



WINDHAM SCHOOL  
DISTRICT

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# OPERATING PROCEDURES

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**SUBJECT:** VEHICLE OPERATION

**AUTHORITY:** Tex. Educ. Code § 19.010; Superintendent Directive (SD)-07.22

Reference: Tex. Educ. Code § 19.004; Tex. Gov't Code §§ 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; Windham Board Policy (WBP)-3.02, "Windham School District Superintendent Responsibilities and Authority"; TDCJ Administrative Directive (AD)-02.50, "TDCJ Vehicle Policy"

**APPLICABILITY:** Windham School District (WSD)

## **POLICY:**

The WSD 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.

“Employee,” for the purpose of this policy, is a person who works under the authority of the WSD. This does not include volunteers, independent contractors, agents or employees of independent contractors, or persons who perform tasks over which the WSD 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.

“State Vehicle” is any WSD or Texas Department of Criminal Justice (TDCJ) 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 WSD.

## **PROCEDURES:**

### I. General Guidelines for Use of State Vehicles

- A. WSD employees are prohibited from carrying a firearm in a state vehicle.
- B. Employees operating a state vehicle shall, at all times, operate the vehicle only for official state business.
- C. Employees operating a state vehicle shall:
  - 1. Have, in their possession, a valid Texas driver license. The license shall be appropriate for the type of vehicle being operated with appropriate endorsements. The driver shall comply with licensing restrictions;
  - 2. Operate the vehicle in a safe manner consistent with traffic laws;
  - 3. Transport only employees conducting official state business. Non-employees shall require superintendent approval before being transported in WSD vehicles except in the event of an emergency;
  - 4. Be familiar with the vehicle controls and blind spots to ensure the highest standards of care and safety;
  - 5. 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;

6. Follow TDCJ policy regarding contraband, including Board Rule (BR)-151.25, "TDCJ Tobacco Policy" and Personnel Directive (PD)-17, "Drug-Free Workplace";
7. 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;
8. 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;
9. Fuel state vehicles at the TDCJ bulk fueling locations when possible;
10. Use TDCJ Voyager fuel credit card if a TDCJ bulk fueling location is not available. 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; and
11. Follow the Federal Motor Carrier Safety Regulations prescribed by the U.S. Department of Transportation when operating a commercial vehicle.

## II. 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. Departments that are located where offenders work shall maintain a log of these vehicles and the employees who have assigned keys in their possession.
- B. 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. The administration motor pool coordinator and regional offices 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.

## III. Vehicle Monthly Use

- A. The RS-025, Vehicle Monthly Use Report, shall be completed at the end of each trip or the end of each day by any employee who uses a state vehicle. The form is available in each state vehicle in the State of Texas Vehicle Use Booklet.

- B. The motor pool coordinator collects and sends the original signed monthly reports from regional offices and the administration motor pool to Huntsville Mechanical Department/Fleet Management 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.
- C. General guidelines for properly completing, retaining, and forwarding the RS-025 are available from the Fleet Department by calling 936-437-2061. The RS-025 is available through the Prison Store Warehouse and AD-02.50, Attachment A, on the TDCJ intranet in the Departmental Policy and Operations Manual.

#### IV. Vehicle Assignment and Fleet Management

- A. A WSD vehicle may be assigned to the superintendent. All other WSD vehicles shall be assigned to the administration or regional motor pool and are available for checkout.
- B. The chief financial officer (CFO) shall monitor vehicle activity to ensure optimum use, maintenance, and reporting. Vehicles identified as underused, poorly maintained, or delinquent on mileage reporting shall be identified for reassignment.
- C. Vehicles shall not be transferred between units, departments, or divisions without coordination with the CFO.
- D. 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.
- E. Vehicle purchases are initiated through the CFO.

#### V. Preventive Maintenance

Preventive maintenance is essential to minimize the breakdown of vehicles, maximize vehicle performance, and track vehicle cost. Each principal, regional administrator, or the motor pool coordinator is responsible for implementing a preventive maintenance program on vehicles assigned to them.

##### A. Operation of WSD Vehicles

1. 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 the WSD administration motor pool coordinator at (936)-291-5396 or the appropriate regional office.

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. TDCJ Headquarters Motor Pool – preventive maintenance only for passenger cars and light-duty trucks.
2. 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.
3. 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.

VI. Vehicle Accidents

- A. A RO-92, Tort Claim - Motor Vehicle Accident Form shall be completed each time a state vehicle or trailer is involved in an accident, regardless of how minor the damage. The form is available in each state vehicle in the State of Texas Vehicle Use Report and is completed by the employee at the time of the accident.
- 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. 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.

- D. Commercial drivers shall comply with the procedures relating to post-accident alcohol and drug testing included in TDCJ 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.
- E. The following accidents shall be reported to the Emergency Action Center at 936-437-6600:
1. Accidents involving injuries or fatalities;
  2. Accidents involving a privately-owned vehicle;
  3. Accidents with offenders in the vehicle; or
  4. Accidents resulting in substantial damage to vehicles or property, as determined by the warden or supervisor based on the monetary amount of damage.

NOTE: For additional reporting information see AD-02.15, "Operations of the Emergency Action Center and Reporting Procedures for Serious or Unusual Incidents."

- F. Any media questions shall be referred to the WSD partnerships and information resources specialist at 936-291-5307.
- G. 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. 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.
- H. Employees are also required to verbally report the occurrence and provide the RO-92 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."
- I. Supervisors shall complete the RO-92 and fax a copy to the WSD CFO before the end of the workday of the accident.
- J. The CFO shall report accidents 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. 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.

K. The immediate supervisor shall review the accident documentation and complete the Recommendation to Warden or Department Head section of the RO-92. If determination of employee error is established, a decision shall then be made by the 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.

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

1. Received at the Huntsville Unit Mechanical Department or the Wynne Unit Mechanical Department and
2. Reviewed and responded to by the OGC, unless only TDCJ vehicles and TDCJ property are involved and there are no injuries.

M. Claims Not Eligible for Representation by the Attorney General

The Office of the Attorney General does not provide employee representation for a claim or lawsuit that does not address the performance of an employee's official duties such as a traffic violation or an auto tort claim that occurs while on personal time, performing a personal errand during or outside of work hours, or during the commute to and from work. Refer to AD-11.02, "Attorney General Representation, Indemnification, and Limitation of Liability" for additional information.

## VII. 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.

## VIII. 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 motor pool.
- C. The regional administrator or WSD motor pool coordinator, 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 regional administrator or motor pool coordinator.
- E. Any media related questions shall be referred to the WSD partnerships and information resources specialist at 936-291-5307.

IX. WSD Motor Pool Operations

A motor pool is effective in conserving resources. In order for WSD 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.
- 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 WSD carpool employee passenger may assist in driving the vehicle.
- E. A supervisor, at pay level A-65 or above, may give an employee approval to take a vehicle to the individual's residence if the residence is in the direction of travel. Such vehicles are considered to be in travel status and shall be used for official WSD business only. Commercial vehicles and equipment shall not be taken to a personal residence.
- F. Motor pool vehicles shall be issued on a first-come, first-served basis.
- G. Motor pools and satellite motor pools are located as follows.
  - 1. WSD Motor Pool - Huntsville, Texas 936-291-5396
  - 2. TDCJ Headquarters Motor Pool (Administrative Headquarters Complex) – Huntsville, Texas 936-437-6330;
  - 3. Huntsville Satellite Motor Pool – Region I Office 936-437-1777;
  - 4. Beto Satellite Motor Pool – Region II Office 903-928-2623;
  - 5. Darrington Satellite Motor Pool – Region III Office 281-369-3736;



6. Chase Field Satellite Motor Pool – Beeville, Texas 361-362-6423;
7. Plainview Satellite Motor Pool – Region V Office 806-296-4500;
8. Shoal Creek Satellite Motor Pool – Austin, Texas 512-406-5306;
9. Region VI Satellite Motor Pool – Austin, Texas 512-671-2589; and
10. Hilltop Satellite Motor Pool – Gatesville, Texas 254-865-8901.

X. Use of Personal Vehicles

- A. 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.
- B. When there are no WSD vehicles available, WSD employees are notified before WSD reserves a TDCJ vehicle. Employees may opt out of the TDCJ vehicle; however, they will not be reimbursed for mileage in their personal vehicle if they refuse a TDCJ vehicle.

Signature on file  
Paul D. Brown, Director  
Division of Operations