



## Agenda of the Motor Vehicle Review Committee

Tuesday, December 14, 2010  
Utah State Capitol Complex  
State Capitol, Room 250  
Salt Lake City, Utah  
10:00 AM

Approval of Minutes from September 28, 2010

Full Size Van Protocol

Enterprise Rental Changes

2011 Meeting Schedule

# Motor Vehicle Review Committee



September 28, 2010

## MINUTES

### **Motor Vehicle Review Committee Members in attendance:**

Sal Petilos for Kim Hood, Chair	Department of Administrative Services
Scott Strong for Dennis Carver	Department of Natural Resources
Roxie Huntsman	Department of Corrections
Kirk Middaugh, absent	Department of Public Safety
Steve McCarthy	Department of Transportation
Paul Mash for Kent Beers	Division of Purchasing
David Rees	University of Utah
Robin Erickson, absent	Utah Clean Cities
Scott Harding	Larry H. Miller

### **Fleet Operations and Guests in attendance:**

Sam Lee	Division of Fleet and Surplus Services
Corry Hill	Division of Fleet and Surplus Services
Scott Bingham	Division of Fleet and Surplus Services
Gala Dumas	Division of Fleet and Surplus Services
Anne Stehno	Division of Fleet and Surplus Services
Gary Robertson	Division of Fleet and Surplus Services
Jenniel Allen	Department of Health
Polly Colbert	Department of Human Services
Brian Nelson	Division of Risk Management

On Tuesday, September 28, 2010 the Motor Vehicle Review Committee held their regularly scheduled meeting in room 250 of the State Capitol, Salt Lake City, Utah. The meeting was called to order at 10:10 am by Substitute Chair Petilos.

**1. Approval of Minutes from the March 26, 2009 meeting.**

**MOTION:** Dave Rees motioned to approve the Minutes from March 26, 2009 seconded by Paul Mash  
Motion passed unanimously.

**2. Approval of Minutes from the January 19, 2010 meeting.**

Motioned by David Rees, seconded by Roxie Huntsman  
Motion passed unanimously.

**3. Full-size Van Protocol**

Sam Lee with Fleet Operations reviewed the changes to the Large Van Protocol, Pre-trip Log, and the Weekly Inspection Form.

Dave Rees asked why the eight passenger vans were added to the protocol. Brian Nelson with Risk Management stated the eight passenger vans which are being manufactured now are actually the large passenger van (10 to 12 passenger vans) with the rear seat removed, so they still have the same problems. Dave Rees stated he recalled the reason we went to a 9 maximum passengers is once you went to 9 passengers the center of gravity changed and it was no longer a problem. Brian Nelson stated there is still a problem because the way they are manufactured. Dave Rees then asked if the problem was just with the big three manufacturers (Ford, Chevrolet, and Dodge). Do Mercedes and Frontliner have the same problem? Brian Nelson stated some of them are still not safe. After 2011 all large passenger vans will be manufactured with the stability system.

Sal Petilos asked if there were any data in regards to the 8 passenger vans. Brian Nelson stated Risk Management has the documentation on the 8 passenger vans.

Dave Rees asked why it is being restricted to only those with a Utah license can drive a full-size passenger van when they can drive all of the other vehicles? Sam Lee stated Fleet has access to check the Utah driver's licenses to make sure their license matches the criteria. Fleet does not have the same availability to other state driver's license records.

Steve McCarthy stated you can operate a commercial vehicle with certain prescribed drugs. If we allow Class A trucks why can't they drive a van? Brian Nelson stated is only applies to drugs that could impair their ability to drive.

Sal Petilos stated he is concerned with vans not being able to be driven out of state because it impacts Agencies ability to operate as needed. Brian Nelson said it is apparent that we have full-size vans out there to transport teams out of state. Risk Management would like Agencies to use a private rental company when transporting out of state.

Roxie Huntsman stated Corrections has specialized full-size vans which have cages in them to transport prisoners out of state. How are we going to be able to do our business? We travel out of state to get to the Dagget County jail. Brian Nelson stated Risk Management needs to know about those working conditions so exceptions can be made.

Dave Rees stated no matter what way we go once we leave the state we lose our liability cap. I don't see why this is an issue. People see that it is the State of Utah and they have deep pockets. Brian Nelson stated many discussions have happened on this matter. We realize that when we have insurance through a rental agency we are the secondary insurance instead of the primary insurance. Dave Rees asked if there was a secondary insurance that could be purchased so that the state would not be liable. Brian Nelson stated Risk Management has purchased excess liability coverage to help to cover the costs of a catastrophic accident in these types of vehicles.

Scott Strong asked if an Agency needed to hire a charter bus who would be responsible for paying for it. Brian Nelson stated the Agency is responsible for the cost.

Paul Mash asked if the University of Utah needed to travel out of state could they contact Risk Management to purchase additional insurance for a specific event. Brian Nelson stated they looked into the cost of additional insurance for those types of events. The underwriters came back and stated they did not want to underwrite those types of events. Risk Management does not offer that type of insurance nor would any insurance company he knows of would underwrite it.

Dave Rees asked what kind of problems you were finding with the weekly inspection forms. Sam Lee stated it's not that we were finding problems. These new documents are more comprehensive. Dave Rees asked if there was any data as to what was being found weekly. Sam Lee stated we have not researched to see if there were problems being found.

Roxie Huntsman asked if could be an exception made to the travel times for public safety. We have people who have to leave during those times to take prisoners to court down south. Brian Nelson asked the committee to communicate with Risk those problems. Sal Petilos stated that there should be exceptions made for those agencies which operate three different shifts in a 24 hour period. This should not stop agencies from being able to function.

Sal Petilos asked if the dual rear wheel being put into the protocol was premature considering it is still in the testing phase. Brian Nelson stated it is premature, but it is the direction we are heading and wanted to include the language for that reason.

Sam Lee stated the intention today is not to approve the document, it is to receive your feedback on the documents.

Roxie Huntsman asked what is the purpose of the pre-inspection log. Are we asking each person who drives the van in a day to fill out the log? Brian Nelson stated agencies need to do what makes sense. Sam Lee stated he agreed with that.

Paul Mash stated he is uncomfortable approving this at this time. Especially until we get feedback on number 3. Full-size vans driving out of state, 9. Not being able to drive between 1 a.m. and 5 a.m., and 11. Only vans with dual rear wheel conversions can transport those 18 and under.

Paul Mash asked if there has been any further discussion as to putting this into Risk Managements rule. Sam Lee stated it has not happened we would like to get the protocol in place first before looking at rule.

Dave Rees stated no out of state travel does not work for the University of Utah, nor would it work for the other Higher Eds. It doesn't affect the large teams, they already use charters. It is our small teams which are using the full-size passenger vans. Also, if we find the dual rear wheel mitigates the risk I would like the Protocol to be changed.

Polly Colbert with Human Services stated we do transport kids under the age of 18. We have 50 of the full-size passenger vans, and transport children. We have full-size vans on our replacement list. Our director wants to know if we are not able to transport children with the full-size vans we need to get them replaced with smaller vans.

Sal Petilos stated as the protocol is written it will not be approved by the committee. He suggested talking to the agencies to find out their impacted, especially with item 3, 9, and 11 on the Protocol.

#### **4. Executive Appropriations Committee**

Sam Lee went over items which were presented to the Executive Appropriations Committee by Gary Ricks. Items 4 and 5 are pending waiting a decision from the Government Operations Sub Committee.

1. Finance has been asked to separate out the personal mileage reimbursement to show if the employee was given the lower rate or the higher rate.
2. Add the cost comparison utility as the beginning portal to make a reservation for a rental vehicle. This will show customers which is more cost efficient for the State, taking their own vehicle or using a rental vehicle.
3. Gather the addresses of all state vehicles.
4. Create a vehicle sharing pilot program at the Capitol Hill complex for the period of one year.
5. Report to the Government Operations Sub Committee on the Utilization Model.

## **5. State Travel**

Sam Lee stated this is informational only. The State travel office has been transitioned under the umbrella of Fleet Operations instead of being under the Division of Finance umbrella.

Paul Mash added that State Surplus would be moving from Fleet Operations to Purchasing.

## **6. Utilization Model Update**

Sam Lee stated this is just a status update.

Scott Bingham gave a status update of the meetings which have taken place with agencies. Fleet Operations has met with 8 agencies and will be meeting with 15 more agencies. After we finalize the first round of vehicles, we will be increasing the mileage minimums 5 to 7 percent.

Sal Petilos asked if the 5 to 7 percent increase would create any change in the utilization and would there be more vehicles added with low utilization. Scott Bingham stated yes it will net some addition vehicles.

## **7. Smoking in State Vehicles**

Sam Lee stated we currently have rule R27-3-17 which states all multiple user vehicles are designated as non-smoking. Agencies shall be assessed fees for any damage incurred as a result of smoking in vehicles. Agencies that allow smoking in exclusive use vehicles shall be responsible for the cost of necessary repairs to, or refurbishment of, any vehicle in which smoking has been permitted to insure that the vehicle is suitable for reassignment, reallocation or sale when the vehicle reaches the applicable replacement criteria. It costs the state about one hundred dollars to have the vehicle detailed. There are some agencies which have a no smoking policy in their vehicles. There are also agencies which allow smoking in exclusive use vehicles.

Sal Petilos asked how much it cost the state per year to fix and detail the smoking vehicles. Anne Stehno stated she does not have that information with her. We say the detail costs one hundred dollars, but we do not know how long that cleaning will last. It is also not cost effective to sell a state vehicle which has been smoked in at surplus because of the smell.

Paul Mash asked which agencies allow the smoking in vehicles. Steve McCarthy stated UDOT does allow smoking in the vehicles. He spoke to his Executive Director and he did not want to take away the smoking privilege.

Paul Mash asked Sam Lee if he has talked to the Executive Directors about making all state vehicles non-smoking. Sam Lee stated we have not talked to the Executive Directors recently about smoking in vehicles.

**MOTION:** Dave Rees motioned to make all state vehicles non-smoking. Second by Roxie Huntsman.  
Motion passed unanimously.

**MOTION:** Dave Rees motioned to adjourn, second by Scott Harding.  
Motion passed unanimously.

Meeting adjourned 12:15



## State of Utah

Gary R. Herbert.  
*Governor*

Kimberly Hood  
*Executive Director*  
*Department of Administrative Services*

# Motor Vehicle Review Committee

4120 State Office Building  
Salt Lake City, Utah 84114  
Phone (801) 538-3014  
Fax (801) 538-1773

### MEMORANDUM

To: Motor Vehicle Review Committee (MVRC)  
From: Sam Lee / Brian Nelson  
Date: December 14, 2010  
Subject: **Full Size Passenger Van Protocol**

---

**ACTION:** Informational Only

**BACKGROUND:** Over the last year the Division of Fleet Operations and the Division of Risk Management have been working together on major revisions to the Full Size Van Protocol, Pre-Trip Inspection/Log Form, and Weekly Inspection Form. See the attached documents for the latest version of the "Full Size Passenger Van Protocol" and "Exceptions Form" that incorporate the input received from the committee during the September 2010 meeting.

A final version of the Full Size Van Protocol will be presented to the MVRC committee once the testing of a dual rear wheel configuration on six fleet vehicles is completed by a private safety engineer contracted with the Division of Risk Management.

**Department of Administrative Services**  
**FULL-SIZE PASSENGER VAN PROTOCOL**  
**FOR ALL DRIVERS OF FULL- SIZE PASSENGER VANS**  
**OWNED OR OPERATED BY THE STATE OF UTAH**

This Protocol must be completed by all drivers before operating any full-size passenger van capable of carrying nine (9) or more occupants and any eight (8) passenger van designated as a full-size passenger van on the Division of Fleet Operations' web page ([www.fleet.utah.gov](http://www.fleet.utah.gov)).

This protocol **must be signed** by the driver **before operating** any full-size passenger van in the state fleet including rentals from any private vehicle rental company. This Protocol also applies to employees, volunteers, and independent contractors who intend to use their own full-size passenger vans for state business.

1. Drivers of full-size passenger vans must meet the following essential criteria:
  - Drivers who are over the age of 21 must not have more than 70 points on their driving record.
  - Drivers who are 18 – 21 years of age must have no moving violations and zero points on their driving record.
  - All drivers must have a valid Utah driver's license.
  - All drivers must be state entity employees or volunteers approved by the entity's designated official. ([PLACE A LINK HERE TO THE RISK MANAGEMENT VOLUNTEER FORM](#))
2. Drivers are prohibited from operating full-size passenger vans if:
  - Their driving record includes a motor vehicle conviction for reckless driving or any drug or alcohol violation in a motor vehicle.
  - They are under the influence of alcohol or drugs (including any prescribed or over-the-counter drug) that impair their ability to operate a vehicle safely.
3. No full-size passenger van may be driven out of the State of Utah without the prior written approval of the entity's executive officer. ([PLACE A LINK TO THE FORM HERE](#))
4. Drivers must complete, and the entity's risk coordinator or designee, must retain the following documents for review by Risk Management and Fleet Management at any time during normal business hours:
  - Full-Size Passenger Van Protocol
  - Full-Size Passenger Van Weekly Inspection Sheet
  - Full-Size Passenger Van Pre Trip Inspection and Log Sheet
  - Exceptions to the "Full-Size Passenger Van Protocol" Approval by State Entity Executive Officer
5. Drivers of full-size passenger vans must have prior experience and must complete the van training provided by the Division of Fleet Operations or otherwise approved by the Division of Risk Management before operating any full-size passenger van. Full-size passenger van drivers are required to renew Fleet-provided or Risk-approved training at least every two (2) years. "Prior experience" is defined as having "hands-on" experience operating a full-size passenger van. (Contact the Division Fleet Operations at 801-965-4194 or the Division of Risk Management at 801-538-9588 for more information).

**Department of Administrative Services**  
**FULL-SIZE PASSENGER VAN PROTOCOL**  
(continued)

6. Drivers must be familiar with the location and use of the following vehicle features before operating the vehicle: windshield wipers, head lights, turn signals, hazard lights, cruise control, and other operational controls.
7. Full-size passenger vans must not contain more than nine (9) occupants, including the driver.
8. All occupants must wear seat belts while the van is in operation. The van driver must ensure that each passenger is seat-belted at all times while the vehicle is in operation.
9. The driver of any full-size passenger van may not operate the vehicle between 1:00 a.m. and 5:00 a.m. without the prior written consent of the entity's executive officer. The exception to this rule is when the State vehicle is used in emergency functions.
10. Total driving time for full-size passenger vans must not exceed 12 hours in a 24-hour period irrespective of the number of drivers for the van. All drivers are encouraged to take a break every two hours.
11. No driver of a full-size passenger van shall drive more than 65 miles per hour on any road or highway, irrespective of the posted speed limit.
12. No cell phone use, including hands free use of a cell phone, texting, CB, or two-way radio use, is allowed by the driver while operating a full-size passenger van. In addition, no other distracting activity, such as eating, drinking, or other non-driving activities are allowed while operating a full-size passenger van.
13. No baggage cargo may be carried on the roof of any full-size passenger van. Drivers should place heavy cargo in front of the rear wheels to better distribute the weight in the vehicle.
14. Full-size passenger vans may not be used to tow a trailer within the State of Utah without the prior written consent of the entity's executive officer. Full-size passenger vans may never be used to tow trailers outside the State of Utah.
15. No public, charter or private school may use a full-size passenger van to transport students. This rule is in accordance with U.C.A. 53-8-211-.5 (1) "...a school district, or private school may not use a vehicle with seating capacity of 11 or more, including the driver, for the transportation of its students unless the vehicle meets federal school bus standards under 49 U.S.C. Sec. 30101, et seq."

I have read the above stipulations and will follow each listed requirement.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Department/Division or Higher Education Institution: \_\_\_\_\_

Employee Identification Number (or higher education student ID Number): \_\_\_\_\_

Operator ID from Fleet Operations: \_\_\_\_\_

## Exceptions to the “Full-Size Passenger Van Protocol” Approval by State Entity Executive Officer

The [STATE ENTITY’S NAME] understands:

- 1- the State may lose the benefit of governmental immunity limits if there is an out-of-state accident involving any vehicle owned and/or operated by a State entity;
- 2- there are well-established safety hazards associated with transporting people, luggage, and equipment in large passenger vans;
- 3- the safety hazards inherent in large passenger vans are increased when they are used to tow trailers and equipment;
- 4- towing by a large passenger van out of state is NOT permitted; and
- 5- State Risk Management recommends that all State entities rent a 12-passenger van or smaller vehicle through the State’s Enterprise Rental Contract for out-of-state travel rather than use a State Fleet vehicle to protect the Risk Fund by providing a layer of first party insurance coverage.

However, I am approving the use of a large passenger van for the following and agree that our State Entity will follow the “Full Size Passenger Van Protocol” published by the Department of Administrative Services:

- Out of state driving of the van to \_\_\_\_\_ for: [Fill in reasoning]
  
- Operation of the large passenger van between 1:00 am and 5:00 am because: [Fill in reasoning]
  
- Towing in state because: [Fill in reasoning]

Date:

Signed,

---

[PRINTED NAME OF THE ENTITY EXECUTIVE OFFICER]  
[PRINTED NAME OF THE ENTITY]



## State of Utah

Gary R. Herbert.  
*Governor*

Kimberly Hood  
*Executive Director*  
*Department of Administrative Services*

4120 State Office Building  
Salt Lake City, Utah 84114  
Phone (801) 538-3014  
Fax (801) 538-1773

# Motor Vehicle Review Committee

### MEMORANDUM

To: Motor Vehicle Review Committee  
From: Sam Lee  
Date: December 14, 2010  
Subject: **Consolidation of the Enterprise Rental Contracts**

---

**ACTION:** Approve the State Travel Office Enterprise Rent-A-Car contract as the single contract for state agency daily pool vehicle needs.

**BACKGROUND:** Over the past several years the Division of Fleet Operations (DFO) and the Division of Finance (State Travel Office) have maintained separate short term vehicle rental contracts with Enterprise Rent-A-Car to service the customer base in each program.

Now that the State Travel Office is part of the Division of Fleet Operations, a more careful analysis of the two contracts shows the traditional customers of Fleet Operations can be accommodated by using the State Travel Office Enterprise contract. The primary insurance coverage offered with the State Travel Office contract offers a 100% increase (\$1,000,000 vs. \$500,000 per incident) in liability coverage.

State customers will continue to be billed by Fleet Operations on a monthly basis for vehicle rentals but the fuel card offered by DFO as part of the rental will no longer be available. In its place will be a state travel card option available to all daily pool customers if they choose to apply for a card. Infrequent renters will likely choose to be reimbursed by their agency for fuel similar to the vehicle rental experience in an out of state environment.

In summary, this proposal to consolidate the two contracts with Enterprise will eliminate confusion about making a short term vehicle reservation and offer an additional primary insurance coverage of \$500,000 per incident where the state is liable for damages in a preventable accident, reducing overall exposure to the state.



# Motor Vehicle Review Committee

State of Utah

Gary R. Herbert  
*Governor*

Kimberly Hood  
*Executive Director*  
*Department of Administrative Services*

4120 State Office Building  
Salt Lake City, Utah 84114  
Phone (801) 538-3014  
Fax (801) 538-1773

## MEMORANDUM

To: Motor Vehicle Review Committee (MVRC)  
From: Sam Lee  
Date: December 14, 2010  
Subject: **MVRC 2011 Quarterly Meeting Schedule**

---

The MVRC meetings for 2011 will be held in the State Capitol Room 250, from 10:00 a.m. to 12:00 p.m. on the following dates:

March 29, 2011  
June 28, 2011  
September 27, 2011  
December 13, 2011 (tentative)