 <p>CD-022000</p>	<h1>NEW MEXICO CORRECTIONS DEPARTMENT</h1> <p>"We commit to the safety and well-being of the people of New Mexico by doing the right thing, always."  <b>C</b>ourage <b>R</b>esponsibility <b>E</b>thics <b>D</b>edication - <b>CRED</b>ibly serving the public safety of New Mexico</p>	
	<b>ISSUE DATE:</b> 10/31/85	<b>REVIEWED:</b> 02/28/18
	<b>EFFECTIVE DATE:</b> 11/14/85	<b>REVISED:</b> 06/01/14
<b>TITLE: Use of State and Privately Owned Motor Vehicles; Use of Gasoline Credit Cards</b>		

## AUTHORITY:

- A. NMSA 1978, Sections 31-21-7, 33-1-6B, and 66-7-372, as amended.
- B. NMAC 1.5.3 General Government Administration Public Property Management Administration and Use of State Vehicles.
- C. Internal Revenue Code Sections Publication 15, Regulation 1.16-21.

## REFERENCES:

- A. ACA Standards 4-4197 and 4-4198, *Standards for Adult Correctional Institutions*, 4<sup>th</sup> Edition.
- B. ACA Standards 4-APPFS-3D-26, 4-APPFS-3H-01, 4-APPFS-3H-02, and 4-APPFS-3H-03, *Performance Based Standards for Adult Probation and Parole Field Services*, 4<sup>th</sup> Edition.
- C. ACA No. 4.9.11, Security & Control Chapter, "Use of Official and Personal Vehicles; Standard Program."
- D. New Mexico Corrections Department Policy *CD-010100*, *CD-020200*, and *CD-024700*.
- E. NMSA 1978, Section 13-6-1 through 13-6-4, as amended, "Sale of Public Property".
- F. Title 26 USC § 132 –Certain Fringe Benefits, Exclusion.
- G. IRS Publication 15-B (2014), Employer's Tax Guide to Fringe Benefits, Working Condition Benefits, page 20,

## PURPOSE:

To describe requirements for the use, maintenance, and safety of state motor vehicles; to establish policy for the limitations and the use of personal vehicles for official purposes; to establish a record for use and maintenance of state motor vehicles at field offices; to establish criteria for disposal of Corrections Department-owned (Department or NMCD) or leased vehicles in an orderly manner; to set forth the conditions under which an NMCD employee may use a state-owned or leased vehicle to commute between their home (domicile) and work location; and to provide for the proper tax withholding and reporting of vehicles assigned and approved for commuting. [4-4197]

## APPLICABILITY:

All Department employees whose duties require the use of state motor vehicles, and to employees who are authorized to use privately owned vehicles for official purposes; including, but not limited to, those employees who routinely use vehicles in the performance

of their duties, such as transportation officers, perimeter security patrols, maintenance employees and probation/parole officers.

**FORMS:**

- A. **Daily Vehicle Report** form (CD-022001.1)
- B. **Vehicles Assigned for Commuting** form (CD-022001.2)
- C. **Policy/Procedure Acknowledgement** form (CD-022001.3)
- D. **Out-of-State Vehicle Travel** form (CD-022001.4)
- E. **Vehicle Inspection Log** form (CD-022001.5)

**ATTACHMENTS:**

**Authorized Vehicle List** Attachment (CD-022000.A)

**DEFINITIONS:**

- A. Approval Authority: The Secretary of Corrections, or designee, for central office employees; or the Warden of an institution, or designee, for purposes of a particular institution; or the Division Director of the Probation and Parole Division.
- B. Authorized Driver: A Corrections Department employee holding a valid New Mexico driver's or chauffeur's license issued under the provisions of the New Mexico Motor Vehicle Code, and who has a current National Safety Council sponsored Defensive Drivers certificate.
- C. Authorized Passenger: A state employee, or any other person accompanying a state employee, in furtherance of official State/Department business.
- D. Authorized Use: Required commuting to and from home and work in an assigned vehicle and other travel in an automobile or other vehicle for official business, locally and out of town.
- E. Central Office Fleet Coordinator: The individual assigned by an agency head or designee who is responsible for providing fleet management information and reports internally and to TSD.
- F. Certificate of Completion of Defensive Driving Course: A certificate of completion of the defensive driving course issued by a National Safety Council sponsored Defensive Drivers course or any other recognized state agency or state-licensed entity that teaches and certifies completion of a defensive driving course.
- G. Commuting: Using a state-owned or leased motor vehicle to travel to and from a Corrections Department employee's personal residence to the employee's permanently assigned workstation.

- H. Non-Commuting Vehicle: A state-owned or leased motor vehicle that is assigned to a Corrections Department employee who lives on state grounds.
- I. Privately Owned Vehicle: A car, truck or other motorized vehicle owned by and registered to a Department employee.
- J. Sensitive activity: means an activity performed by an employee of the state that;
1. Is authorized by the state to be performed for a legitimate and appropriate purpose for the state, other than a legitimate undercover law enforcement purpose; and
  2. Would place the employee at a higher risk of personal injury if knowledge of the activity were made public, as determined in writing by an appropriate authority of the employee;
- K. Special-Use Vehicles: Vehicles of a special design or construction that effectively limits their use for a particular purpose, including but not limited to, tractors, trailers, or other mechanical equipment, and other vehicles that are not passenger vehicles.
- L. State Agency: The State of New Mexico or any of its branches, agencies, departments, boards, panels, instrumentalities or institutions.
- M. State Vehicle: Any motor vehicle that is the property of a state agency, and that is designated primarily as a passenger vehicle or used for hauling, construction or farm purposes at a Department facility.

**POLICY:**

- A. All state-owned or leased vehicles shall be operated in compliance with federal, state and local laws.
- B. State vehicles shall be used only in the furtherance of State/Department official business or in the performance of duties specifically approved in writing by the Secretary of Corrections or designee.
- C. All official vehicles are covered under the General Services Department/Risk Management Division insurance policy. [4-APPFS-3D-26] [4-APPFS-3H-03]
- D. Each authorized user shall hold a valid New Mexico State driver or chauffeur operator license and a current certificate of completion of an approved defensive driving course.
- F. Each authorized user shall familiarize himself/herself with applicable state regulations concerning the use of state vehicles.
- G. All NMCD owned or leased vehicles shall be maintained in a safe, operable condition and maintenance records shall be kept. Vehicles leased from the Transportation Services

Division (TSD) of the General Services Department are the responsibility of TSD for maintenance and record keeping purposes.

- H.** Proper vehicle maintenance, including an annual safety inspection, will be performed to ensure that a vehicle is safe to operate. Any vehicle found unsafe to operate shall not be driven until required repairs are made. [**4-APPFS-3H-01**] [**4-APPFS-3H-02**]
- I.** All state-owned or leased vehicles shall be replaced in accordance with established procedures and availability of funds.
- J.** The use of privately owned motor vehicles by department employees for official business shall be addressed and be in compliance with federal, state and local laws governing proper operation of motor vehicles. [**4-4198**]
- K.** Personal use of a state-owned or leased vehicle is prohibited except for commuting, as permitted under Definitions, D: Authorized Use.
- L.** Direct supervisors shall be responsible for monitoring vehicle usage to ensure compliance with this policy, including proper assignments of vehicles.
- M.** Drinking any alcoholic beverage and subsequently driving a state vehicle is prohibited, regardless of the blood alcohol level.
- N.** Use of cell phones is prohibited while driving, except when used with a hands-free kit.
- O.** Pursuant to Rule 1.5.3.16 D NMAC, no authorized driver or passenger shall smoke or use smokeless tobacco products of any kind in any state vehicle..
- P.** Only authorized passengers are allowed to travel in state vehicles, with a written waiver from GSD/TSD.
- Q.** No personal pets or other personal animals may be in, or transported in, a state vehicle.
- R.** Use of energy inefficient vehicles such as large trucks or SUVs shall be limited in use.
- S.** All employees traveling to the same destination (conference, meetings etc) will be required to carpool.
- T.** Any employee driving a state vehicle who pleads guilty or is found guilty of a vehicle citation while driving a state vehicle (that was processed through General Services) is mandated by General Services to re-take the Defensive Driving Course (DDC) through the GSD/TSD office. Any employee required to retake a GSD/DDC course shall be required to use personal leave or may elect leave without pay or may be required to attend on their own time. The Department shall NOT be responsible for the cost of the class.

- U. Any employee whose driver's license has expired or been suspended and is required by the GSD/TSD office to retake the DDC, shall be responsible for the cost and shall be required to use personal leave. Transportation to the DDC class shall be the employee's responsibility.
- V. Any employee that receives more than one vehicle abuse complaint through General Services, General Services recommends the employee retake the DDC, through the GSD/TSD office.
- W. All employees must sign a **Policy/Procedure Acknowledgement** form (*CD-022101.3*), indicating they have read the GSD Rules and Regulations governing the use of state vehicles.
- X. NMCD employees who serve in a Law Enforcement capacity are exempt from commuting requirements and shall not be taxed.



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David Jablonski, Secretary of Corrections  
New Mexico Corrections Department

02/28/18  
Date

## NEW MEXICO CORRECTIONS DEPARTMENT

### *AUTHORIZED VEHICLE LIST*

The following positions, designated by the Secretary of Corrections, may be assigned, for the benefit and convenience of the State of New Mexico, to have 24-hour use of a state vehicle for emergency requirements, security and law enforcement purposes. The following are considered emergency, security or law enforcement.


Secretary, Corrections Department  
Deputy Secretary, Operations  
Director, Adult Prisons Division  
Deputy Directors, Adult Prisons Division  
Director, Probation and Parole Division  
Deputy Director, Probation and Parole Division  
Wardens  
Deputy Wardens  
Security Threat Intelligence Unit Administrator  
Office of Professional Standards (OPS) Investigators  
Region Managers, Probation and Parole  
District Supervisors, Probation and Parole  
Probation and Parole Officers and other staff (as designated by Director of Probation and Parole)

At their discretion, Wardens may assign a vehicle to the Chief of Security, the Security Threat Intelligence Unit Coordinator, the Physical Plant Services Manager and K-9 Staff when their permanently assigned duties warrant it. Other departmental vehicles are assigned to facilities and divisions for verifiable business purposes only. Vehicle use and assignment is the responsibility of each respective Director or Warden.

Personnel residing on facility grounds will not use assigned vehicles for commuting from home to work location.

Employees in administrative leadership and oversight roles may have a vehicle assigned for full-time commuting use. Individuals in those roles and not living on prison grounds are subject to a taxable value of \$3.00 per day (\$1.50 one-way) shall be included in income for every day of commuting usage of their assigned vehicle, with bi-weekly withholding and annual reporting on Form W-2, as per Internal Revenue Code Section 61 and Regulation 1.61.a1. No other positions are authorized to commute in a state vehicle. The following are considered administrative leadership and oversight.

Deputy Secretary, Administration  
Director and Deputy Director of Administrative Services

 <p><b>CD-022001</b></p>	<h1 style="text-align: center;">NEW MEXICO CORRECTIONS DEPARTMENT</h1> <p style="text-align: center;"><i>"We commit to the safety and well-being of the people of New Mexico by doing the right thing, always."</i></p> <p style="text-align: center;"><b>C</b>ourage <b>R</b>esponsibility <b>E</b>thics <b>D</b>edication - <b>CRED</b>ibly serving the public safety of New Mexico</p>	
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	<b>EFFECTIVE DATE:</b> 11/14/85	<b>REVISED:</b> 06/01/14
<b>TITLE: Use of State and Privately Owned Motor Vehicles</b>		

**AUTHORITY:**

Policy *CD-022000*

**PROCEDURES:**

**A. Use of Vehicles:**

1. Vehicles shall be used strictly for official state business, except as specified immediately below:
  - a. Employees while on official business who are away from their assigned workstation may use the state vehicle for personal purposes on a limited basis during off-duty hours.
  - b. State vehicles may be assigned to Department personnel by the Secretary of Corrections pursuant to the **Authorized Vehicle List** Attachment (*CD-022000.A*), if required to be on call 24-hours/day for emergencies, security and law enforcement purposes; to supervise offenders in the community; or to prevent vandalism that might occur if the vehicle were to be left unattended over-night. Vehicles assigned to employees in administrative leadership and oversight may be used for commuting purposes with prior approval. The Secretary of Corrections may withdraw assignment at any time.
  - c. A taxable value of \$3.00 per day (\$1.50 one-way) for commuting shall be included in gross income for appropriate federal withholding, as per Internal Revenue Code Sections 61, 132, 162, and 274 and related regulations pursuant to the Tax Reform Act of 1986, in the case of employees who may be required to commute in assigned vehicles as per the **Authorized Vehicle List** Attachment (*CD-022000.A*). Procedure I.L. herein specifies the payroll procedures for this purpose.
  - d. Vehicles assigned to probation and parole and security threat investigations offices are not considered commuting vehicles but are directly related to the employee's job assignment.
2. Misuse of state vehicles may be cause for disciplinary action.

3. Department employees who are authorized to operate a state vehicle must possess a valid New Mexico driver's license and a certificate of completion of the defensive driving course issued by a National Safety Council sponsored Defensive Drivers course or any other recognized state agency or state-licensed entity that teaches and certifies completion of a defensive driving course.
4. State vehicles may be occupied only by authorized drivers and authorized passengers. An employee who permits a state-owned or leased vehicle to be driven by an unauthorized driver or who transports or permits the transportation of an unauthorized passenger shall be held personally liable to the extent permitted by law, for any liability for any personal injury, death or property damage arising from the unauthorized use or occupancy of a state vehicle.
  - a. No domestic pets may be transported in state vehicles except for certified law enforcement canines.
  - b. Nothing in this section shall be construed to prohibit the use or occupancy of a state vehicle to render emergency aid or assistance to any person; or to prohibit the use and occupancy of state vehicles by private sector automobile mechanics or other maintenance/repair personnel during the course of performing required repairs/ maintenance.
5. There shall be no carpooling in state vehicles assigned for required commuting purposes.
6. There shall be required carpooling in state vehicles when attending the same conferences, meetings etc.
7. It shall be the responsibility of the employee to advise the Approval Authority or designee within one working day in the event the employee's New Mexico driver's license is suspended or revoked. The Approval Authority or designee will document this information, thus prohibiting employee from driving state vehicles.
8. All state vehicles will be operated in full compliance with federal, state and local laws.
9. Motor vehicles shall be driven at safe speeds at all times; at or below posted speed limits outside Department facilities; and no more than posted speed limits (if any) within a facility or on perimeter and ancillary roads around the facility. All state and nationally recognized motor vehicle operating regulations and standards shall be observed at all times.
10. Except for vehicles described in paragraph A.1.b and A.1.c, immediately above, no state vehicle shall be used for transportation between the employee's place of residence and place of employment, unless such transportation is a part of an official business trip.



11. Driving under the influence of intoxicating liquor or under the influence of any drug that renders an employee incapable of safely driving a state vehicle, is strictly prohibited and may result in both criminal and civil sanctions.
  - a. A Department employee receiving a traffic citation for driving a state vehicle while under the influence of intoxicating liquor or drugs, shall have his/her use of state vehicles suspended, pending further investigation into the incident and cause.
  - b. Any authorized passengers, accompanying a state employee so cited, and who are authorized drivers, may also have such information documented, where it is shown such passenger employee knew or should have known that the authorized driver was under the influence of intoxicating liquor or drugs.
  - c. A Department employee convicted of driving while under the influence of intoxicating liquor or drugs (DWI), when the offense was committed in a State vehicle, may be terminated from state employment, or subject to other disciplinary action.
12. All occupants riding in or operating state motor vehicles shall wear safety belts at all times.

**B. Vehicle Assignment:**

1. All official vehicles shall be assigned and/or issued to authorized users to conduct official business within the facility boundaries, the local community or as specifically authorized by the Approval Authority or designee and vehicles will be assigned based on fuel economy and intended use. Such use shall be documented on the **Daily Vehicle Report** Form (*CD-022001.1*).
2. Direct supervisors throughout the chain of command, including the Secretary of Corrections, shall monitor vehicle use and assignments to ensure compliance with this policy and procedure.

**C. Vehicle Control/Security:**

1. All NMCD leased vehicles will be carefully accounted for and secured, particularly while on institutional grounds or PPD field offices to avoid potential escape means or vandalism. The Approval Authority shall issue an appropriate directive outlining specific parking spaces for all state-owned or leased vehicles assigned to that location.
2. Patrol check of all assigned areas for state-owned or leased vehicle parking at institutional sites will be made at least once each shift by foot patrol officer(s).
3. Employees must ensure that their assigned state vehicle is safely parked, closed and locked, including windows, and otherwise secured at all times when not in use.

4. Vehicle/Key control responsibilities for state-owned or leased vehicles shall be assigned through policy or by the Approval Authority or designee by means of an internal directive to an individual or unit at each Department site. A record of all vehicle assignment/key issuance shall be maintained for each location.
5. All inmate outside work details at institutional sites will not come within 100 feet of any vehicle patrol or any vehicle containing any type of weapon.
6. No motor vehicle shall be left unattended with the motor running or with the keys in the ignition switch. All unattended vehicles shall be locked, with keys removed and in the possession of the responsible person. The only exception will be when a staff member is conducting a field investigation and in that investigator's best judgment the driver's side door should be left unlocked for quick access or if a K-9 officer leaves the canine in the vehicle for short periods of time. A motor vehicle is unattended if the authorized user is twenty-five (25) feet or more away from the vehicle and the vehicle is within that person's view, or if the authorized user leaves the vehicle and the vehicle is not within that person's view at any distance.

**D. Out of State/Country Vehicle Travel:**

1. Out-of-state and out-of-country travel in state vehicles requires prior permission from the Transportation Services Division (TSD) Director of the General Services Department. Submit a copy of a certificate of completion of the defensive driving course, the date and time of departure, destination, purpose of trip, date and time of
2. return, list of all drivers including their name, date of birth, driver's license number and social security number to the Central Office Fleet Coordinator of the Administrative Services Division who will obtain the TSD Director's approval.
3. The Central Office Fleet Coordinator must obtain the proper insurance and registration documentation for out-of-country travel.
4. Emergency medical transport of an inmate(s) to another state using a state transport/escort requires approval by the Secretary of Corrections prior to transport using the **Out of State Vehicle Travel Form (CD-022001.4)**
  - a. The Warden or designee will contact the Director of Adult Prisons or designee and verbally provide the data outlined in the critical incident report.
  - b. The Director or designee shall then contact the Secretary of Corrections and obtain verbal approval for the transport or operation.
  - c. The Warden or designee shall email the required critical incident report to the Secretary of Corrections and Director of Adult Prisons or designee.
  - d. The Secretary of Corrections will forward the critical incident report to the Secretary of General Services Department (GSD) via email. All other

necessary supporting documentation will be forwarded to the GSD on the morning of the next business day.

- e. Prison facilities for which the closest hospital is in another state shall request a waiver from GSD-TSD through the Central Office Fleet Coordinator every six months.

#### **E. Vehicle Safety:**

1. Passenger-type vehicles shall carry only the number of passengers for which it was designed and is equipped to accommodate.
2. All other vehicles shall carry only those passengers for which there is proper seating capacity.

EXCEPTION: Passengers (whether employees or inmates) necessary for the performance of the work being engaged in may ride in the bed of pickup trucks, dump trucks or similar vehicles provided they seat themselves fully inside the load bed and NOT on the sides or tailgate. Person's limbs (arms, legs) or head shall be kept completely inside the perimeter of the truck bed. No one should stand inside the truck bed, on the bumper, running board or any other area of a moving vehicle not specifically designed to transport standing passengers.

3. No employee or inmate will ride on any moving device not specifically designed and equipped to carry authorized users and/or passengers.
4. No stunt driving or horseplay will be tolerated.
5. Engines of gasoline or diesel-powered vehicles shall be turned off while refueling. Motors of battery-powered vehicles shall be turned off while recharging.
6. Only stable and safely arranged loads shall be transported in any vehicle. Loads shall be tied down if at all possible.
7. Only loads within rated capacity of the vehicle shall be handled.

#### **F. State Vehicle Maintenance: [4-APPFS-3H-01] [4-APPFS-3H-02]**

1. Prior to operating a state vehicle, an employee shall determine that all tires are inflated properly and not excessively worn and that brakes, lights, windshield wipers, safety belts and steering mechanisms function properly. Any maintenance/repairs required shall be reported to his/her immediate supervisor or the entity's Fleet Coordinator on the **Vehicle Inspection Log** form (CD-022001.5)
2. Any vehicle found to be in an unsafe condition shall NOT be operated. The vehicle's condition shall be immediately reported to a supervisor, and the vehicle shall immediately be taken out of service until repairs are made.

3. Each driver shall be held personally responsible for the proper care, condition and cleanliness of any state vehicle issued for his/her use.
4. Employees' authorized use of state vehicles shall prevent the misuse of state vehicles. Employees may be assessed for the loss or damage to a state vehicle if the loss or damage was caused by driving while under the influence of intoxicating liquor or drugs, reckless or careless driving.
5. If a state vehicle is damaged or destroyed due to the negligence of the employee, disciplinary action against the employee may be taken, determinate upon the Approval Authority's or designee's review of the report of vehicle damage.
6. All NMCD owned vehicles must be given appropriate maintenance servicing at regular mileage or time intervals in accordance with manufacturer's specifications.
7. Maintenance/Service records shall be maintained at vehicle assigned location on all Department owned vehicles.
8. All leased vehicles shall be maintained in accordance with the GSD Lease Policy. The vehicle maintenance shall be taken to an authorized vendors based on mileage intervals in accordance with GSD's schedules. GSD will provide upkeep of the maintenance / service records.
9. If involved in an accident, the employee must first notify the police. The employee shall fill out an accident report and notify his/her supervisor of said accident as soon as practicable, and in any event within one (1) working day of such accident. The supervisor shall submit the accident report and police report to the Central Office Fleet Coordinator.
10. If any employee loses any state-issued equipment that is a part of a state-owned or leased vehicle through misplacement or theft, such loss must be reported to the employee's immediate supervisor within one working day.
  - a. The internal investigation unit may conduct an investigation into all instances of reported loss.
  - b. If the investigation determines that the employee was negligent, this determination may be the basis for initiating disciplinary action, including cost of repair/replacement by the employee.

**G. Special-Use Vehicles**

Individuals under the supervision and/or custody of the Corrections Department shall not be authorized to operate state vehicles EXCEPT special-use vehicles as defined by NMAC 1.5.3

**H. Use of Privately Owned Vehicle for Official Business: [4-4198]**

Occasionally, employees may be permitted to use privately owned vehicles for official business when a State vehicle is not available. In such instances, the following procedures apply:

1. Employees must have in their possession a current New Mexico State driver or chauffeur's license, proof of liability insurance, and a certificate of completion of the defensive driving course issued by a National Safety Council sponsored Defensive Drivers course or any other recognized state agency or state-licensed entity that teaches and certifies completion of a defensive driving course.
2. All federal, state and local laws as well as institutional or Department regulations will be observed.
3. Use of privately owned vehicles and reimbursement for such use will be only by permission of and in accordance with instructions issued by the appropriate Approval Authority or designee pursuant to Policy *CD-024700* Per Diem and Mileage.
4. All occupants of passenger cars shall wear safety belts while operating privately owned vehicles for the furtherance of state business.
5. Any employee involved in an automobile accident while operating a privately owned vehicle on official business must report such accident to his/her immediate supervisor within one working day of said accident in addition to filing a police report.

**I. Parking of Privately Owned Vehicles:**

Employees will park privately owned vehicles only in spaces specifically marked for passenger vehicle parking. All privately owned vehicles shall be locked and windows rolled up when parked at institutional sites and not in use. Employees will NOT park in handicap marked parking spaces unless they have the proper handicap-parking permit.

**J. Insurance: [4-APPFS-3D-26] [4-APPFS-3H-03] [4-4198]**

1. All institutional official vehicles are covered under the General Services Department (GSD)/Risk Management Division (RMD) insurance policy.
2. Any employee involved in an accident while driving a privately owned vehicle on approved official business is covered under the GSD/RMD insurance policy as secondary coverage. There is no physical damage or medical coverage available under state policy. Employees own automobile insurance policy would be the primary coverage; state coverage would apply only when the employee's policy limits of liability have been exhausted.

**K. Disposition and Replacement of State, Department-Owned or Leased Vehicles:**

1. State-owned or leased vehicles purchased or leased by the Department shall be included for replacement in the Department's budget request upon:
  - a. The vehicle becoming five (5) years of age; or
  - b. Reaching the 100,000 mileage odometer reading; or
  - c. In the event the vehicle is damaged beyond repair during the current operating year; or
  - d. In the event maintenance costs exceeds the value of the vehicle in any current operating year.
2. Disposal of state-owned or leased vehicles purchased by the Department shall be in accordance with Sections 13-6-1 NMSA 1978, as amended, and policy CD-020200 governing accounting for fixed assets.

**L. Tax Withholding/Reporting - Assigned Commuting Vehicles:**

1. Vehicles assigned for required commuting purposes pursuant to the **Authorized Vehicle List** Attachment (*CD-022000.A*), by definition qualify for the special commuting valuation rule of \$3.00 per day (\$1.50 per one-way commute), as allowed by Internal Revenue Service Regulation 1.61-21.
2. The taxable value of \$3.00 per day (\$1.50 per one-way commute) is to be included in the employee's gross income on Form W-2, with bi-weekly withholding of FICA and federal/state income taxes, for each day of commuting use in an assigned vehicle authorized for this purpose.
3. On a weekly basis, employees who have been authorized to commute in state vehicles shall complete a car log and submit it to their payroll officer together with the regular time sheets for that week.
4. The payroll officer shall input the taxable value reflected on the car log as a dollar amount into the payroll system under the earnings type "CAR". This earnings type will affect bi-weekly withholding of FICA and federal/state income taxes, and annual reporting on Form W-2 in boxes 1, 12 and 14.
5. The Department's Central Office Fleet Coordinator will be responsible for furnishing and updating a current roster to Human Resources Management Bureau (HRMB) of all vehicles assigned for commuting purposes. HRMB will use this current roster for control purposes to verify policy compliance. HRMB will also be responsible for training and monitoring payroll officers in the field.

**M. Reporting**

1. Employees authorized to commute must provide the Department Central Office Fleet Coordinator the following information on a monthly basis:

- a. The number of miles driven by each commuting Department employee using a state-owned or leased vehicle;
  - b. The number of times during each month that an authorized commuting state employee is called back to work when such state employee is off-duty.
2. The Department Central Office Fleet Coordinator shall:
- a. Maintain current records of all Department commuters by name and position;
  - b. Keep a record of the number of miles each Department employee drives between work and residence using a state-owned or leased vehicle;
  - c. Keep a record of the number of times a Department employee who is authorized to commute between work and residence is called back to work when such state employee is off-duty; and
  - d. Prepare an annual report for the Secretary of Corrections to review providing all of the above information. Once approved by the Secretary, the report shall be submitted to the Director of the General Services Department Transportation Services Division.



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David Jablonski, Secretary of Corrections  
New Mexico Corrections Department

02/28/18

Date

**NEW MEXICO CORRECTIONS DEPARTMENT**  
**Daily Vehicle Report**

**Vehicle - G - \_\_\_\_\_**

Employee Name	Destination & Purpose of Trip	Checked out Date /Time	Starting Mileage	Checked in Date /Time	Ending Mileage	Fuel: # of Gallons	Facility or Credit Card (F or C)	Other (Costs, repairs, maintenance notes, etc.)

**PLEASE DO NOT RETURN WITH LESS THAN ¼ TANK OF GASOLINE**  
**THIS IS A LEASE VEHICLE ALL REPAIRS TO BE PROCESSED THROUGH GSD/TSD**



**NEW MEXICO CORRECTIONS DEPARTMENT  
VEHICLES ASSIGNED FOR COMMUTING (TAKE HOME)**

ORG UNIT \_\_\_\_\_

TIMESHEET FOR WEEK ENDING \_\_\_\_\_

NAME SSN									
	0/1	CODE	VAL	AMT					
SAT									
SUN									
MON									
TUE									
WED									
THU									
FRI									

EMPLOYEE SIGNATURE \_\_\_\_\_

WEEKLY SUMMARY	WEEKLY SUMMARY	WEEKLY SUMMARY	WEEKLY SUMMARY	WEEKLY SUMMARY	WEEKLY SUMMARY
<u>CODE</u> <u>AMT</u>	<u>CODE</u> <u>AMT</u>	<u>CODE</u> <u>AMT</u>	<u>CODE</u> <u>AMT</u>	<u>CODE</u> <u>AMT</u>	<u>CODE</u> <u>AMT</u>
CAR	CAR	CAR	CAR	CAR	CAR

**INSTRUCTIONS:** Per Policy CD-022000 employee to whom vehicle is assigned for commuting (take home), enter "1" for any day commuted to and from home and regular duty station in an assigned state vehicle. For days of non-usage, the employee must enter "0". Extend the code times the daily value to arrive at the dollar amount. The commuting time sheet is to be submitted weekly with the regular earnings type. timesheet. The Payroll Officer shall enter the weekly summary dollar amount into the SHARE system under the CAR By signing this form, the employee certifies that no other personal use has occurred.

**NEW MEXICO CORRECTIONS DEPARTMENT**

**Policy/Procedure Acknowledgement**

I, \_\_\_\_\_, *ACKNOWLEDGE THAT I HAVE RECEIVED*

*(PRINT NAME)*

I acknowledge that I have received and read policy CD-022000 and the accompanying procedures. I further acknowledge and accept that violations of the vehicle use policy and procedures may result in disciplinary action. I understand that if I have questions, or I do not understand any provisions of this policy/procedure, I will ask my supervisor for assistance.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Date

**NEW MEXICO CORRECTIONS DEPARTMENT  
Out of State Vehicle Travel Request**

Institution: \_\_\_\_\_

Date & Time of departure \_\_\_\_\_

Date & Time of Return \_\_\_\_\_

State vehicle Plate # \_\_\_\_\_ Year \_\_\_\_\_ Model \_\_\_\_\_

List Staff traveling out of state (**please attach copies of Defensive Driving Certificate of every one who will be traveling**)

Name (print)	DOB	Driver's license #	SS#
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Inmate traveling out of state: \_\_\_\_\_ NMCD#: \_\_\_\_\_

Destination \_\_\_\_\_

Brief Description for Request \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Requesting Staff: \_\_\_\_\_ / \_\_\_\_\_  
Print/Sign Date

PLEASE EMAIL REQUEST TO:  
Secretary David Jablonski [David.Jablonski@state.nm.us](mailto:David.Jablonski@state.nm.us)  
General Services Bureau [NMCD-gsbinbox@state.nm.us](mailto:NMCD-gsbinbox@state.nm.us)

**ALL TRAVEL MUST BE PRE-APPROVED BEFORE LEAVING THE FACILITY**

**NEW MEXICO CORRECTIONS DEPARTMENT**  
**Vehicle Inspection Log**

Month / Year \_\_\_\_\_

District Office: \_\_\_\_\_

Vehicle Plate #: \_\_\_\_\_

Acceptable

Unacceptable

COMMENTS:

**EXTERIOR:**

DAMAGE:

\_\_\_\_\_

CLEAN:

\_\_\_\_\_

WINDOWS:

\_\_\_\_\_

**INTERIOR:**

DAMAGE:

\_\_\_\_\_

DASH:

\_\_\_\_\_

SEATS:

\_\_\_\_\_

CONSOLE:

\_\_\_\_\_

CARPET:

\_\_\_\_\_

VEHICLE LOGS:

\_\_\_\_\_

INSURANCE:

\_\_\_\_\_

VENDOR LIST:

\_\_\_\_\_


**OTHER:**

TICKETS:

YES / NO

ANYTHING TO REPORT: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

 <b>CD-022002</b>	<h1>NEW MEXICO CORRECTIONS DEPARTMENT</h1> <p><i>"We commit to the safety and well-being of the people of New Mexico by doing the right thing, always."</i>  <b>C</b>ourage <b>R</b>esponsibility <b>E</b>thics <b>D</b>edication - <b>CRED</b>ibly serving the public safety of New Mexico</p>	
	<b>ISSUE DATE:</b> 10/31/85	<b>REVIEWED:</b> 02/28/18
	<b>EFFECTIVE DATE:</b> 11/14/85	<b>REVISED:</b> 06/01/14
<b>TITLE: Use of Gasoline Credit Cards</b>		

**AUTHORITY:**

Policy *CD-022000*

**PROCEDURES:**

**A. Assignment of Cards:**

1. Gasoline credit cards are exclusively assigned to each State of New Mexico vehicle and not to the employee. The card must remain with the assigned vehicle at all times and not in the employees' possession.
2. The card will be stored in a protective sleeve out of direct sunlight or other heat sources. Each card must contain a unique number on it identifying it to the vehicle. This should be the vehicle license plate number or a unique fixed asset number that is tied back to the vehicle to which the card is assigned.
3. When an employee checks out a vehicle, a binder issued to him/her that contains the keys, credit card, state-wide vendor listing, credit card procedure, vehicle registration, insurance card, mileage log and emergency telephone numbers.

**B. Personal Identification Number (PIN)**

1. Each authorized employee must have a Personal Identification Number (PIN) to use the gas credit cards.
2. A PIN (six digits) must be requested at least 24 hours in advance of anticipated use. Once a PIN has been issued, the employee is not to share the PIN with anyone else or let someone else use the PIN. Any employee found sharing his/her PIN or using someone else's will be disciplined up to and including termination.

**C. Fuel Card Usage**

1. The gasoline credit card is to be used only for State of New Mexico owned vehicles. **It is never to be used to purchase fuel for privately owned vehicles.**
2. Purchases on the credit card require that the exact mileage at the time of purchase (not including tenths) be entered.

3. Misuse of the credit card will result in administrative, disciplinary and/or criminal action by NMCD, up to and including termination.

#### **D. Authorized Purchases**

Employees may purchase the following items with the fuel card:

- Fuel – unleaded regular gas, diesel, alternative fuel only at a self-service station
- Oil (only to add, not to replace)
- Tire repair
- Washer fluid, antifreeze, and other fluids may be purchased on an emergency basis
- Car washes at authorized vendors – Not to exceed \$25.00 per wash. Any amount over \$25.00 must be approved by the appropriate individual assigned to monitor the purchases.
- Emergency repairs not to exceed \$100.00
- Emergency purchases exceeding \$100.00 must receive approval from the agency's fuel card account manager.

The fuel card is not to be used for routine service or repairs including, but not limited to oil changes, etc. The fuel card is to be used only at authorized vendors.

It is preferred that you use a service requisition (state-wide price agreement) for towing whenever possible. If the vehicle is under warranty call the roadside assistance number in the owner's manual or the number on the window.

#### **E. Problems at the Pump**

If a problem is encountered at the time of purchase, the driver should contact Wright Express immediately from the vendor location using the 800 number on the back of the card. This will allow Wright Express to determine if the problem is with the card, the PIN, the vendor's equipment, or the system. Most problems may be handled manually by processing the purchase; this may be done only with authorization from Wright Express using the 800 number.

#### **F. Lost, Damaged or Stolen Cards**

It is the responsibility of the vehicle authorized user to report a lost, damaged or stolen card to their agency fuel card account manager within one (1) working day of the discovery.

### G. Reporting

Each facility and division business manager should review the monthly exception report ensuring that all transactions are legitimate and can be justified. Transactions that cannot be justified must be investigated with a formal report summarizing the findings with recommendations. A copy of the report will be sent to the Transportation Services Division.

### H. Employee Termination or Separation

Each facility and division is responsible for informing the Gasoline Fuel Card Account Manager of any employee termination or separation. The account manager is then responsible for updating the facility or division account removing the employee from its account. It is important that your gasoline fuel credit card system remain current and up to date removing employees who are no longer employed by NMCD. This could become very important if transactions continue to surface on your reports for an employee who is no longer employed by NMCD.



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David Jablonski, Secretary of Corrections  
New Mexico Corrections Department

02/28/18

Date