

**TEXAS BOARD
OF
PARDONS AND PAROLES**

Number: BPP-DIR. 141.318

Date: July 20, 2020

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Supersedes: April 9, 2018

BOARD DIRECTIVE

SUBJECT: BOARD OF PARDONS AND PAROLES VEHICLE DIRECTIVE

PURPOSE: To ensure statewide uniformity for Board Members and employees regarding responsibilities for the reservation, issuance, operation and maintenance of state-owned and leased vehicles.

AUTHORITY: United States Code, Title 49, Sections 5101-5127
Code of Federal Regulations, Title 49, Section 382.107
Texas Government Code Sections 2113.013, 2171.101(a), 2171.104, and 2171.1045
Texas Transportation Code Section 545.413
Texas Administrative Code Title 37, Part 6, Chapter 151, Section 151.73
Board Directive BPP-DIR.141-309, Ethics Policy
TDCJ Vehicle Policy AD-02.50 (rev.9) and Use of TDCJ Fuel Credit Cards, AD-14.55 (rev.3)

DISCUSSION: These directives and procedures apply to all state-owned or leased motor vehicles used for official State business for The Texas Board of Pardons and Paroles (Board). The Board has been assigned or authorized to utilize state-owned vehicles through the Texas Department of Criminal Justice (TDCJ), Manufacturing and Logistics Transportation and Supply, Fleet Management Department. The Board Member and employees who use state-owned or leased vehicles are expected to be familiar with the TDCJ Administrative Directive AD-02.50 (see Attachment A), TDCJ Administrative Directive-14.55 (see Attachment B) and to strictly adhere to the procedures described in these directives as well as this directive.

Failure to comply with these directives and procedures may result in disciplinary action against the employee.

DEFINITIONS: Authorized Driver – A Board Member or employee who has a valid and current driver license for the State of Texas while operating a state-owned or leased vehicle and current automobile insurance while operating a personal vehicle for official agency business.

Centrally Fueled – For the purposes of the EPA act, a vehicle is considered centrally fueled when it can be refueled at least 75% of the time at a location that is owned, operated, or controlled by the individual fleet agency or one of the statewide refueling locations.

Designated Headquarters – The area within the city limits of the incorporated area in which an employee’s place of employment is located, if the place of employment is located within an unincorporated area, the area within a five (5) mile radius of the place of employment is the designated headquarters.

Duty Point – The destination other than a place of employment to which an employee travels to conduct official state business.

Mobile Communications Device – A mobile communications device is a mobile telephone, email appliance, IPAD, or a device combining two or more of these functions.

Place of Employment – The office or other location of employment to which an employee travels to conduct official state business.

Vehicle Coordinator – The employee assigned to oversee all vehicle records, coordinate preventive and general maintenance, and reserve state-owned vehicles assigned to their office location.

Vehicle Locations – The Board maintains a fleet of vehicles for usage by Authorized Drivers at various locations to support Board operations. A list of these locations and their assigned Vehicle Coordinator is available from the Board Finance Office.

PROCEDURE:

- I. General – All authorized drivers shall sign the Directives and Procedures Acknowledgment Statement (Attachment C). A copy of the signed Acknowledgement Statement shall be kept on file with the Vehicle Coordinator. Board Members or employees who do not sign the Acknowledgement Statement are NOT authorized to drive state-owned vehicles.
- II. Use of Vehicle
 - A. State-owned vehicles shall be used for official Board business only. Official Board business shall include but is not limited to:
 - 1. Unit interviews,
 - 2. Hearings,
 - 3. Training or required continuing education,
 - 4. Attending Board meetings,
 - 5. Delivery of Board documents, or
 - 6. Travel to a designated duty point.
 - B. Reserving the Vehicle

1. The Board Member or employee shall request use of a state-owned vehicle at least two business days prior to the date the vehicle is required, when possible.
 - a. The Vehicle Coordinator shall advise if a vehicle is available.
 - b. The Authorized Driver shall provide the Vehicle Coordinator with the destination and purpose for using the state-owned vehicle.
 2. Due to the limited number of vehicles assigned to the Board, the following reservations priorities apply:
 - a. Positions – Board Member, Parole Commissioner, Hearing/IPO Officer, Administrative Staff.
 - b. Other Considerations – Distance and time to travel to the duty point; nature of the official business, e.g., Board meeting, offender interview, hearing, etc.; and inability to utilize a personal vehicle due to mechanical problems or unavailability for personal reasons.
- C. Prior to Operating the Vehicle, the Authorized Driver shall:
1. Become familiar with TDCJ Vehicle Policy, AD-02.50.
 2. Obtain the keys prior to the close of the business day before the scheduled departure if the scheduled departure time is before normal office hours.
 3. Obtain approval of the immediate supervisor to pick up vehicle packet and drive the state-owned vehicle to a personal residence at the end of workday for the next day's travel, if the residence is in the direction of travel. Commercial vehicles and equipment shall not be taken to a personal residence.
 4. Check to ensure the vehicle packet contains:
 - a. Vehicle Monthly Use Report (RS-025)
 - b. Insurance Exemption Letter
 - c. Instructions on obtaining fuel/Voyager Vendor List
 - d. The Tort Claim-Motor Vehicle Accident Form (RO-92)
 - e. Instructions regarding breakdown procedures
 5. Inspect the vehicle before departing headquarters and report any discovered damage to the Vehicle Coordinator.

- D. Cancellation – In the event the Authorized Driver will not need to use the vehicle, the Authorized Driver shall notify the Vehicle Coordinator as soon as possible so that it may be available to other employees.

III. Vehicle Coordinator Responsibilities

There shall be an office Vehicle Coordinator assigned at each office where an assigned state-owned or leased vehicle is located. The Vehicle Coordinator shall be responsible for the following:

- A. Monthly reports – Complete the Vehicle Monthly Use Report (RS-025) and Monthly Vehicle Checklist. Scan the reports and any Voyager fuel card receipts for the month to BPP-Finance@tdcj.texas.gov. Send the original reports and copies of the receipts via truck mail or FedEx, if truck mail is not available, to the Board Finance Office. The scanned and original documents shall be sent no later than the 5th day of the month.
- B. Periodic Inspections – Conduct periodic inspections of vehicles to check the general condition (including the condition of windshield wipers, tires, etc.) and the presence of body damage.
 - a. Damage – Any damage shall be reported to the Board Finance Office via email as soon as possible.
 - b. Monthly Vehicle Checklist – The checklist must be completed and submitted with the Vehicle Monthly Use Report at the end of every month (see Attachment D).
- C. Maintenance, Repairs and Inspection – Arrange for general/preventive maintenance and repairs as outlined in TDCJ AD 2.50, Section VII. The maintenance schedule to be followed for each vehicle includes the procurement of up-to-date inspection stickers in addition to such services as regular fluid changes. Approval must be requested and received by the Board Finance Office before scheduling any general/preventative maintenance or repairs with an outside vendor (Non-TDCJ Facility).
 - 1. Maintenance and Repairs
 - a. Vendors with ongoing contracts will be used to purchase certain items (e.g., tires) and automotive services.
 - b. At times, a vehicle may need to be pulled from service for problem maintenance or repairs.
 - 2. Inspection – The Board Finance Office must be notified when inspections are completed. The following information shall be provided to the Board Finance Office:

- a. When the vehicle registration is due to expire;
- b. When the State inspection was completed;
- c. TDCJ number of the vehicle; and
- d. License Plate number of the vehicle.

When the registration sticker is received, the Vehicle Coordinator shall install the registration sticker in the vehicle.

IV. Vehicle Accident Control and Reporting – The Authorized Driver and passengers of state-owned, leased and personal vehicles shall follow all accident reporting requirements in TDCJ AD 2.50 Section IX.

A. Notification:

- 1. The Authorized Driver shall also notify the Vehicle Coordinator as soon as possible.
- 2. The Vehicle Coordinator will notify the Board Finance Office and send any completed TORT Claim-Motor Vehicle Accidents Forms to BPP-Finance@tdcj.texas.gov.
- 3. The Board Finance Office shall send a copy of the completed TORT Claim – Motor Vehicle Accidents Form and any other documents received to the General Counsel’s Office.

B. Records Retention – All documents prepared or received during this process shall be retained until the General Counsel’s Office notifies all persons that the claim or litigation has been resolved.

V. Moving Violation Reporting

- A. It is the Authorized Driver’s responsibility to adhere to all laws pertaining to the operation of a motor vehicle.
- B. An Authorized Driver charged with a moving violation or who must appear in court for a moving violation while driving a state-owned or leased vehicle shall notify his/her supervisor immediately, and in no case later than the following business day. Failure to timely report the receipt of a moving violation may result in disciplinary action. The employee is also responsible for any violation associated with the operation of a state-owned or leased vehicle.
- C. If the Authorized Driver’s license is revoked or suspended, the Authorized Driver shall notify their supervisor by 9:00 a.m. central time the next business day the license has been revoked or suspended, and immediately discontinue operation of the state-owned or leased vehicle.

SIGNED THIS, THE 20TH DAY OF JULY, 2020.

DAVID GUTIÉRREZ, PRESIDING OFFICER (CHAIR)

**Signature on file.*



TEXAS DEPARTMENT
OF
CRIMINAL JUSTICE

NUMBER: AD-02.50 (rev. 9)

DATE: May 7, 2015

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SUPERSEDES: AD-02.50 (rev. 8)
May 7, 2013

ADMINISTRATIVE DIRECTIVE

SUBJECT: TDCJ VEHICLE POLICY

AUTHORITY: Tex. Gov't Code §§ 493.001, 493.006(b), 2101.0115, 2113.013, 2171.101(a), 2171.104, 2171.1045; 49 U.S.C. §§ 5101-5127; Tex. Transp. Code §§ 545.413, 547.702; 49 C.F.R. 382.107; 37 Tex. Admin. Code § 151.73

Reference: American Correctional Association Standards 4-4197, 4-4198

APPLICABILITY: Texas Department of Criminal Justice (TDCJ)

POLICY:

The TDCJ shall be in compliance with the *State Vehicle Management Plan* and establish guidelines for use of state-owned or leased vehicles including assignment, control of keys, fleet management, motor pool operations, preventive maintenance, and procedures to be followed in case of an accident.

DEFINITIONS:

"Accident" is an incident that results in property damage or injury to a person.

"Commercial Motor Vehicle" is a motor vehicle or combination of motor vehicles used to transport passengers or property, if the motor vehicle:

- A. Has a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds;
- B. Has a gross vehicle weight rating of 26,001 or more pounds;
- C. Is designed to transport 16 or more passengers, including the commercial driver; or
- D. Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the *Hazardous Materials Transportation Act* and requires the motor vehicle to be placarded under the Hazardous Materials Regulations.

"Eligibility to Drive a State Vehicle" means that only persons defined by this directive, employees or offenders under the supervision of an employee, are allowed to operate a state-owned or leased vehicle.

"Employee," for the purpose of this directive, is a person who works under the authority of the Texas Board of Criminal Justice (TBCJ). This does not include volunteers, independent contractors, agents, or employees of independent contractors, or persons who perform tasks over which the TBCJ does not control the process.

"Firearm" is any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use.

"Special Use Vehicles" are vehicles that perform specialized functions, such as ambulances, chain buses, transport vans, truck tractors, area maintenance vehicles, and other similar types of vehicles.

"Vehicle" is any state-owned or leased automobile, motor truck, or other motor vehicle used for transportation of employees, offenders, equipment, goods, or other purposes legitimately connected with the operation of the TDCJ.

"Unmarked Vehicle" is a vehicle owned or leased by the TDCJ that does not have a state seal affixed to the vehicle, a property number affixed to the exterior, or standard exempt license plates on the vehicle.

PROCEDURES:

- I. State-owned or leased vehicles shall only be used for official state business. The executive director may authorize the use of a state vehicle for an employee to commute to and from work when the executive director determines that the use may be necessary to ensure that vital TDCJ functions are performed. When such use is authorized, the commute to work shall not ordinarily exceed 30 miles in distance. The name and job title of each individual authorized and the reasons for the authorization shall be reported as required by law and kept on file in the executive director's office. The limits of institutional liability are included in AD-11.02, "Attorney General Representation, Indemnification, and Limitation of Liability."
- II. TDCJ employees are prohibited from carrying a firearm in a state-owned vehicle except:
 - A. Peace officers in the Office of the Inspector General (OIG);
 - B. A parole officer who possesses a weapon in accordance with PD/POP-1.1.10, "Parole Officer Firearm Guidelines – Basic Firearm Orientation," which authorizes certain parole officers to carry firearms under Texas Occupations Code § 1701.257;

- C. Parole and community supervision officers participating in the firearms training program pursuant to Texas Occupations Code § 1701.257;
- D. Employees authorized to carry a firearm for the purpose of responding to emergency situations involving offenders in accordance with the TDCJ *Use of Force Plan*;
- E. Employees authorized to possess a weapon in the actual discharge of their duties; and
- F. Other employees authorized by the executive director.

III. General Guidelines for Use of State Vehicles

Employees operating a state-owned or leased vehicle shall at all times operate the vehicle only for official state business and shall:

- A. Have, in their possession, a valid Texas driver license while operating a state-owned or leased vehicle. The license shall be appropriate for the type of vehicle being operated with appropriate endorsements. The driver shall comply with licensing restrictions;
- B. Operate the vehicle in a safe manner consistent with traffic laws;
- C. Transport only those persons conducting official state business;
- D. Be familiar with the vehicle controls and blind spots to ensure the highest standards of care and safety;
- E. Be allowed to take a state vehicle to a personal residence at the end of a workday for the next day's travel, if the residence is in the direction of travel. Supervisor approval is required for each occurrence. Commercial vehicles and equipment shall not be taken to a personal residence;
- F. Park the vehicle in designated areas on state property when not in travel status and keep the vehicle locked when parked, with ignition key removed;
- G. Follow TDCJ policy regarding contraband, including BR-151.25, "TDCJ Tobacco Policy," AD-02.95, "Storage of Firearms," and PD-17, "Drug-Free Workplace";
- H. Use seatbelts and other safety equipment provided in the vehicle. Every driver and occupant shall use a seatbelt, when available, in accordance with Texas Transportation Code § 545.413;
- I. Not transport passengers in vehicles lacking adequate seating and safety restraints nor in a manner in which a passenger could fall or be ejected from the vehicle;

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- J. Fuel state vehicles at the TDCJ bulk fueling locations when possible. When refueling a vehicle at a retail vendor, self-service pumps are to be used. Gasoline powered vehicles are to be refueled with regular unleaded fuel;
- K. Use TDCJ fuel credit cards as outlined in AD-14.55, "Use of TDCJ Fuel Credit Cards";
- L. Fuel propane powered licensed vehicles only at the administrative headquarters complex motor pool bulk fuel station;
- M. Ensure an unmarked vehicle has a current registration and inspection sticker. The Manufacturing and Logistics (M&L) Fleet Data Department shall apply for vehicle registration; and
- N. Follow the Federal Motor Carrier Safety Regulations prescribed by the U.S. Department of Transportation when operating a commercial vehicle.

IV. Vehicles with Alternating or Flashing Red, Blue, or White Lights

Vehicles used for law enforcement activities may be equipped with alternating or flashing red, blue, or white lights. This type of lighting shall require the following approvals before being installed on a vehicle:

- A. For vehicles assigned to the OIG, the inspector general shall give written approval. This approval shall be retained by the OIG.
- B. For any TDCJ vehicle that is not assigned to the OIG, the executive director shall give written approval. A copy of the approval shall be forwarded and kept on file by the M&L Fleet Data Department.

V. Control of Vehicle Keys

Control and accountability of vehicle keys shall be maintained at all times. The following guidelines shall be followed for vehicle keys:

- A. An employee may possess a set of keys to the assigned vehicle and is responsible for the security of those keys.
- B. Departments that are located where offenders work shall maintain a log of these vehicles and the employees who have assigned keys in their possession.
- C. All extra keys and keys to unassigned vehicles located in areas where offenders routinely work shall be secured in a locked key box. Key logs shall be maintained for all keys issued. All keys shall be accounted for each day. The key log shall reflect the person that accounted for the keys and the time of the day it occurred. Departmental supervisors shall be responsible for the security of the key box and

log. Employees who are issued keys are responsible for the security of the keys until returned.

VI. Vehicle Monthly Use Report

- A. The RS-025, Vehicle Monthly Use Report (Attachment A), shall be completed at the end of each trip or the end of each day by any employee who uses a state-owned or leased vehicle. The report shall be signed and submitted monthly by the person completing the report. The original report shall be sent to the M&L Fleet Data Department by the 10th day of the following month. In the case of lost reports, copies with original signatures will be accepted. Delivery shall be by hand or U.S. mail to P.O. Box 4013, Huntsville, TX 77342-4013.
- B. General guidelines for properly completing, retaining, and forwarding the RS-025 are available from the M&L Fleet Data Department by calling 936-437-2061.

The RS-025, Vehicle Monthly Use Report is available through the Prison Store Warehouse. The directive and forms are also available on the TDCJ intranet in the Departmental Policy and Operations Manual.

VII. Vehicle Assignment and Fleet Management

Each vehicle, except as noted below, shall be assigned to a motor pool and available for checkout.

- A. A vehicle may be assigned to:
 - 1. A field employee;
 - 2. An employee of the OIG; or
 - 3. An administrative or executive employee if the executive director determines the assignment of the vehicle is critical to the needs and mission of the TDCJ.
- B. Requests for additional vehicles shall be submitted through the TDCJ chain of command. If it is determined that a vehicle is not available within the TDCJ, a request for an additional vehicle shall be addressed on the Request for Vehicle form (Attachment B). After the appropriate division director has determined no vehicle within their chain of command could be transferred to fill the request, the division director may approve the request and forward it to the M&L fleet manager for review. After review, the M&L Fleet Department shall forward the request to the chief financial officer with comments. The M&L Fleet Department shall monitor the TDCJ's fleet and attempt to fill the request if a TDCJ vehicle becomes available.

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- C. The M&L fleet manager shall maintain a file of Request for Vehicle forms submitted by division directors and shall submit those requests that have not been satisfied when new vehicles are purchased. Once a decision has been made as to what action shall be taken on the request, the request shall be returned to the appropriate division director.
- D. Departments with assigned vehicles shall pool those vehicles as much as possible to maximize efficient usage. When an employee to whom a TDCJ vehicle is assigned is away from their usual job for more than 24 hours, excluding weekends, the vehicle shall be returned to the appropriate warden or department head for use by others as needed.
- E. The M&L Fleet Department shall monitor vehicle activity to ensure optimum use, maintenance, and reporting are achieved. Vehicles identified as underused, poorly maintained, or delinquent on mileage reporting shall be identified for reassignment.
- F. Vehicles shall not be transferred between units, departments, or divisions without coordination through the Huntsville Unit Mechanical Department, for gasoline powered vehicles, or the Wynne Unit Mechanical Department, for diesel powered vehicles. A vehicle transfer shall be submitted through the appropriate mechanical department on the Vehicle Transfer Information form (Attachment C).
- G. Assignment of special use vehicles is dictated by the mission to be accomplished. Operators of special use vehicles shall possess the appropriate licensing and record of training prior to operating special use vehicles.
- H. The procurement of any motor vehicle requiring a license, purchased or leased for use by the TDCJ, shall be coordinated by the M&L Fleet Department. The M&L Fleet Department shall ensure that the procurement of all new vehicles meets all the guidelines stipulated by Texas Government Code §§ 2171.101, 2171.104, and 2171.1045, and is entered in the State Fleet Management Data Information System on a quarterly basis, no later than the 60th day after the date on which the quarter ends.

VIII. Preventive Maintenance

Preventive maintenance is essential to minimize the breakdown of vehicles, maximize vehicle performance, and track vehicle cost. Each warden or department head is responsible for implementing a preventive maintenance program on vehicles assigned to the unit or department.

A. Operation of TDCJ Vehicles

1. Vehicle operators shall ensure the tires are properly inflated, belts and hoses are in good shape, and fluid levels, such as oil, coolant, and power

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steering fluid, are adequate. Any physical damage shall be reported to a supervisor before operating the vehicle.

2. Operators shall monitor dashboard instruments while the vehicle is in operation. Any abnormal instrument readings shall be reported to appropriate staff, such as the motor pool supervisor, vehicle maintenance supervisor, and other similar personnel.

B. Service, Maintenance, and Repairs

1. Vehicles in the Huntsville area shall have service and repairs performed at one of the following locations:
 - a. Huntsville Unit Mechanical Department – gasoline, propane powered, and light-duty diesel vehicles;
 - b. Wynne Unit Mechanical Department – diesel powered, heavy-duty trucks and buses; or
 - c. Headquarters Motor Pool – preventive maintenance only for passenger cars and light-duty trucks.
2. Vehicles in the Palestine area shall have service and repairs performed at the Michael Unit Mechanical Shop.
3. Vehicles in the Beeville area shall have service and repairs performed at the Chase Field/Beeville Mechanical Shop.
4. Vehicles outside of the Huntsville, Palestine, and Beeville areas shall normally have services and repairs performed at the farm shop on or near the unit or department of assignment.
5. Units, departments, or locations that do not have local access to a TDCJ shop may have services performed by an outside service and repair business. All services and repairs over \$500 for automobiles and light trucks shall be coordinated through the Huntsville Unit Mechanical Department. All services and repairs over \$500 for heavy trucks or diesel powered vehicles shall be coordinated through the Wynne Unit Mechanical Department.
6. Farm shop managers, unit supply officers, or any other staff that may be assigned to maintain vehicles for a unit or department may contact the M&L mechanical department at the Huntsville or Wynne unit when guidance or assistance on vehicle related matters is needed.
7. A record of services or repairs performed on each TDCJ vehicle shall be kept on file with the Fleet Management System. All repairs and services

shall be recorded on a RS-142, TDCJ Equipment Work Order form (Attachment D) to include repairs purchased on a credit card, Advanced Purchasing and Inventory Control Systems (ADPICS), or from an outside vendor. The facility repairing and servicing TDCJ gasoline and light diesel vehicles shall send the work order to the Huntsville Unit Mechanical Department. The work orders for heavy diesel trucks and buses shall be sent to the Wynne Unit Mechanical Department.

8. Procedures and service intervals are provided in the TDCJ *Vehicle/Equipment Service Manual*. Additional copies may be obtained from the Huntsville or Wynne unit mechanical departments.

C. Warranty Tracking

Warranty repairs shall be identified for reimbursement from the vehicle or component manufacturer. All TDCJ repair facilities shall make every attempt to identify any warranties on vehicles or components being repaired. All warranty work shall be coordinated through the Huntsville or Wynne unit mechanical departments to ensure the information is included in the vehicle history.

IX. Vehicle Accidents

- A. An RO-92, Tort Claim-Motor Vehicle Accident Form (Attachment E) shall be completed each time a TDCJ vehicle or trailer is involved in an accident, regardless of how minor the damage.
- B. If an employee or an offender is involved in an accident in a state vehicle, the nearest law enforcement agency shall be notified, unless the accident occurred on TDCJ property. If the accident occurs on TDCJ property, the warden or ranking authority shall be contacted.
- C. Commercial drivers shall comply with the procedures relating to post-accident alcohol and drug testing included in PD-37, "Employee Commercial Drivers' Physical Examination and Alcohol/Drug Testing Program" or AD-03.27, "Alcohol and Drug Testing Program for Offender Commercial Drivers," whichever is applicable.
- D. Accidents involving fatalities, injuries, or a privately-owned vehicle, accidents with offenders in the vehicle, or those resulting in substantial damage to vehicles or property, as determined by the warden or supervisor based on the monetary amount of damage, shall be reported to the Emergency Action Center (EAC) as outlined in AD-02.15, "Operations of the Emergency Action Center and Reporting Procedures for Serious or Unusual Incidents."
- E. Any media questions shall be referred to the TDCJ Public Information Office.

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- F. If the vehicle is disabled, it may be necessary to have it removed from the scene by a wrecker. If the vehicle is blocking a roadway, the local law enforcement agency may require the vehicle to be towed away to a local storage facility. In many instances, a TDCJ wrecker may tow the vehicle. The on-duty wrecker supervisor shall determine if it is more feasible to dispatch a TDCJ wrecker or hire a local wrecker service. TDCJ wreckers are located at the Wynne Unit Mechanical Department and the Region III Mechanical Department.
- G. Employees are also required to verbally report the occurrence to their immediate supervisor as soon as physically capable. Any injury suffered by the employee shall be reported in accordance with PD-45, "Workers' Compensation and Return to Work Program." Vehicle accidents shall be documented at the time of the accident on the RO-92, Tort Claim-Motor Vehicle Accident Form.
- H. Accidents shall be reported to the Office of the General Counsel (OGC), Attn: Claims Section, Austin, Texas, unless the accident only involves TDCJ vehicles and TDCJ property with no injuries. Supervisors shall complete the RO-92, Tort Claim-Motor Vehicle Accident Form and fax a copy to the OGC before the end of the workday of the accident. The original form with all information available at the time shall be forwarded to the OGC within three working days of the accident. Copies shall also be forwarded to the Huntsville Unit Mechanical Department, for gasoline powered vehicles, light duty diesel vehicles, and light duty trailers, or the Wynne Unit Mechanical Department, for diesel powered vehicles and fifth wheel trailers.
- When accidents occur that involve OIG employees or vehicles assigned to the OIG, notification and the accident report shall be routed to the OIG general counsel.
- When accidents occur that involve Windham School District (WSD) or Board of Pardons and Paroles (BPP) employees, or vehicles assigned to WSD or BPP, notification and the accident report shall be routed to OGC claims personnel.
- I. Employees shall not make any statements to anyone other than law enforcement officials and only report the accident and exchange the necessary information with other drivers or owners involved.
- J. The immediate supervisor shall review the accident documentation and complete the Recommendations to the Warden or Department Head section of the RO-92, Tort Claim-Motor Vehicle Accident Form. If determination of employee error is established, a decision shall then be made by the warden or supervisor as to appropriate disciplinary or corrective action required to prevent recurrence. This section shall be completed after the RO-92 has been sent to the OGC and the appropriate mechanical department.

K. State vehicles shall not be repaired until the accident reports (RO-92) are:

1. Received at the Huntsville Unit Mechanical Department for gasoline powered vehicles, light duty diesel vehicles, and light duty trailers, or the Wynne Unit Mechanical Department for heavy duty diesel vehicles and fifth wheel trailers; and
2. Reviewed and responded to by the OGC, unless only TDCJ vehicles and TDCJ property with no injuries are involved.

X. Traffic Violations

It is the employee's responsibility to adhere to all laws pertaining to the operation of a motor vehicle. The employee is also responsible for any violation associated with the operation of a state vehicle.

XI. Vehicle Break Down

When a vehicle is inoperable and the operator cannot repair the problem, the following procedures shall be followed:

- A. The operator of heavy diesel vehicles shall contact the appropriate terminal, unit, the Wynne Unit Mechanical Department, or the Region III Mechanical Department;
- B. The operator of gasoline vehicles shall contact the appropriate unit or motor pool if driving a motor pool vehicle;
- C. Unit or department personnel, when contacted, shall coordinate with the mechanical departments for repairs and towing;
- D. Transportation for employees in an inoperable vehicle shall be arranged by the unit or department; and
- E. Any media related questions shall be referred to the TDCJ Public Information Office.

XII. TDCJ Motor Pool Operations

A motor pool is effective in conserving resources. In order for TDCJ motor pools to achieve maximum use of state-owned vehicles, the following guidelines shall be followed.

- A. Each motor pool shall have written procedures concerning the hours of service, issuing, use and return of vehicles, and the information required from the motor pool customers.

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- B. Carpooling shall be used to the greatest extent possible. Employees traveling to the same location shall ride together.
- C. The motor pool shall be notified as soon as possible of any motor pool reservation cancellations.
- D. It is prohibited to transfer a motor pool vehicle from one employee to another. The person signing for the vehicle is solely responsible until the vehicle is returned. However, a TDCJ carpool employee passenger may assist in driving the vehicle.
- E. Written justification, including approval by the appropriate warden or department head, is required before a vehicle can be issued for more than three consecutive days. This can be an Inter-Office Communication or email.
- F. If a driver's residence is in the direction of travel, the vehicle may be taken to the individual's residence. Such vehicles are considered to be in travel status and shall be used for official state business only.
- G. Motor pool vehicles shall be issued on a first-come, first-served basis.
- H. Motor pools and satellite motor pools are located as follows. Phone numbers may be verified on the mainframe Electronic Mail System (EMS).
 - 1. Headquarters Motor Pool (Administrative Headquarters Complex) – Huntsville, Texas 936-437-6330;
 - 2. Huntsville Satellite Motor Pool – Region I Office 936-437-1777;
 - 3. Beto Satellite Motor Pool – Region II Office 903-928-2623;
 - 4. Darrington Satellite Motor Pool – Region III Office 281-369-3736;
 - 5. Chase Field Satellite Motor Pool – Beeville, Texas 361-362-6423;
 - 6. Plainview Satellite Motor Pool – Region V Office 806-296-4500;
 - 7. Shoal Creek Satellite Motor Pool – Austin, Texas 512-406-5306;
 - 8. Region VI Satellite Motor Pool – Austin, Texas 512-671-2589; or
 - 9. Hilltop Satellite Motor Pool – Gatesville, Texas 254-865-8901.

XIII. Use of Personal Vehicles

When an employee is using a personal vehicle to conduct state business, the employee is required to be in possession of a valid class of driver license appropriate for the type of

vehicle being operated, as well as proof of liability insurance for the personal vehicle. Maintenance of liability insurance for the personal vehicle shall be at the employee's expense.

Brad Livingston^{*}
Executive Director

^{*} Signature on file

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
REQUEST FOR VEHICLE**

Date _____

1. Requester's name: _____
Requester's signature: _____
2. Location to be assigned: _____
3. Vehicle type requested: _____
4. What will the vehicle be used for? _____

5. Will the vehicle be assigned to an individual or shared with other staff members? If an individual, provide name and title: _____
6. How many miles per month will the vehicle travel on average? _____
7. How many days per month will the vehicle be used? _____
8. What will be the average distances traveled daily? _____
9. How many other vehicles are assigned to your division or department at this location? _____
List by vehicle number, type, and use. Attach additional page if necessary. _____

10. If you, or the party you are requesting a vehicle for, are located within the vicinity of a motor pool and the request is not for a special use vehicle, can you use a motor pool vehicle?
Yes _____ No _____ If no, explain in detail: _____

11. Are there any other vehicles in the area that could be used for this purpose?
Yes _____ No _____
Additional comments or justification: _____

**Provide the information in questions #12 - 17 only if requesting a Special Use Vehicle:*

12. Provide a formula that indicates the minimum number of special use vehicles needed to maintain operation.

13. Is the function of the vehicle a function that should be handled by the Manufacturing and Logistics Division?

14. Can this function be contracted out to a private vendor? If so, explain why it would not be more economical to do so? _____

15. Is this vehicle required to open a new unit, or is the request brought about because of the expansion of services at the existing location? _____

16. Is the need of a permanent or temporary nature? _____
 If temporary, would it be more efficient to lease than purchase? Explain: _____

17. Was the vehicle identified in the requester's budget?
 Yes _____ No _____
 If so, are funds available to purchase the vehicle?
 Yes _____ No _____

 Warden or Department Head (*Print Name*)

 Warden or Department Head (*Signature*)

ROUTING

| | Concur | Non-Concur | Statement Attached | Date |
|--|---------------|-------------------|---------------------------|-------------|
| _____ Asst. Director or Regional Director | _____ | _____ | _____ | _____ |
| _____ Division Director | _____ | _____ | _____ | _____ |

Send completed form to the M&L fleet manager at the Manufacturing and Logistics headquarters in Huntsville.

(2015)

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
VEHICLE TRANSFER INFORMATION**

TO:

Huntsville Unit Mechanical Department or
Wynne Unit Mechanical Department

The below listed vehicle is being transferred via Departmental Invoice (DI), LNSTR-004, to the location indicated below:

PRESENT LOCATION OF VEHICLE:**NEW LOCATION OF VEHICLE:**

UNIT: _____

UNIT: _____

DEPT: _____

DEPT: _____

DIVISION: _____

DIVISION: _____

VEHICLE #: _____

DI #: _____

YEAR/MAKE: _____

REQUESTER'S PHONE #: _____

VIN #: _____

FAX #: _____

REASON FOR TRANSFER: _____

PRINTED NAME OF WARDEN OR DEPT. HEAD_____
SIGNATURE

DATE _____

Fax completed form to the Huntsville Unit Mechanical Department at 936-437-1384 or the Wynne Unit Mechanical Department at 936-436-4883.

[illegible]

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
TORT CLAIM – MOTOR VEHICLE ACCIDENT FORM**

Print or Type Legibly

| | | |
|------------------------------------|----------------------|-------------|
| Location of Reporting Person _____ | | Date: _____ |
| Unit/Department/Section _____ | | |
| of Reporting Person: _____ | | |
| Address: _____ | | |
| Mailing (if different): _____ | | |
| Reporting Person: _____ | Payroll Title: _____ | |
| Phone Number: _____ | | |

| | | |
|-----------------------------------|-----------------------|-----------------------------------|
| Date of Accident: _____ | Time: _____ | AM / PM |
| Exact Street Location: _____ | Construction: (Y / N) | Weather: _____ Speed Limit: _____ |
| Location of Accident: City: _____ | County: _____ | State: _____ |

TDCJ Vehicle

| | | | |
|--|-------------------|---|------------------------|
| Year: _____ | Make/Model: _____ | License Plate #: _____ | TDCJ Property #: _____ |
| TDCJ Driver (Employee): _____ | | Title: _____ | |
| Work Phone: _____ | | Supervisor Name: _____ | |
| DL: (State) _____ (Number) _____ | | | |
| Non-Owner Insurance: (Yes / No) Insurance Company: _____ | | | |
| TDCJ Driver (Offender): _____ | | TDCJ #: _____ | |
| DL: (State) _____ (Number) _____ | | | |
| Unit of Assignment: _____ | | Driver's Experience: _____ (Years) Years with TDCJ: _____ | |
| Years at Present Position: _____ | | Approximate cost to repair TDCJ Vehicle/Equipment: _____ | |

Other Vehicle Involved in Accident

| | | | |
|--|-------------------|----------------------|------------------------|
| Year: _____ | Make/Model: _____ | VIN Number: _____ | License Plate #: _____ |
| Owner's Name: _____ | | Address: _____ | |
| Home Phone: _____ | | Work Phone: _____ | |
| DL: (State) _____ (Number) _____ | | Date of Birth: _____ | |
| Driver's Name: _____ | | Address: _____ | |
| DL: (State) _____ (Number) _____ | | Date of Birth: _____ | |
| Describe damage to the other vehicle (if any) and attach pictures: _____ | | | |

Vehicle Insurance Information:

| | |
|-------------------------------|----------------------|
| Insurance Company Name: _____ | Policy Number: _____ |
| Office Phone: _____ | Address: _____ |

Additional TDCJ Vehicle

| | | | |
|--|-------------------|---|------------------------|
| Year: _____ | Make/Model: _____ | License Plate #: _____ | TDCJ Property #: _____ |
| TDCJ Driver (Employee): _____ | | Title: _____ | |
| Work Phone: _____ | | Supervisor Name: _____ | |
| DL: (State) _____ (Number) _____ | | | |
| Non-Owner Insurance: (Yes / No) Insurance Company: _____ | | | |
| TDCJ Driver (Offender): _____ | | TDCJ #: _____ | |
| DL: (State) _____ (Number) _____ | | | |
| Unit of Assignment: _____ | | Driver's Experience: _____ Years with Agency: _____ | |
| Years at Present Position: _____ | | Approximate cost to repair TDCJ Vehicle or Equipment: _____ | |

TDCJ Trailer or Equipment

| | | |
|--|------------------------|------------------------|
| Make/Model: _____ | TDCJ Property #: _____ | License Plate #: _____ |
| Fixed object needs location, description, owner name, address, and telephone number: _____ | | |

| | | |
|--|---------|-----|
| Describe how the accident occurred and damage to state vehicle: <i>(Print or Type)</i> | Diagram | N↑ |
| | ← W | E → |
| | S↓ | |
| | | |
| | | |
| | | |
| | | |

Witnesses (Obtain witness statement, if possible.) *If needed, attach additional sheets.*

Name: _____ Address: _____ Phone: _____

Name: _____ Address: _____ Phone: _____

Witness Statement(s): *(Summary of written statement)*

Name: _____ Date: _____

Statement: _____

Name: _____ Date: _____

Statement: _____

Law enforcement agency notified: (Yes / No) Explain: _____

Name of Investigating Officer: _____ Department: _____

Did TDCJ driver receive a citation? (Yes / No) Nature of violation: _____

Did the other driver receive a citation? (Yes / No) Nature of violation: _____

Date Supervisor Notified: _____ The foregoing statement(s) are true and correct to the best of my knowledge.

TDCJ Employee *(Print/Type Name)* Signature _____ Date _____

Driver's Supervisor Receiving Accident Form:

Supervisor/Department Head *(Print/Type Name)* Signature _____ Date _____

Recommendation to Warden or Department Head

1. On the basis of the foregoing report/investigation, was this vehicle accident reasonably preventable? _____

2. If yes, corrective action to be taken: _____

3. Other recommendation(s): _____

Accident Investigation Supervisor *(Print/Type Name)* Signature _____ Date _____

Please attach all available documentation relating to this accident.

Send information to: TDCJ-Office of the General Counsel, Attn: Claims Section, P.O. Box 13084 Capitol Station,
Austin, TX 78711-3084

Phone: 512-463-9899 Fax: 512-936-2159

Distribution: Fax Copy: OGC in Austin by the end of the day that the accident occurred
Mail Original: OGC in Austin within three working days of the day the accident occurred
Copy: Unit/Department/Section File
Copy: Huntsville Unit Mechanical Department, Light Duty Vehicles
Copy: Wynne Unit Mechanical Department, Heavy Duty Diesel Vehicles



TEXAS DEPARTMENT

OF

CRIMINAL JUSTICE

NUMBER: AD-14.55 (rev. 3)

DATE: April 20, 2005

PAGE: 1 of 4

SUPERSEDES: AD-14.55 (rev. 2)
October 5, 1999

ADMINISTRATIVE DIRECTIVE

SUBJECT: USE OF TDCJ FUEL CREDIT CARDS

AUTHORITY: Section 2155.385, Texas Government Code; Title 34, Part 1, Chapter 5, Subchapter E, Rule 5.57(a) (6), (a)(8)(A), (f), (g), (k), (m), and (n)

APPLICABILITY: Texas Department of Criminal Justice (TDCJ or Agency)

POLICY:

TDCJ employees shall act in accordance with TDCJ policy and State law in the use of State-issued fuel credit cards.

PROCEDURES:

I. Assignment/Administration of TDCJ Fuel Credit Cards

- A. TDCJ fuel credit cards shall be issued to specific vehicles according to property number. Other fuel credit cards with distinct prefix numbers shall also be available for purchases related to rental vehicles, small engines, and miscellaneous-type purchases. State-issued credit cards shall not be used for personal vehicles under any circumstances. It is the responsibility of the department head, supervisor, Warden or other designee to account for all fuel credit cards assigned to their location.
- B. TDCJ fuel credit cards shall remain with the assigned vehicle. Upon removal of a vehicle from service, the Mechanical Department of the TDCJ shall be notified in order to cancel the corresponding fuel credit card. The card must then be turned in to the Huntsville Unit Mechanical Department, which shall then forward the card to Accounting and Business Services.
- C. A point of contact (department head, supervisor, Warden or other designee) shall be designated to each area. The point of contact shall be accountable for TDCJ fuel cards assigned to their area and for reporting any problems relating to TDCJ fuel credit cards to Accounting and Business Services.

- D. Lost or stolen TDCJ fuel credit cards shall be reported immediately to the point of contact for a specific area. The following information shall be provided:
 - 1. Date the card was lost or stolen;
 - 2. Location where the card was lost, stolen, or last seen, if known;
 - 3. Date of last purchase; and
 - 4. Location (place) of last purchase.
- E. The point of contact for the location shall immediately report the card as lost or stolen to Accounting and Business Services along with the above information. Accounting and Business Services shall report the lost or stolen credit card to the issuer of the card according to the requirements of the issuer.
- F. For consistent safe keeping of the credit card, a key ring with a credit card holder may be obtained through the TDCJ Huntsville Unit Mechanical Department.
- G. All damaged TDCJ fuel credit cards must be returned to Accounting and Business Services.

II. Authorized Items/Services

Only authorized items or services shall be purchased using TDCJ fuel credit cards. State sales tax shall not be included on these type items/services. It is the employee's responsibility to advise the vendor of the Agency's exemption from State sales tax.

****All purchases shall be itemized as to the type of purchase****

- A. Authorized items include:
 - 1. Fuel
 - 2. Headlights
 - 3. Wiper Blades
 - 4. Oil
 - 5. Belts/Hoses
- B. Authorized services (minor emergency repairs) include the emergency replacement or repair of:
 - 1. Tires (one per incident)

2. Oil/Filter Change

3. Wiper Blades

4. Belts/Hoses

5. Freon

6. Headlights

* If emergency requires, additional tires can be purchased with an authorization code described below.

NOTE: These repairs shall only take place when a TDCJ repair facility is not within a reasonable distance. Any repairs in excess of \$200 must have an authorization code. The authorization code may be obtained via the following contacts:

1. Normal duty hours - Transportation Division Supervisory Purchaser - (936) 437-1386, (936) 437-1387, (936) 437-1388; or
2. After duty hours/weekends/holidays - Purchasing Hotline - (936) 438-2102; or
3. After duty hours/weekends/holidays - Pager Number – 1-800-451-0491, ID # 7280.

C. If offender labor is not available to wash a vehicle, the credit card may be used for a drive-through car wash when fuel is purchased. Employees shall exercise reasonable judgment when using the fuel credit card realizing that all unauthorized purchases shall be considered personal and require reimbursement from the employee.

D. Fuel and oil for small engines, compressors, pumps, and other similar equipment shall be authorized purchases on the Miscellaneous TDCJ fuel credit card (99995) until bulk fuel is made available on the unit.

III. Use of the TDCJ Fuel Credit Card

A. Self-service pumps and the lowest applicable fuel price available must be utilized at all fueling stations accepting TDCJ fuel credit cards.

B. Cash or a personal credit card may be used to pay for fuel if an accepted fuel vendor is not available. TDCJ employees may claim the expense on a Travel

Voucher. Receipts for purchases must be attached to the travel voucher for a reimbursement to be made and must legibly reflect the following:

1. State vehicle number (If not a State vehicle, a notation that the purchases were made for a rental or loaner vehicle.); and
 2. License plate number.
- C. All receipts for purchases made with the fuel credit cards must be kept at the unit/department level in accordance with the current Agency Records Retention Schedule for possible audit/review by Accounting and Business Services. Fuel products/services must be itemized and receipts for anything other than fuel must have a legible signature.
- D. Copies of receipts for emergency repairs (above) and preventive maintenance (i.e., change of oil and filters - air, oil, transmission) shall be submitted to the Huntsville Unit Mechanical Department with a Mechanical Work Order (Form RS142).

IV. Abuse of TDCJ Fuel Credit Card Privileges

- A. Violation of TDCJ or other State purchasing rules, policies, or procedures, or infringement of this directive's stipulations shall result in disciplinary action.
- B. Unauthorized purchases shall be considered personal and shall, therefore, require reimbursement by the employee.

Brad Livingston^{*}
Chief Financial Officer

^{*} Signature on File

BOARD OF PARDONS AND PAROLES VEHICLE DIRECTIVE**ACKNOWLEDGMENT STATEMENT**

As an authorized driver of a State vehicle or private vehicle on the State's behalf, I acknowledge that it is my responsibility to operate the vehicle in a safe manner and to drive defensively to prevent injuries and property damage; maintain a valid driver's license for the type of vehicle to be operated; keep the license(s) available at all times while driving; and comply with all applicable regulations.

I also acknowledge that the Board of Pardons and Paroles (Board) may periodically review my Driving Record to determine my continued eligibility to drive a state or private vehicle for the Board's business behalf. In accordance with the Fair Credit Reporting Act, I have been informed that a Motor Vehicle Record will be periodically obtained on me for continued driving purpose of state- owned, leased or personal vehicle for state business.

I also acknowledge that I have received and reviewed the Board's Vehicle Policy and the TDCJ Vehicle Policy. By my signature below, I hereby agree to abide by the procedures outlined in both policies.

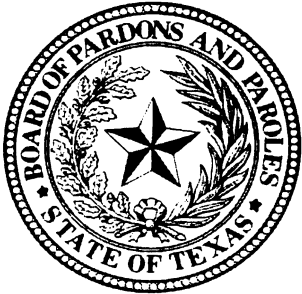
| | |
|-----------------------|-----------------------|
| Employee Name (Print) | Driver License Number |
|-----------------------|-----------------------|

| | |
|----------------------|------|
| Employee's Signature | Date |
|----------------------|------|

| | |
|-------------------------------|------|
| Vehicle Coordinator Signature | Date |
|-------------------------------|------|

Original – Vehicle Coordinator

Revised: 9/21/2015



TEXAS BOARD OF PARDONS AND PAROLES MONTHLY VEHICLE CHECKLIST

DATE: _____

VEHICLE #: _____

OFFICE VEHICLE IS ASSIGNED: _____

Mileage Next Oil Change is Due: _____ **MI.**
(every 5,000 mi.)

Check Oil Level _____

Check Battery _____
(Should be free of corrosion and make sure no wires are loose)

Check Wear of Tires _____

Visual and Audio Check _____
(Listen to and observe the vehicle while running, for issues such as exhaust leaks, rattles, vacuum leaks, belt and power steering squeals. Check the condition of windshield wipers. Also, be aware that any unusual odors may be an indication of mechanical problems)

Check all Exterior Lights _____
(Parking lights, brake lights, headlights, blinkers etc)

Vehicle Cleaned _____
(Interior and Exterior)

COMMENTS (Record any findings here)

Name of person who completed the form

Supervisor / Witness signature