



## Agenda of the Motor Vehicle Review Committee

Tuesday, September 25, 2012  
Utah State Capitol Complex  
State Capitol, Room 250  
Salt Lake City, Utah  
9:00 AM

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CNG Memo of Understanding signed by Governor Herbert .....	Tab 5

# Motor Vehicle Review Committee



March 27, 2012

## MINUTES

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

Kim Hood, Chair	Department of Administrative Services
Justin Crouch	Department of Natural Resources
Roxie Huntsman, absent	Department of Corrections
Mike McKay	Department of Public Safety
Jeff Casper for Steve McCarthy	Department of Transportation
Paul Mash	Division of Purchasing
David Rees	University of Utah
Dave Duey for Robin Erickson	Utah Clean Cities
Scott Harding	Larry H Miller

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

Sam Lee	Division of Fleet Operations
Scott Bingham	Division of Fleet Operations
Brian Fay	Division of Fleet Operations

On Tuesday, March 27, 2012 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 9:10 am by Chair Hood.

**1. Approval of Minutes from the September 27, 2011 meeting.**

**MOTION:** Paul Mash motioned to approve the minutes from September 27, 2011

Motion passed unanimously.

**2. Open and Public Meeting Training**

Sam Lee went over the Public Meeting training with the Committee Members

**3. Driver Eligibility Administrative Rule Change**

Sam Lee stated the purpose of this agenda item is to change the rule for the Driver Eligibility Board. We have found the Driver's License Division changes the actual coding used in the rule. Fleet Operations would like to move away from using the specific codes in the Administrative Rule to using language which would trigger someone to come before the board.

Paul Mash asked who severed on the Driver Eligibility Board. Sam Lee stated the board consists of myself, Brian Nelson from Risk Management, and Jennifer from Department of Human Services.

Dave Rees asked what types of items would the Board add to R27-3-c vii. Sam Lee stated it is just a catch all. The board would not add something that is minor it would be for something major that didn't fall under the other categories.

**MOTION:** Dave Rees motioned to recommend Fleet Operations move with the changes.

Motion passed unanimously.

**4. Dual Rear Wheel Conversions on Full-size Vans**

Scott Bingham stated over the past year Fleet Operations has worked with Risk Management to test the stability of the State's full-size passenger vans. Risk Management hired an engineer to test the stability in hard turning maneuvers. The full-size vans were tested with a single wheel axel on the rear and then tested again with the dual rear wheel axel on the full-size vans. Risk Managements expert stated the vans were much safer with the dual rear wheel conversion. Fleet Operations is currently working on converting all State owned full-size vans. Currently there are 49 full-size vans which will be converted. In 2013 16 full-size vans will be converted along with 10 ADA full-size vans.

Dave Rees asked what changes were going to be made to the tire pressure monitoring system with the conversion. The manufacturer system will only allow for five tires to be monitored. Fleet Operations will be using an aftermarket system to track the tire

pressure. Fleet Operations is working on the policies and procedures for the tire pressure monitoring system.

Dave Rees asked what the significant decrease in rollover was. Brian Nelson from Risk Management stated there are several factors which go into determining that figure. I cannot give you a canned answer. I do not have the experts report in front of me.

Dave Rees stated dual rear wheel take away from traction. We have ski teams which drive to ski resorts. Was testing done to see what would happen to traction in the snow.

David Duey asked if they were three quarter ton or one ton capacity vehicles. Scott Bingham stated the state has both.

Paul Mash asked if Risk Management was going to require non-state entities they cover to require the dual rear wheel conversion or were they going to recommend the conversion. Brian Nelson stated Risk Management is still in the information gathering stage and has not discussed the requirement for coverage.

Kim Nelson asked Brian Nelson to explain the history of full-size passenger vans and why we are looking into the conversions. Brian Nelson stated Corrections had a van roll over with inmates. Darcy Dixon Pignanelli was the Department of Administrative Services director at the time and wanted to eliminate the full-size vans from the fleet to try and save money and lives because of the high risk of rollover. Risk has since come to realize the full-size vans are needed. If these accidents happen outside of Utah we lose our liability limits. Risk Management

Chair Hood asked if there were other options for the customers instead of the full-size van. Sam Lee stated the full-size SUV would hold 9 passengers but the storage area is not the same. Chair Hood asked if there were other van options. Sam Lee stated the agencies could go to

Dave Rees stated Corrections in particular had issues with using a smaller vehicle.

Brian Nelson stated other states have raised the premiums for full-size vans and increased the deductible.

Jerry Allred from the University of Utah stated that the University has made a distinction between the 12 passenger vans and 15 passenger vans. We have removed the 15 passenger vans from our fleet. We have also implemented Sprinter vans. Brian Nelson stated the study done by Risk Managements expert was done on 12 passenger vans. NHTSA data has stated the 15 passenger data

Ed Benson with Salt Lake Community College stated SLCC has removed all 15 passenger vans from the fleet.

Barbara Young from Utah Valley University asked what the risk is when the speed increases. Brian Nelson stated one of the largest risks is when you increase speed you increase the chance of over steering and causing the back end of the van to slide which can lead to roll over. Barbara asked if removing the rear seat and then loading it up with cargo where the seat used to be still cause a risk. Brian Nelson stated yes. The dual rear wheel increases the stability of the van, even if it is fully loaded. Risk Management would rather you not fill to capacity even with the dual rear wheels.

Mike MaKay asked if once the dual rear wheel conversions have been completed will you allow the agencies to fully load the vehicles. Brian Nelson stated Risk Management is still doing studies and has not decided on allowing agencies to fully load the vehicles. Mike McKay stated the Utah State University accident did not roll over on a flat road way it rolled because the vehicle left the roadway and went down an incline and then rolled. Even a dual rear wheel vehicle in the same instance would most likely roll. Brian Nelson stated Risk Management would get back to the agencies about whether or not large passenger vans could be filled to capacity.

Scott Harding stated the dual rear wheel conversions do make the vehicles safer.

Chair Hood thanked everyone for their comments. She stated this is an important issue that all of us are concerned about conducting state business in the safest manner.

## **5. Publishing the Revised Full-size Van Protocol**

Sam Lee stated the purpose of the agenda item is to review the revised full-size van protocol. After the USU accident a van protocol was put into place. The protocol has been in place for years with very little change. As the dual rear wheel conversions have been studied the protocol has been revised.

Chair Hood asked Sam Lee to state what Protocol meant to Fleet Operations. Sam Lee stated the Protocol is a procedure. Fleet asks our customers to follow it, but it is not in rule.

Sam Lee went over the changes to the protocol.

Chair Hood asked what options the agencies have for going out of State. Brian Nelson stated to rent the full-size van from Enterprise.

Dave Rees stated the no full-size van may be driven out of state does not work for the Higher Education institutions. We have purchased full-size vans for our programs which travel out of state. It doesn't make sense to restrict us from traveling out of state for an extra million dollars in coverage.

Dave Rees asked if the restricted driving hours were going to affect the 24 hour operations. Sam Lee stated if they had an emergency during the restricted hours they

could use the van. Dave Rees stated if their normal function is 24 hours a day and they use that vehicle during those hours. There is not a fatigue issue since that is their regular shift. Chair Hood asked if the protocol was to reduce driver fatigue. Sam Lee stated yes it was intended to stop sports teams coming back from getting fatigued while driving. Mike McKay asked if the fatigue driver could be attached to the driver not the van itself. Put a time limit on how long someone is allowed to drive per day. It is not the van that is the problem but the driver is the problem. Brian Nelson stated he didn't see a problem with adding in exclusion for 24 hour operations.

Mike McKay stated there are issues with Public Safety. Is there a reason there isn't a clause which states if the vehicle is used for emergency purposes the protocol does not apply. During SWAT operations we use our full-size vans. They are not always going to be wearing seat belts as they need to exit the vehicle quickly.

Dave Rees stated they have students with out of state licenses who drive the large passenger vans. Sam Lee stated he would be willing to add a provision if they supplied their driving record to us they could drive.

Keith Davis with Human Services stated his concern is with the minors and being able to ride in the vehicles. Brian Nelson stated part of the discussion involving the transportation of minors in full-size vans was the federal and state laws which restrict schools from using the vans to transport children. In a lawsuit someone could use that law against us transporting children. Risk management is aware Human Services needs to transport minors.

Ed Benson with SLCC stated #14 all of the storage for the vehicle is behind the vehicles not in front of the rear wheels so how are we supposed to transport the people. Brian Nelson stated it is the heavy cargo we would like put in front. He stated the protocol is a best practice. It is not in rule.

Chair Hood proposed going through the protocol and approving those points which everyone have no objection.

**MOTION:** Dave Rees motioned to go through all items of the protocol one by one and approve them Paul Mash seconded.

1. Drivers of full-size vans must be meet the following 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 violation and zero points on their driving record.
  - All drivers must have a Utah driver's license.
  - All drivers must be state entity employees or volunteers approved by the entity's designated official

**MOTION:** Dave Rees motioned to approve item one of the protocol. Paul Mash seconded.

Motion passed unanimously

2. Drivers are prohibited from operating full-size passenger vans if:
  - They have had 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 impairs their ability to safely operate a vehicle.

**MOTION:** Dave Rees motioned to approve item two of the protocol. Paul Mash seconded.

Motion passed unanimously

3. No full-size passenger van may be driven out of the State of Utah.

Fleet Operations and Risk Management will work with customers on driving out of state.

4. Drivers must complete and the entity's risk coordinator or designee maintain documents for review by Risk Management and Fleet Management anytime 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

Fleet Operations and Risk Management will work with customers on consolidating weekly and pre-trip log.

5. Drivers of full-size passenger vans must have prior experience and must complete the van training provided by the Division of Fleet Operations before operating any full-size passenger van . Full-size passenger van drivers are required to renew Fleet approved training every two (2) years. "Prior experience" is defined as having "hands-on" experience operating a full-size passenger van. (Contact the Division of Fleet Operations at (801) 965-4194 for more information).
6. Drivers must be familiar with the location and use of the following vehicle features before operating the vehicle: windshield wipers, head lamps, turn signals, hazard lights, cruise control, and other operational controls.

**MOTION:** Dave Rees motioned to approved items five and six of the van protocol. Paul Mash seconded.

Motion passed unanimously

7. Full-size passenger vans must not contain more than nine (9) occupants, including the driver.

Risk Management will come up with exceptions.

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.

**MOTION:** Dave Rees motioned to approve item eight of the protocol. Paul Mash seconded.

Motion passed unanimously

9. The driver of any full-size passenger van may not operate the vehicle between 1:00 a.m. and 5:00 a.m. The only exception to this rule is when the State vehicle is used in emergency functions.

Work with customers to exclude 24-hour operations.

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.

Work with customers to bring back more information.

11. Only full-size passenger vans with Risk Management approved rear dual rear wheel conversions may be used to transport anyone under the age of 18 at any time and for any purpose.

Work with customers to bring back more information.

12. 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.
13. 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.
14. 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.

**MOTION:** Dave Rees motioned to approve items twelve, thirteen, and fourteen of the protocol. Paul Mash seconded.

Motion to adjourn 11:06 am by Dave Rees



## State of Utah

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# Motor Vehicle Review Committee

## MEMORANDUM

To: Motor Vehicle Review Committee  
From: Sam Lee  
Date: December 10, 2007  
Subject: **Full-size Van Protocol Status Update**

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**COMMITTEE ACTION:** No action needed by the committee. This addenda item is informational only.

**BACKGROUND:** Over the past two years DFO has worked with the Division of Risk Management to consider revisions to the language of the existing van protocol. The revisions were an effort to further reduce risk factors related to potential accidents in full-size passenger vans. Proposed revision to the protocol included:

- New restrictions about out of state travel for full-size vans
- New restrictions about the use of over the counter medication that may impair the van driver
- New restrictions limiting van drivers to just those with a State of Utah driver's license
- Adjustments to the time of day full-size vans could be driven
- New restrictions on the numbers of van occupants to strictly nine (12 van occupants would no longer be allowed if the van stayed in 45 mile per hour speed zones)
- Expanding language under the distracted driving section to include language about distractions other just cell phone use

**RECOMMENDATION:** Agencies insured by the Division of Risk Management continue to follow the existing full-size passenger van protocol currently published by the Division of Fleet Operations. See the following link: <http://fleet.utah.gov/forms/documents/vanprotocol.pdf>. However, please note that the existing full-size passenger van protocol published in the DFO web page will shortly move to the Risk Management web site as this division has the primary responsibility within Administrative Services to respond to questions about the restrictions specified in the protocol. All future references to the van protocol on the DFO page will link back to the published version of the van protocol on the Risk Management page.

# Full Size Passenger Van Protocol



This checklist must be completely read and signed by the driver(s) before operating any 12- or 15-Passenger Vans Leased from or through the Division of Fleet and Surplus Services.

1. All drivers of these vehicles must be at least 21 years of age.
  - a. All drivers over 21 must have a valid driver's license and must not exceed 70 total points on their individual driving record.
  - b. All drivers must have no reckless driving or drug or alcohol related violation within 3 years.
  - c. Any driver with 2 drug or alcohol offenses lose his or her driving privileges for a state van.
    - Exception: All drivers under 21 must have a valid Utah driver's license and no moving violations on their driving record and zero total points on their individual driving record.
2. All drivers must complete:
  - a. Daily Van Worksheet.
    - Tire pressure must be checked and corrected daily.
  - b. Pre-Trip Inspection Worksheet.
  - c. All vans must have a Weekly Van Inspection Worksheet completed. Contact Fleet Operations for help with the Weekly Van Inspection Worksheet.
3. All drivers without prior van experience who may operate a van are to become familiar with the location and use of the following: windshield wipers, head lights, turn signals, hazard lights, other switches and particularly the operation of the cruise control.
  - Reminder: Using brakes to disengage the cruise control on slick roads is discouraged since it may place the vehicle in a skid.
4. All drivers must have prior experience operating 12- and 15- Passenger Vans before carrying passengers.
  - Definition: "Prior experience" shall be defined as having "hands-on" experience operating a large van while enrolled in a Risk Management approved training program or; previous van driving experience.
5. 12 and 15-Passenger Vans must not contain more than nine (9) occupants including the driver.
  - Exception: If approved by the agency management a van may transport up to twelve (12) occupants including the driver if used exclusively surface streets with a maximum-posted speed limit under 45 miles-per-hour. Surface Street is any street in an urban area that is not a freeway or arterial Road. Surface streets may be called street, avenue, boulevard, road, place, and other names. An arterial road is a major roadway in a city or urban area that collects traffic and feeds it to the freeway system.



# Full Size Passenger Van Protocol



6. All occupants must wear seat belts at all times.
  - The van driver is responsible to make sure each passenger is seat belted at all times while the vehicle is in operation.
7. The driver of any 12 and 15-passenger van may not operate the vehicle between 11:00 p.m. and 5 a.m., except where the trip is solely to return to a home base and the return time is less than four hours in duration. This rule does not apply to drivers who operate 12 or 15-passenger vans during the nighttime hours as part of their regularly scheduled work hours or drivers who operate 12 or 15-passenger vans as part of emergency operations.
8. Total driving time for a 12 or 15-passenger van 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.
9. No public, charter or private school may use a 12 or 15-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."
10. All drivers must complete the van training provided by or approved by Risk Management before operating the any 12 or 15-passenger van. All van drivers are required to complete the approved training once every two (2) years thereafter. (Contact: Risk Management 801.538.9560 for information).
11. No driver of a 12 or 15-Passenger van shall exceed 65 miles per hour no matter the posted speed limit.
12. No cell phone usage is allowed by the driver while engaged in the operation of the van.
13. No baggage cargo may be carried on the roof of any 12 or 15-passenger van.
  - Drivers are encouraged to place heavy cargo in front of the rear wheels to better distribute the weight in the vehicle.
14. All state laws and administrative rules must be followed at all times.
15. Additional Items to consider:
  - Drivers are encouraged to learn what medicine causes drowsiness and will impair the ability to drive.
  - Drivers are encouraged to avoid distractions such as eating, drinking or other non-driving activities while behind the wheel.

**I have read the above stipulations and qualify to drive and will follow each requirements listed.**

Signature: \_\_\_\_\_ Department: \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_





## State of Utah

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# Motor Vehicle Review Committee

### MEMORANDUM

To: Motor Vehicle Review Committee  
From: Scott Bingham  
Date: September 25, 2012  
Subject: **Update on the Dual Rear Wheel Conversion Process for Full-size Vans**

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**COMMITTEE ACTION:** No action needed by the committee. This addenda item is informational only.

**INTRODUCTION:** Over the last year the Division of Risk Management conducted a study on the increased safety of installing dual rear wheels on full-size passenger vans. The motion engineer contracted by Risk Management concluded full-size passenger vans are less likely to roll when outfitted with a dual rear wheel configuration.

**BACKGROUND:** The Division of Fleet Operations (DFO) has been retrofitting all existing full-size passenger vans in its fleet that will continue to remain in service. 27 of 42 full-size vans (which will stay active in the fleet for at least two years) have been converted to the dual rear wheel configuration. 63 of new vehicles will be retrofitted before being placed into service.

Fleet and Risk Management staff (Carena Withers and Bret Burgon) completed training with 1,500 State of Utah employees on the driving characteristics of converted vans, and will incorporate it into the National Safety Council (NSC) van training required by Risk Management every 2 years for State of Utah drivers.



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# Motor Vehicle Review Committee

## MEMORANDUM

To: Motor Vehicle Review Committee  
From: Scott Bingham  
Date: September 25, 2012  
Subject: **Take Home Approval Process**

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**COMMITTEE ACTION:** Voting on proposed changes to Administrative Rule R27-3

**BACKGROUND:** Each calendar year Fleet Operations records which drivers are authorized by the agency to take a vehicle home. Take home categories (per administrative rule R27-3-6) include:

- (a) **24-hour "On-Call."** Where the agency clearly demonstrates that the nature of a potential emergency is such that an increase in response time, if a commute or take home privilege is not authorized, could endanger a human life or cause significant property damage. Each driver is required to keep a complete list of all call-outs for renewal of the take home privilege the following year. Agencies may use DFO's online forms to track take home mileage.
- (b) **Virtual office.** Where an agency clearly demonstrates that an employee is required to work at home or out of a vehicle, a minimum of 80 percent of the time and the assigned vehicle is required to perform critical duties in a manner that is clearly in the best interest of the state.
- (c) **When the agency clearly demonstrates that it is more practical for the employee to go directly to an alternate work-site rather than report to a specific office to pick-up a state vehicle.**
- (d) **When a vehicle is provided to appointed or elected government officials who are specifically allowed by law to have an assigned vehicle as part of their compensation package.**

Currently, the driver, supervisor and the agency executive director must sign the take home form authorizing, or reauthorizing, the driver as having take home privilege.

**RECOMMENDATION:** Update administrative rule R27-3-6(1) to reflect a simplified approval process that only requires the agency executive director to approve the take home drivers. See proposed language below:

Each petitioning agency shall, for each driver being granted ~~given~~ commute or take home privileges, annually ~~complete and~~ submit an online take home ~~spreadsheet form~~ from the DFO take home website. Take home authority is granted when the Agency Executive Director, submits the spreadsheet form to DFO designating his/her approval. ~~Submitted take home information will generate a new form that must be signed by the employee, direct supervisor of the employee, and the executive director of the agency.~~



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# Motor Vehicle Review Committee

### MEMORANDUM

To: Motor Vehicle Review Committee  
From: Sam Lee  
Date: September 25, 2012  
Subject: **CNG Memo of Understanding (MOU) signed by Governor Herbert**

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**COMMITTEE ACTION:** No action needed by the committee. This addenda item is informational only.

**BACKGROUND:** In November 2011 Governor Herbert signed his name to a multi-state Memorandum of Understanding (MOU) concerning future purchases of compressed natural gas (CNG) vehicles. The full version of the signed MOU is attached to this memo but highlights from the document are listed below. In summary the MOU asks participating states to:

1. Work in a coordinated effort to attract automobile manufacturers in the U.S. to develop functional and affordable original equipment manufacturer (OEM) fleet natural gas vehicles (NGV) that will also meet public demand.
2. Recognize the benefits and unique attributes of clean burning natural gas and understand the significant opportunity CNG presents to save State and taxpayer dollars by encouraging an energy future that utilizes domestic energy resources to fuel our nation's transportation needs.
3. Participate in a joint solicitation of a Multi-State Request for Proposal (Joint-RFP) that aggregates annual State fleet vehicle procurements.
  - a. The States will endeavor to provide a demand base sufficient to support the design, manufacture, and sale of functional and affordable OEM NGVs by automotive manufacturers in the United States.
4. Endeavor to coordinate with local agencies, municipalities, and companies to determine the number of NGVs each State can commit to purchase and the required specifications necessary to meet fleet needs.

The results of the joint RFP are expected to provide CNG purchasing options for states that will:

- Place the OEM natural gas vehicle in a purchase category comparably priced to an equivalent gasoline powered model (without warranty and reliability being compromised).

At the same time the proposed CNG contract is put into place, participating states are also asked to:

- Encourage private investment in the development and expansion of a CNG fueling infrastructure
  - This is predicated on demonstrating an anticipated increase in State NGVs, to meet growing demand.
- Where practical, transition new fleet vehicle acquisitions, in committed volumes, to a resulting OEM natural gas vehicles.
- Endeavor to pursue fleet vehicle conversions to CNG, where economically compelling, based on a life-cycle cost analysis.

**MOU PROGRESS UPDATE:** The RFP issued by the State of Oklahoma closed September 8th. The RFP evaluation committee is now reviewing vendor responses. Contract awards to various CNG dealers around the country are expected to be awarded in the early fall.

**RECOMMENDATION:** State agencies carefully consider which replacement vehicles during model year 2013 would be suitable for replacement as a CNG vehicle or CNG conversion.



## Memorandum of Understanding

This Memorandum of Understanding (MOU) describes a coordinated effort between the undersigned States (States) to attract automobile manufacturers in the U.S. to develop a functional and affordable original equipment manufacturer (OEM) fleet natural gas vehicle (NGV) that will also meet public demand. The States recognize the benefits and unique attributes of clean burning natural gas and understand the significant opportunity compressed natural gas (CNG) presents to save State and taxpayer dollars by encouraging an energy future that utilizes domestic energy resources to fuel our nation's transportation needs. Through the joint solicitation of a Multi-State Request for Proposal (Joint-RFP) that aggregates annual State fleet vehicle procurements, the States will endeavor to provide a demand base sufficient to support the design, manufacture, and sale of functional and affordable OEM NGVs by automotive manufacturers in the United States.

In anticipation of soliciting a Joint-RFP, the States will endeavor to coordinate with local agencies, municipalities, and companies to determine the number of NGVs each State can commit to purchase and the required specifications necessary to meet fleet needs. The Joint-RFP shall require that the ultimate cost of an OEM NGV should be comparably priced to an equivalent gasoline powered model and that warranty and reliability concerns are not compromised. Simultaneously, the States understand the need for continued development and expansion of CNG fueling infrastructure and should endeavor to encourage private investment, predicated on demonstrating an anticipated increase in State NGVs, to meet growing demand.

Pursuant to the terms of the Joint-RFP, to be executed at a later date, the States intend, where practical, to transition new fleet vehicle acquisitions, in committed volumes, to a resulting OEM NGV. Such future acquisitions should, when economically feasible, rely on traditional distribution channels that incorporate local businesses in procurement processes. In continued recognition of the benefits of CNG, the States should also endeavor to pursue fleet vehicle conversions to CNG, where economically compelling, based on a life-cycle cost analysis. The States will also reach out to fellow Governors to determine broader interest and participation in the principles and process outlined in this MOU.

This MOU embodies the principle understandings of the States but shall not create any legal relationship, rights, duties, or obligations binding or enforceable at law or in equity. Notwithstanding the foregoing, each State shall in good faith endeavor to reach a mutually agreeable and economically beneficial Joint-RFP, as contemplated herein. This MOU does not create additional state power, enhance existing state power, or interfere with federal authority or law. This MOU shall continue to demonstrate the States' understanding until execution of the Joint-RFP, or until otherwise discontinued by either State.

Set forth by:

State of Oklahoma

Mary Fallin, Governor  
November 9, 2011

State of Colorado

John Hickenlooper, Governor  
November 9, 2011

State of Wyoming

Matthew H. Mead, Governor  
November 9, 2011

State of Pennsylvania

Tom Corbett, Governor  
November 9, 2011

State of Utah

A handwritten signature in black ink, reading "Gary R. Herbert", written over a horizontal line.

Gary R. Herbert, Governor

November 16, 2011