

ILLINOIS WORKERS' COMPENSATION COMMISSION – VEHICLE USE PROCEDURES

PURPOSE

This Vehicle Guide establishes the Illinois Workers' Compensation Commission ("IWCC") policy and procedures governing the use of IWCC vehicles assigned to IWCC insurance compliance investigators and other IWCC personnel.

POLICY

This vehicle guide applies to all IWCC employees assigned IWCC vehicles. Only employees authorized by the Chairman or his designee are allowed to operate IWCC vehicles. The IWCC vehicles were purchased for use primarily by the Insurance Compliance Division. If a vehicle is not assigned to an employee in the Insurance Compliance Division on a particular day, it may be made available to other employees at the IWCC as authorized by the Chairman or his designee. If a conflict occurs over vehicle usage or availability Insurance Compliance Division staff are given priority to complete their assignments.

Each employee who is assigned an IWCC vehicle must submit a written acknowledgement to the Vehicle Coordinator that he or she has received a copy of this vehicle guide, has read the contents, and agrees to be bound by its provisions.

It is the policy of the IWCC to assign vehicles in a manner which most effectively contributes to the efficient accomplishment of the mission IWCC Insurance Compliance Division. The mission of the Insurance Compliance Division is to ensure that employers comply with the insurance coverage requirements of the Workers' Compensation Act in order to assure the financial protection to injured workers and their dependents and a fair marketplace for business.

The IWCC requires that state vehicles are utilized in compliance with law, and as authorized by this guide and only when employees are engaged in the performance of their official assigned duties.

Please contact the Agency Vehicle Coordinator at 312-814-6541 regarding any questions about this Vehicle Policy.

VEHICLE USE PROCEDURES

a) Applicable Procedures

All IWCC employees using a vehicle shall follow the rules of the Department of Central Management Services (“CMS”) set forth at 44 Ill. Adm. Code 5040 and the procedures of the IWCC set forth below.

b) IWCC Procedures

1) Vehicle Assignments

A) All requests for vehicle assignments must be made in writing to the Insurance Compliance Manager and set forth the reasons for the need for an IWCC vehicle assignment. Upon assignment of a vehicle, the employee will complete an Investigations Bureau Automobile Change/Exchange form and forward it to the Vehicle Coordinator.

B) Individual Vehicle Assignments

i) It is the policy of the IWCC not to make individual vehicle assignments, also known as “take-home vehicles.”

ii) However, individual vehicle assignments may be authorized in writing by the Chairman or his designee if the individual vehicle assignment meets the requirements of 44 Ill. Adm. Code 5040.340.

C) Each employee assigned an IWCC vehicle shall sign and submit a “Rules for Driving a Safe Vehicle” form to the Vehicle Coordinator before operating the vehicle. An employee who uses an IWCC vehicle more than 5 times a year or who is individually assigned to an IWCC vehicle shall sign and submit the “Rules for Driving a Safe Vehicle” form to the Vehicle Coordinator annually.

D) Assigned vehicles shall not be transferred to another employee under any circumstances without prior approval of the Vehicle Coordinator.

E) Failure to comply with any of the requirements of Section (b)(1) of these Vehicle Use Procedures shall result in discipline, specifically a 5 day suspension without pay for the 1st violation and a 10 day suspension for the 2nd violation. Further violations shall result in additional discipline up to and including discharge.

2) Driver's License and Insurance Requirements

- A) Employees who operate state owned or leased vehicles in the course of their employment are covered under the State of Illinois Self-Insured Motor Vehicle Liability Plan. There is no coverage provided to state employees if they operate a state owned vehicle out of the course of their employment. The auto liability rules of CMS set forth the conditions and procedures under which an employee's insurance coverage under the State's Self Insured Motor Vehicle Liability Plan may be revoked (80 Ill. Adm. Code 3100).
- B) In order to be assigned an IWCC vehicle, the employee shall submit proof of a valid Illinois driver's license appropriate for the vehicle driven and current automobile insurance required by Section 5/7-601 of the Illinois Vehicle Code (625 ILCS 5/7-601) to the Vehicle Coordinator.
- C) Each employee assigned an individual IWCC vehicle pursuant to Section (b)(2)(B) of these Vehicle Use Procedures shall submit the certification required by 625 ILCS 5/7-601 to the Chairman annually.
- D) The employee's authorization to use the assigned vehicle shall automatically be rescinded upon the revocation or suspension of the license required to drive the assigned vehicle or the cancellation of the automobile coverage required by Section 5/7-601. Failure to immediately report any of the foregoing actions to the Chairman or his designee shall result in discharge.
- E) Each employee assigned an IWCC vehicle shall immediately report any misdemeanor or felony related traffic offenses to the Insurance Compliance Manager. Failure to report the offenses shall result in discharge.
- F) Each employee assigned an IWCC vehicle shall, within 5 days of receipt, submit to the Insurance Compliance Manager copies of any moving, parking, tollway or equipment violation citations received by the employee while operating the IWCC vehicle.
 - i) The employee is responsible for the timely payment of any fines and penalties levied.

- ii) Failure to pay fines and penalties will cause the rescission of the employee's authorization to use the vehicle and the deduction of the amount of the fines and penalties from the employee's paycheck.
 - iii) In addition, failure of the employee to pay or timely pay timely fines and penalties shall result in discipline, specifically a 5 day suspension without pay for the 1st violation and a 10 day suspension for the 2nd violation. Further violations will result in additional discipline up to and including discharge.
- 3) Authorized and Unauthorized Use the IWCC Vehicle
 - A) Each employee assigned an IWCC vehicle shall use the vehicle in an authorized manner. Authorized use of the vehicle includes, but is not limited to, the uses set forth in Section 5040.350(a) of the CMS procedures and any use specifically authorized by the Chairman or his designee.
 - B) Employees are strictly prohibited from using an IWCC vehicle in an unauthorized manner. Unauthorized use of the vehicle includes, but is not limited to, the prohibited uses set forth in 44 Ill. Adm. Code 5040.350(b) or any other use specifically prohibited by the Chairman or his designee.
 - C) Employees are authorized to make a lunch stop between two business trips but are prohibited from deviating more than 5 miles from the shortest route to the 2nd business trip.
 - D) An employee assigned an IWCC vehicle shall not take the vehicle out Illinois without prior authorization from the Insurance Compliance Manager or Vehicle Coordinator.
 - E) The failure of an employee to comply with any of the requirements of Section 3 of these Vehicle Use Procedures shall result in discipline, specifically 10 day suspension without pay for the 1st violation, a 20 day suspension without pay for the 2nd violation, and discharge for the 3rd violation, with the exception that the 1st violation for transporting of hazardous or dangerous materials as outlined in 44 Ill. Adm. Code 5040.350 (b) (5) will result in discharge.
- 4) Safe Operation of IWCC Vehicles
 - A) Each employee assigned an IWCC vehicle shall maintain the vehicle in a safe operating condition and exercise reasonable diligence in the proper care, use, and operation of the vehicle. Employees shall:

- i) drive safely; obey all traffic laws; practice road courtesy; properly utilize seat belts/shoulder harnesses provided and carefully secure any cargo;
 - ii) report any emergency to his or her manager and the Vehicle Coordinator immediately but no later than 24 hours after the emergency occurs; and
 - iii) ensure that his or her assigned IWCC vehicle displays an "OFFICIAL BUSINESS/IWCC INSURANCE COMPLIANCE DIVISION" sign on the right side of the dashboard.
 - iv) Failure to comply with the requirements set forth in subsections (i) through (iii) of these Vehicle Use Procedures shall result in a 2 day suspension without pay for the 1st violation and a 5 day suspension without pay for the 2nd violation. Further violations will result in additional discipline up to and including discharge.
- B) Employees are strictly prohibited from consuming or possessing alcohol and illegal drugs while operating a vehicle. Failure to comply with this provision shall result in discharge.
- C) In addition to the safe operation of the IWCC vehicle, employees should take the following precautions:
- i) properly secure vehicle, keys and vehicle credit card at all times;
 - ii) park in well-lighted areas, be aware of surroundings, lock doors;
 - iii) store state-owned supplies and equipment in an inconspicuous and secure area of the vehicle;
 - iv) have keys in hand when approaching a vehicle;
 - v) avoid stopping in isolated places;
 - vi) plan route in advance using map quest;
 - vii) leave detailed itinerary with office or family;
 - viii) use maps with clearly marked routes;
 - ix) travel on main roads;
 - x) if suspiciously bumped from behind, remain in the car and motion the other driver to follow you to a police station;
 - xi) store vehicles on state property within a secure area, if possible;

- 5) IPASS Transponders
 - A) Each IWCC Vehicle is equipped with an IPASS transponder purchased by the IWCC. IPASS transponders are unique for each vehicle.
 - B) Transfer of the IPASS transponder to another vehicle or use of the transponder for anything other than official IWCC business is strictly prohibited. Failure to comply with this provision shall result in discharge and may also result in criminal prosecution of Theft of State Property.
- 6) Maintenance, Fuel, and Repairs
 - A) Minimum maintenance for each IWCC vehicle will be the responsibility of the Vehicle Coordinator (unless the vehicle is individually assigned, then it is the responsibility of the employee assigned to that vehicle) pursuant to the schedule printed in the vehicle owner's manual published by the respective manufacturer. All IWCC vehicles will have the oil and filter changed and will be lubricated according to the manufacturer's specifications.
 - B) Each employee assigned an IWCC vehicle shall be responsible for maintaining the appearance of both the interior and exterior of their assigned State vehicles. Equipment alterations or equipment additions (i.e., mars light, antenna or symbol) are prohibited unless approved in writing by the Chairman.
 - C) Vehicle repairs, maintenance and equipment installation must be performed by approved contracted state vendors after authorization is received from the Vehicle Coordinator. Payment can be processed as follows:
 - i) employee may contact the nearest state garage the next business day and obtain a purchase order for the repair; or
 - ii) employee may charge services to the state credit card; or
 - iii) employee may pay for repairs and submit the bill to the Vehicle Coordinator on a travel voucher form for reimbursement as agency travel expense
 - D) Employees may make purchases from a private vendor subject to the following limitations:
 - i) fuel, oil, oil changes/lubrications and tire repair are not to exceed \$75 per day unless approved by the Vehicle Coordinator;

- ii) minor emergency mechanical repairs are not to exceed \$50 and towing is not to exceed \$100 unless prior approval is obtained from the Vehicle Coordinator; the employee shall notify the Vehicle Coordinator of the repairs up to \$50 and towing up to \$100 within 5 business days; and
 - iii) an employee who needs assistance obtaining a vendor to perform emergency repairs or towing during non-business should call the number on the back of the state credit card (1-800-492-0669).
 - E) Each employee shall verify that a service station accepts the state credit card before pumping fuel. Gasohol or E85 must be purchased, whenever possible. The employee shall record the current mileage and if applicable, hour reading on the fuel receipt in either the designated area or any available area.
 - F) Employees must report all gasoline and routine maintenance purchases, and provide copies of receipts, to the Vehicle Coordinator by the 4th day of every month on a form provided by the IWCC.
 - G) Failure to comply with the requirements of Section (b)(5) of these Vehicle Use Procedures shall result in discipline, specifically a 5 day suspension for a 1st violation and a 10 day suspension without pay for 2nd violation. Further violations will result in additional discipline, up to and including discharge.
- 7) Inspection
- A) The Vehicle Coordinator, or his or her designee, shall inspect vehicles in Cook County. The Chairman shall designate an employee to inspect vehicles downstate.
 - i)) The inspection shall be conducted by the first Friday of each month.
 - ii) The results of the inspection shall be recorded on an Investigations Bureau "Monthly Vehicle Inspection Report."
 - iii) The Vehicle Coordinator will determine if the vehicle is not being properly maintained.
 - B) Each employee assigned an IWCC vehicle shall inspect the interior and exterior of the vehicle and shall submit a vehicle inspection report to the Vehicle Coordinator prior to operating the vehicle. Employees who are assigned a personally assigned vehicle shall submit the report monthly to the Vehicle Coordinator. The report shall document any damage to the vehicle as well as any neglect of proper care or maintenance.

- C) Upon completion of the State business trip, each employee shall return the vehicle to the original location, report the return of the vehicle to the Vehicle Coordinator and submit a return form documenting any suspected or experienced trouble or difficulty with the vehicle.
 - D) Failure to comply with any of the provisions of Section 7 of these Vehicle Use Procedures, including the failure to document damage or neglect will result in discipline, specifically a 2 day suspension without pay for the 1st violation and a 5 day suspension without pay for a 2nd violation. Additional violations will result in loss of IWCC vehicle privileges and further discipline up to and including discharge.
- 8) Credit Cards
- A) A DCMS fleet card is assigned to each vehicle for fuel purchases and repairs at DCMS garage and fueling sites. A vendor fleet card is assigned to each vehicle for outside purchases. Employees are to follow the CMS procedures set forth in 44 Ill. Adm. Code 5040.540.
 - B) In addition, the failure of an employee to report lost, stolen or damaged fleet cards to the Vehicle Coordinator in accordance with the provisions of 44 Ill. Adm. Code 5040.540(g) shall result in discipline including a 5 day suspension without pay for the 1st violation and a 10 day suspension without pay for the second violation. Further violations shall result in additional discipline up to and including discharge.
 - C) The use of a DCMS fleet card or vendor fleet card to purchase unauthorized items is strictly prohibited. Failure to comply with this provision will result in discharge and may result in criminal prosecution. If an employee believes an emergency situation exists which necessitates the use of the credit card for personal items, the employee shall notify the Vehicle Coordinator immediately for permission. If permission to use the credit card for personal items is granted by the Vehicle Coordinator, the employee shall promptly reimburse the agency for the amount charged.
- 9) Daily Vehicle Use Logs and Mileage Recording
- A) Each IWCC vehicle shall contain a global positioning system (GPS) device. The device provides vehicle performance measurements, mileage, vehicle use, and real time tracking of vehicle location.

- B) Damaging or disabling the GPS device is strictly prohibited and will result in discharge.
- 10) Accident Reporting
- A) Employees who are involved in an accident while operating an IWCC vehicle should:
 - i) stop immediately and call 911 for medical assistance if there are injuries (do not assist with injured persons beyond calling for professional medical assistance);
 - ii) immediately notify the appropriate law enforcement agency;
 - iii) immediately notify the Vehicle Coordinator or Insurance Compliance Manager.
 - iv) obtain the names, addresses, and telephone numbers of any witnesses and driver insurance information.
 - v) make no verbal comment or written statement regarding the accident or liability to anyone other than law enforcement officers handling the accident.
 - vi) cooperate with any law enforcement investigation of the accident
 - B) Employees shall follow the CMS procedures set forth in 44 Ill. Adm. Code 5040.520.
 - C) The employee shall submit the following to the Vehicle Coordinator no later than 3 days following the accident:
 - i) a completed accident report form SR-1 in accordance with 44 Ill. Adm. Code 5040.520.
 - ii) a copy of the police report and any citations received, names and addresses of any passengers and witnesses and their written statements regarding the accident, photographs of any damage to the vehicle and a repair estimate from an approved state vendor body shop.
 - iii) if the employee is unable to complete the form due to death or disability, the employee's supervisor should complete the SR -1 form and provide the information regarding the accident.
 - D) The Vehicle Coordinator shall file the completed SR-1 and Auto Liability Uniform Cover Letter with CMS in

accordance with 44 Ill. Adm. Code 5040.520 within 7 days of the accident.

- E) The Vehicle Coordinator serves as a liaison between CMS Risk Management Division, Auto Liability Unit and employees. Each employee involved in an accident shall cooperate with the Vehicle Coordinator and timely provide any information requested.
- F) An employee who fails to comply with any of the requirements of Section (b)(9) of these Vehicle Use Procedures shall be suspended for 10 days without pay for the 1st violation, 20 days without pay for the 2nd violation and discharge for the 3rd violation.