year-end W-2 issued by the State.

The annual lease value method is used to determine the taxable benefit to the employee. This method calculates the benefit based on the percentage of business usage (business miles) as a percentage of total usage of the vehicle (total miles) for the November through October time period. This percentage is then applied to the annual lease value of the car (determined by the fair market value of the vehicle at date of assignment and continued for four years or upon reassignment of the vehicle). To this total, an amount is added for gas costs (actual or cents/mile rate) for personal usage of the car. The amount is then transmitted to the Office of the State Comptroller to be added to the employee's W-2.

Again, personal use of a state-owned vehicle must be reported for the annual period of November 1 to October 31; this period shall be used for the reporting of personal use as income on a W-2 as issued by the Office of the State Comptroller.

**Vehicle Insurance**

All state-owned vehicles are insured under a state automobile insurance policy and/or a New York State self-funded/retained insurance fund, as the case may be under the then current OGS policy. The Vehicle Operations Center cannot provide keys to a driver until
the vehicle has license plates placed on it and the Bureau of Insurance at OGS is instructed to add the vehicle to the University's fleet coverage.

**Accident Reporting**

Accidents should be reported to the Vehicle Operations Center at 442-3420 as soon as possible, but no later than 24 hours after the incident.

It is the driver's responsibility to report (within 10 days) any accident occurring in New York State causing casualty, personal injury or damage exceeding $1,000 to the New York State Department of Motor Vehicles. A completed OGS MV-104 Motor Vehicle Accident Report using the University's name and address as the state agency's vehicle owner should be sent to:

NYS Department of Motor Vehicles  
Accident Records Bureau  
PO Box 2925  
6 Empire State Plaza  
Albany, NY 12220-0925

For insurance purposes, copies of completed MV-104 forms and police investigative (MV-104A) reports should be forwarded to the Vehicle Operations Center.

**Repairs and Maintenance**

The Vehicle Operations Center will make the necessary arrangements for servicing all state-owned vehicles including routine maintenance such as oil changes and inspections. Accurate mileage logs will ensure routine maintenance is scheduled and completed as needed.

If emergency on-the-road maintenance is required during normal business hours of the Vehicle Operations Center, the driver must call the Vehicle Operations Center at 442-3420 to report the problem(s) and obtain prior approval of such repairs. If emergency on-the-road maintenance is required outside of normal business hours, the driver is authorized to use a personal automobile service or local repair shop to perform the necessary work. The University will reimburse the driver for justifiable repair expenses submitted with the proper receipts and standard voucher. The University will not reimburse for AAA membership or other road service club membership.

**Fuel Efficiency Maximization**

The University is committed to maximizing fuel efficiency by eliminating unnecessary travel, maintaining its vehicles in proper working order, and purchasing fuel efficient cars. The University shall abide by the state policy and/or Governor's Executive Orders in effect at the time of purchase of vehicles regarding fuel efficiency.
Fraud Prevention

State-owned vehicles shall be used for official University business only, unless a car is assigned to an employee for his/her exclusive use. Then the vehicle shall be used primarily for University business as defined by the Internal Revenue Code and applicable state policies, SUNY policies and this Policy of the University.

Each employee/student assigned a state-owned vehicle is responsible for keeping and maintaining adequate and sufficient documentation necessary to indicate their use of the vehicle in mileage, and expenses related to the operation. Mileage logs shall be submitted quarterly, and these documents, together with the odometer, are subject to periodic audit and inspection.

Acknowledgment Form

Each employee/student assigned a state-owned vehicle will be required to read and sign an acknowledgment form. This form acknowledges that the employee/student understands the terms and conditions related to using a state-owned vehicle.

Attachments

- Employee Acknowledgement Form
- Mileage Log
- Year End Taxable Benefit Form
- NYS Travel Voucher Form AC 132
- SUNY Policy "Passenger Vans"

Relevant State Policies and Bulletins

- DOB D-750 "State Vehicles"
- DOB D-1110 "Fleet Management Policy"
- OSC Payroll Bulletin #507
- SUNY Procedure Manual Items 090, 091, 095, and 250
- SUNY Policy "Passenger Vans"