Motor Vehicle Management Act

Code 1976 § 1-11-220
Division of General Services, Program of Fleet Management; Fleet Management Program.

Effective: July 1, 2015

There is hereby established within the Department of Administration, Division of General Services, Program of Fleet Management headed by the "State Fleet Manager", appointed by and reporting directly to the department. The department shall develop a comprehensive State Fleet Management Program. The program shall address acquisition, assignment, identification, replacement, disposal, maintenance, and operation of motor vehicles.

The department shall, through its policies and regulations, seek to:

a. achieve maximum cost-effectiveness management of state-owned motor vehicles in support of the established missions and objectives of the agencies, boards, and commissions;
b. eliminate unofficial and unauthorized use of state vehicles;
c. minimize individual assignment of state vehicles;
d. eliminate the reimbursable use of personal vehicles for accomplishment of official travel when this use is more costly than use of state vehicles;
e. acquire motor vehicles offering optimum energy efficiency for the tasks to be performed;
f. insure motor vehicles are operated in a safe manner in accordance with a statewide Fleet Safety Program; and
g. improve environmental quality in this State by decreasing the discharge of pollutants.

HISTORY: 1978 Act No. 644 Part II § 24(A); 1982 Act No. 429, § 1; 2008 Act No. 203, § 1, eff upon approval (became law without the Governor's signature on April 17, 2008); 2014 Act No. 121 (S.22), Pt V, § 7.E.1, eff July 1, 2015.

Code 1976 § 1-11-225
Cost allocation plan to recover cost of operating Fleet Management Program.

Effective: July 1, 2015

The Department of Administration shall establish a cost allocation plan to recover the cost of operating the comprehensive statewide Fleet Management Program. The division shall collect, retain, and carry forward funds to ensure continuous administration of the program.

HISTORY: 2002 Act No. 356, § 1, Pt IX.A; 2014 Act No. 121 (S.22), Pt V, § 7.E.2, eff July 1, 2015.

Code 1976 § 1-11-250
Division of General Services, Program of Fleet Management; definitions.

Effective: July 1, 2015

For purposes of Sections 1-11-220 to 1-11-330:

a. "State agency" means all officers, departments, boards, commissions, institutions, universities, colleges, and all persons and administrative units of state government that operate motor vehicles purchased, leased, or otherwise held with the use of state funds, pursuant to an appropriation, grant or encumbrance of state funds, or operated pursuant to authority granted by the State.
b. "Department" means the South Carolina Department of Administration.

HISTORY: 1978 Act No. 644, Part II, § 24(D); 2002 Act No. 311, § 2; 2014 Act No. 121 (S.22), Pt V, § 7.E.3, eff July 1, 2015.

Code 1976 § 1-11-260
Division of General Services, Program of Fleet Management; annual reports; policies, procedures and regulations.

Effective: July 1, 2015

A. The Fleet Manager shall report annually to the General Assembly concerning the performance of each state agency in achieving the objectives enumerated in Sections 1-11-220 through 1-11-330 and include in the report a summary of the program's efforts in aiding and assisting the various state agencies in developing and maintaining their management practices in accordance with the comprehensive statewide Fleet Management Program. This report also shall contain recommended changes in the law and regulations necessary to achieve these objectives.
B. The department, after consultation with state agency heads, shall promulgate and enforce state policies, procedures, and regulations to achieve the goals of Sections 1-11-220 through 1-11-330 and shall recommend administrative penalties to be used by the agencies for violation of prescribed procedures and regulations relating to the Fleet Management Program.

HISTORY: 1978 Act No. 644 Part II § 24(E); 1982 Act No. 429, § 3; 2002 Act No. 311, § 3; 2014 Act No. 121 (S.22), Pt V, § 7.E.3, eff July 1, 2015.

Code 1976 § 1-11-270
Division of General Services, Program of Fleet Management; establishment of criteria for individual assignment of motor vehicles.

Effective July 1, 2015

A. The department shall establish criteria for individual assignment of motor vehicles based on the functional requirements of the job, which shall reduce the assignment to situations clearly beneficial to the State. Only the Governor, statewide elected officials, and agency heads are provided a state-owned vehicle based on their position.
B. Law enforcement officers, as defined by the agency head, may be permanently assigned state-owned vehicles by their respective agency head. Agency heads may assign a state-owned vehicle to an employee when the vehicle carries or is equipped with special equipment needed to perform duties directly related to the employee's job, and the employee is either in an emergency response capacity after normal working hours or for logistical reasons it is determined to be in the agency's interest for the vehicle to remain with the employee. No other employee may be permanently assigned to a state-owned vehicle, unless the assignment is cost advantageous to the State under guidelines developed by the State Fleet Manager. Statewide elected officials, law enforcement officers, and those employees who have been assigned vehicles because they are in an emergency response capacity after normal working hours are exempt from reimbursing the State for commuting miles. Other employees operating a permanently assigned vehicle must reimburse the State for commuting between home and work.
C. All persons, except the Governor and statewide elected officials, permanently assigned with automobiles shall log all trips on a log form approved by the Department, specifying beginning and ending mileage and job function performed. However, trip logs must not be maintained for vehicles whose gross vehicle weight is greater than ten thousand pounds nor for vehicles assigned to full-time line law enforcement officers. Agency directors and commissioners permanently assigned state vehicles may utilize exceptions on a report denoting only official and commuting mileage in lieu of the aforementioned trip logs.

HISTORY: 1978 Act No. 644, Part II, § 24(F); 1982 Act No. 429, § 4; 1995 Act No. 145, Part II, § 18; 2014 Act No. 121 (S.22), Pt V, § 7.E.3, eff July 1, 2015.

Code 1976 § 1-11-280
Division of General Services, Program of Fleet Management; interagency motor pools.

Effective: July 1, 2015

The department shall develop a system of agency-managed and interagency motor pools which are, to the maximum extent possible, cost beneficial to the State. All motor pools shall operate according to regulations promulgated by the department. Vehicles shall be placed in motor pools rather than being individually assigned except as specifically authorized by the department in accordance with criteria established by the department. Agencies utilizing motor pool vehicles shall utilize trip log forms approved by the department for each trip, specifying beginning and ending mileage and the job function performed.

The provisions of this section shall not apply to school buses and service vehicles.

HISTORY: 1978 Act No. 644, Part II, § 24(G); 1982 Act No. 429, § 5; 2014 Act No. 121 (S.22), Pt V, § 7.E.3, eff July 1, 2015.

Code 1976 § 1-11-290
Division of General Services, Program of Fleet Management; plan for maximally cost-effective vehicle maintenance.

Effective: July 1, 2015

The department in consultation with the agencies operating maintenance facilities shall study the cost-effectiveness of such facilities versus commercial alternatives and shall develop a plan for maximally cost-effective vehicle maintenance. The department shall promulgate rules and regulations governing vehicle maintenance to effectuate the plan.

The State Vehicle Maintenance program shall include:

a. central purchasing of supplies and parts;
b. an effective inventory control system;
c. a uniform work order and record-keeping system assigning actual maintenance cost to each vehicle; and
d. preventive maintenance programs for all types of vehicles.

All motor fuels shall be purchased from state facilities except in cases where such purchase is impossible or not cost beneficial to the State.

All fuels, lubricants, parts, and maintenance costs including those purchased from commercial vendors shall be charged to a state credit card bearing the license plate number of the vehicle serviced and the bill shall include the mileage on the odometer of the vehicle at the time of service.

HISTORY: 1978 Act No. 644, Part II, § 24(H); 2014 Act No. 121 (S.22), Pt V, § 7.E.3, eff July 1, 2015.

Code 1976 § 1-11-300
Agencies to develop and implement uniform cost accounting and reporting system; purchase of motor vehicle equipment and supplies; use of credit cards; determination of vehicle cost per mile.

Effective: July 1, 2015

In accordance with criteria established by the department, each agency shall develop and implement a uniform cost accounting and reporting system to ascertain the cost per mile of each motor vehicle used by the State under their control. Agencies presently operating under existing systems may continue to do so provided that departmental approval is required and that the existing systems are uniform with the criteria established by the department. All expenditures on a vehicle for gasoline and oil shall be purchased in one of the following ways:

1. from state-owned facilities and paid for by the use of Universal State Credit Cards except where agencies purchase these products in bulk;
2. from any fuel outlet where gasoline and oil are sold regardless of whether the outlet accepts a credit or charge card when the purchase is necessary or in the best interest of the State; and
3. from a fuel outlet where gasoline and oil are sold when that outlet agrees to accept the Universal State Credit Card.

These provisions regarding purchase of gasoline and oil and usability of the state credit card also apply to alternative transportation fuels where available. The department shall adjust the budgetary appropriation for "Operating Expenses--Lease Fleet" to reflect the dollar savings realized by these provisions and transfer such amount to other areas of the State Fleet Management Program. The department shall promulgate regulations regarding the purchase of motor vehicle equipment and supplies to ensure that agencies within a reasonable distance are not duplicating maintenance services or purchasing equipment that is not in the best interest of the State. The department shall develop a uniform method to be used by the agencies to determine the cost per mile for each vehicle operated by the State.

HISTORY: 1978 Act No. 644, Part II § 24(I); 1982 Act No. 429, § 6; 1998 Act No. 419, Part II, § 30; 2014 Act No. 121 (S.22), Pt V, § 7.E.3, eff July 1, 2015.

Code 1976 § 1-11-310
Division of General Services, Program of Fleet Management; acquisition and disposition of vehicles; titles.

Effective: July 1, 2015

A. The Department of Administration shall purchase, acquire, transfer, replace, and dispose of all motor vehicles on the basis of maximum cost-effectiveness and lowest anticipated total life cycle costs.
B. The standard state fleet sedan or station wagon must be no larger than a compact model and the special state fleet sedan or station wagon must be no larger than an intermediate model. The State Fleet Manager shall determine the types of vehicles which fit into these classes. Only these classes of sedans and station wagons may be purchased by the State for non-law enforcement use.
C. The State shall purchase police sedans only for the use of law enforcement officers, as defined by the Internal Revenue Code. Purchase of a vehicle under this subsection must be concurred in by the State Fleet Manager and must be in accordance with regulations promulgated or procedures adopted under Sections 1-11-220 through 1-11-340 which must take into consideration the agency's mission, the intended use of the vehicle, and the officer's duties. Law enforcement agency vehicles used by employees whose job functions do not meet the Internal Revenue Service definition of "Law Enforcement Officer" must be standard or special state fleet sedans.
D. All state motor vehicles must be titled to the State and must be received by and remain in the possession of the Program of Fleet Management pending sale or disposal of the vehicle.
E. Titles to school buses and service vehicles operated by the State Department of Education and vehicles operated by the South Carolina Department of Transportation must be retained by those agencies.

F. Exceptions to requirements in subsections (B) and (C) must be approved by the State Fleet Manager. Requirements in subsection (B) do not apply to the Department of Commerce.
G. Preference in purchasing state motor vehicles must be given to vehicles assembled in the United States with at least seventy-five percent domestic content as determined by the appropriate federal agency.
H. Preference in purchasing state motor vehicles must be given to hybrid, plug-in hybrid, biodiesel, hydrogen, fuel cell, or flex-fuel vehicles when the performance, quality, and anticipated life cycle costs are comparable to other available motor vehicles.

HISTORY: 1978 Act No. 644, Part II, § 24(J); 1992 Act No. 449, Part V, § 2, eff July 1, 1992; 1996 Act No. 459, § 2; 2008 Act No. 203, § 2, eff upon approval (became law without the Governor's signature on April 17, 2008); 2014 Act No. 121 (S.22), Pt V, § 7.E.3, eff July 1, 2015.

Code 1976 § 1-11-315
Feasibility of using alternative transportation fuels for state fleet.

Effective: July 1, 2015

The Department of Administration, Division of General Services, Program of Fleet Management, shall determine the extent to which the state vehicle fleet can be configured to operate on alternative transportation fuels. This determination must be based on a thorough evaluation of each alternative fuel and the feasibility of using such fuels to power state vehicles. The state fleet must be configured in a manner that will serve as a model for other corporate and government fleets in the use of alternative transportation fuel. By March 1, 1993, the Program of Fleet Management must submit a plan to the General Assembly for the use of alternative transportation fuels for the state vehicle fleet that will enable the state vehicle fleet to serve as a model for corporate and other government fleets in the use of alternative transportation fuel. This plan must contain a cost/benefit analysis of the proposed changes.

HISTORY: 1992 Act No. 449, Pt. V, § 17; 2014 Act No. 121 (S.22), Pt V, § 7.E.3, eff July 1, 2015.

Code 1976 § 1-11-320
Division of General Services, Program of Fleet Management; plates and other identification requirements; exemptions.

Effective: July 1, 2015

The department shall ensure that all state-owned motor vehicles are identified as such through the use of permanent state government license plates and either state or agency seal decals. No vehicles shall be exempt from the requirements for identification except those exempted by the department.

This section shall not apply to vehicles supplied to law enforcement officers when, in the opinion of the department after consulting with the Chief of the State Law Enforcement Division, those officers are actually involved in undercover law enforcement work to the extent that the actual investigation of criminal cases or the investigators' physical well-being would be jeopardized if they were identified. The department is authorized to exempt vehicles carrying human service agency clients in those instances in which the privacy of the client would clearly and necessarily be impaired.

HISTORY: 1978 Act No. 644, Part II, § 24(K); 1982 Act No. 429, § 7; 2014 Act No. 121 (S.22), Pt V, § 7.E.3, eff July 1, 2015.

Code 1976 § 1-11-335
Department of Administration may provide to and receive from other governmental entities goods and services.

Effective: July 1, 2015

The respective divisions of the Department of Administration are authorized to provide to and receive from other governmental entities, including other divisions and state and local agencies and departments, goods and services, as will in its opinion promote efficient and economical operations. The divisions may charge and pay the entities for the goods and services, the revenue from which shall be deposited in the state treasury in a special account and expended only for the costs of providing the goods and services, and such funds may be retained and expended for the same purposes.

HISTORY: 1995 Act No. 145, Part II, § 6; 2014 Act No. 121 (S.22), Pt V, § 7.E.3, eff July 1, 2015.