

By the Committee on Governmental Reform and Oversight and
 Senator Williams

302-1657A-98

1 A bill to be entitled
 2 An act relating to vehicles used by state
 3 agencies; amending s. 20.055, F.S.; requiring a
 4 report from agency heads on employee use of
 5 state motor vehicles; amending s. 287.16, F.S.,
 6 relating to the powers of the Division of Motor
 7 Pool of the Department of Management Services;
 8 requiring a report on break-even mileage to be
 9 submitted biennially to agency inspectors
 10 general; amending s. 287.17, F.S.; providing
 11 definitions; providing criteria to be followed
 12 by an agency head in assigning a state-owned
 13 motor vehicle to an employee; providing an
 14 effective date.

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 16 Be It Enacted by the Legislature of the State of Florida:

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 18 Section 1. Subsection (9) is added to section 20.055,
 19 Florida Statutes, to read:

20 20.055 Agency inspectors general.--

21 (9) Each state agency's head shall, by December 31,
 22 2000, conduct a review of motor vehicle utilization with
 23 oversight from the agency's inspector general. This review
 24 shall consist of two parts. The first part of the review shall
 25 determine the number of miles that each assigned motor vehicle
 26 has been driven on official state business in the past fiscal
 27 year. Commuting mileage shall be excluded from calculating
 28 vehicle use. The purpose of this review is to determine
 29 whether employees with assigned motor vehicles are driving the
 30 vehicles a sufficient number of miles to warrant continued
 31 vehicle assignment. The second part of the review shall

1 identify employees who have driven personal vehicles
2 extensively on state business in the past fiscal year. The
3 purpose of this review is to determine whether it would be
4 cost-effective to provide state motor vehicles to such
5 employees. In making this determination, the inspector general
6 shall use the break-even mileage criteria developed by the
7 Department of Management Services. A copy of the review shall
8 be presented to the Office of Program Policy Analysis and
9 Government Accountability.

10 Section 2. Subsection (11) is added to section 287.16,
11 Florida Statutes, to read:

12 287.16 Powers and duties of division.--The Division of
13 Motor Pool shall have the following powers, duties, and
14 responsibilities:

15 (11) To calculate biennially the break-even mileage at
16 which it becomes cost-effective for the state to provide
17 assigned motor vehicles to employees. The division shall
18 provide the information to agency heads and agency inspectors
19 general to assist them in meeting the reporting requirements
20 of s. 20.055.

21 Section 3. Section 287.17, Florida Statutes, is
22 amended to read:

23 287.17 Limitation on use of motor vehicles and
24 aircraft.--

25 (1) The aircraft and motor vehicles owned, leased, or
26 operated by any state agency, as defined in s. 287.012, shall
27 be available for official state business only as authorized by
28 agency heads, as defined in s. 287.012.

29 (2) The following criteria shall be considered in
30 determining appropriate uses of motor vehicles and aircraft:

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1 (a) Whether the use of a motor vehicle or aircraft is
2 necessary to carry out state official or employee job
3 assignments.

4 (b) Whether the use of a motor vehicle or aircraft is
5 for transporting an employee, state official, or other person
6 authorized by the agency head for purposes of conducting
7 official state business or for purposes of performing services
8 for the state.

9 (c) Whether the Department of Law Enforcement has been
10 directed by the agency head to provide security or
11 transportation pursuant to s. 281.20.

12 (d) Whether an emergency exists requiring the use of a
13 motor vehicle or aircraft for the protection of life or
14 property.

15 (3) The term "official state business" may not be
16 construed to permit the use of a motor vehicle or aircraft for
17 ~~personal business or~~ commuting purposes, unless special
18 assignment of a motor vehicle is authorized as a perquisite by
19 the Department of Management Services, required by an employee
20 after normal duty hours to perform duties of the position to
21 which assigned, or authorized for an employee whose home is
22 the official base of operation.

23 (4) An agency head, as defined in s. 287.012, shall
24 comply with the following criteria for the special assignment
25 of motor vehicles:

26 (a) An agency head may assign a motor vehicle to a
27 state officer or employee only if the officer or employee is
28 projected to drive the motor vehicle a minimum of 10,000 miles
29 annually on official state business, unless an agency head
30 annually provides written justification for the need of the
31 assignment of a motor vehicle. Commuting mileage incidental to

1 use of the motor vehicle on official state business shall be
2 excluded from calculating the projected mileage. Priority in
3 assigning motor vehicles shall be given to those employees who
4 drive over 15,000 miles annually on state business.

5 (b) An agency head may assign motor vehicles to state
6 officers and employees who perform duties related to law
7 enforcement. However, the agency head shall not assign a
8 pursuit motor vehicle to an officer or employee whose job
9 duties do not routinely require performance of a patrol or law
10 enforcement function requiring a pursuit vehicle.

11 (5)(4) A person who is not otherwise authorized in
12 this section may accompany the Governor, the Lieutenant
13 Governor, a member of the Cabinet, the President of the
14 Senate, the Speaker of the House of Representatives, or the
15 Chief Justice of the Supreme Court when such official is
16 traveling on state aircraft for official state business and
17 the aircraft is traveling with seats available.

18 Transportation of a person accompanying any official specified
19 in this subsection shall be approved by the official, who
20 shall also guarantee payment of the transportation charges.
21 When the person accompanying such official is not traveling on
22 official state business as provided in this section, the
23 transportation charge shall be a prorated share of all fixed
24 and variable expenses related to the ownership, operation, and
25 use of such state aircraft. The spouse of any official
26 specified in this subsection may, without payment of
27 transportation charges, accompany the official when such
28 official is traveling for official state business and the
29 aircraft has seats available.

30 (6)(5) It is the intention of the Legislature that
31 persons traveling on state aircraft for purposes consistent

1 with, but not necessarily constituting, official state
2 business may travel only when accompanying persons who are
3 traveling on official state business and that such persons
4 shall pay the state for all costs associated with such travel.
5 A person traveling on state aircraft for purposes other than
6 official state business shall pay for any trip not exclusively
7 for state business by paying a prorated share of all fixed and
8 variable expenses related to the ownership, operation, and use
9 of such aircraft.

10 Section 4. This act shall take effect July 1, 1998.

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12 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
13 COMMITTEE SUBSTITUTE FOR
14 Senate Bill 822

15 The committee substitute removes language requiring the
16 department to establish and operate a centralized state
17 vehicle leasing program through which state agencies may lease
18 vehicles from the division.
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