



## **POLICY ON USING STATE VEHICLES TO COMMUTE**

### **I. PURPOSE**

- A.** The purpose of the New Mexico Department of Finance and Administration's State Vehicle Commute Policy ("Policy") is to set forth the conditions under which an Employee may use a state owned (or leased) vehicle to Commute between their home (domicile) and work location.

### **II. POLICY**

- A.** Agency Head may grant an Authorized Driver permission to Commute.
- B.** Agency Head may allow Employees to Commute if in the best interest of the DFA.
- C.** Agency Head may withdraw permission to Commute at any time.
- D.** Employees may voluntarily end authorization to Commute at any time by notifying the DFA Administrative Services Division ("ASD") Director in writing.
- E.** Carpooling in state vehicles assigned to an Employee to Commute shall be permitted with the prior written consent of the ASD Director or authorized designee.
- F.** Employees must always set a public example by obeying all traffic laws, driving safely and treating other motorists with the utmost courtesy.
- G.** Employees will not use state vehicles for personal use, unless for traveling between the Employee's assigned workstation and home.
- H.** Employees must ensure that the assigned state vehicle is safely parked, locked and otherwise secured at all times when not in use.



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**III. PROCEDURE:**

- A. **STEP ONE:** Become Authorized Driver;
- B. **STEP TWO:** ASD Written approval;
- C. **STEP THREE:** Agency Head approval; and
- D. **STEP FOUR:** Comply with reporting requirements in this Policy.

**IV. MONTHLY REPORTING**

- A. Commuters must provide the ASD Director the following information on a monthly basis:
  - 1. Number of miles driven by each state employee using a state vehicle to Commute; and
  - 2. Number of times during each month that an Employee authorized to Commute is called back to work when the Employee is off duty.

**V. TAX CONSEQUENCES**

- A. The Taxable value of \$3.00 per day is to be included in the Employee's gross income. This income is to be reported to the Department of Taxation and Revenue and IRS on a separate 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 (See IRS regulation 1.61-21).
- B. Commuters must submit a car log with the timesheets for the week to the DFA HR. The HR must input the taxable value reflected on the state motor vehicle log as a dollar amount into the payroll system under the earnings type "CAR".

**VI. REPORTING**



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- A. The ASD Deputy Director must submit an approved listing of all Commuters for the upcoming fiscal year to the state central fleet authority of the General Services Department Transportation Services Division sixty (60) days prior to the beginning of the fiscal year.
- B. The listing of Commuters needs to be approved in writing by the Agency Head and must include: (i) Employee's name; (ii) Employee's job title; (iii) Employee's Commute purpose; (iv) Employee's work location; (v) Employee's home of record; and (vi) Vehicle assigned to the Employee.
- C. If the Agency Head requests to utilize a state vehicle to Commute, then the Agency Head must acquire prior written approval from the Office of the Governor.
- D. If the DFA does not have any Commuters, then the DFA report must be submitted to the General Services Department Transportation Services Division stating that the DFA does not have any Commuters.

**VII. DEFINITIONS**

- A. **"Agency"** means any state department, bureau, division, branch, or political subdivisions of the state and any of their branches, agencies, departments, boards, instrumentalities or institutions bound by the New Mexico State Personnel Board Rules and Regulations.
- B. **"Agency Head"** means the DFA Cabinet Secretary.
- C. **"Authorized Driver"** means an Employee holding a valid New Mexico driver's license issued under the provisions of the New Mexico Motor Vehicle Code, and who has passed a National Safety Council sponsored Defensive Drivers course.
- D. **"Commuter"** means an Authorized Driver with Agency Head approval to Commute.
- E. **"Commute"** means using a state owned (or leased) motor vehicle to travel to and from the Employee's personal residence to the Employee's assigned



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workstation.

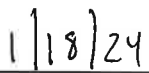
F. **“Disciplinary Action”** means any action taken by an Agency to influence change in an Employee’s performance or behavior to the expected standard, including Formal Disciplinary Action, Informal Disciplinary Action, and Progressive Disciplinary Action, including but not limited to, letters of reprimand, suspensions, demotions, and Dismissal. Disciplinary Action includes punitive action taken to change an Employee’s performance or behavior to follow the classification description.

G. **“Employee”** means (i) any person in a position in the classified service; (ii) an individual employed by the DFA, receives a wage from DFA, and whose work is under the direct control and supervision of the DFA; (iii) term, probationary, temporary, permanent, and exempt positions; or (iv) an applicant for employment within the DFA. “Employee” does not include independent contractors who perform work for New Mexico.

VIII. **VIOLATIONS.** Failure to observe these rules may result in revocation of privileges to Commute and Disciplinary Action.

IX. **REVIEW AND APPROVAL.** This Policy is effective upon the signature of the DFA Cabinet Secretary, below.

  
Wayne Propst, Cabinet Secretary

  
Date