

- 1 e. To keep in repair, out of funds appropriated for that purpose, the
2 furniture of the halls of the Senate and House of Representatives
3 and the rooms of the Capitol used by the officers, clerks, and
4 other employees of the General Assembly.
- 5 f. Struck out by Session Laws 1959, c. 68, s. 3.
- 6 g. To establish and operate a central mailing system for all State
7 agencies, and in connection therewith and in the discretion of the
8 Secretary, to make application for and procure a post-office
9 substation for that purpose, and to do all things necessary in
10 connection with the maintenance of the central mailing system.
11 The Secretary may allocate and charge against the respective
12 departments and agencies their proportionate parts of the cost of
13 the maintenance of the central mailing system.
- 14 h. To provide necessary and adequate messenger service for the
15 State agencies served by the Department. However, this may not
16 be construed as preventing the employment and control of
17 messengers by any State agency when those messengers are
18 compensated out of the funds of the employing agency.
- 19 i. To establish and operate a central motor pool and such subsidiary
20 related facilities as the Secretary may deem necessary, and to that
21 end:
- 22 1. To establish and operate central facilities for the
23 maintenance, repair, and storage of state-owned passenger
24 motor vehicles for the use of State agencies; to utilize any
25 available State facilities for that purpose; and to establish
26 such subsidiary facilities as the Secretary may deem
27 necessary.
- 28 2. To acquire passenger motor vehicles by transfer from
29 other State agencies and by purchase. All motor vehicles
30 transferred to or purchased by the Department shall
31 become part of a central motor pool.
- 32 3. To require on a schedule determined by the Department
33 all State agencies to transfer ownership, custody or control
34 of any or all passenger motor vehicles within the
35 ownership, custody or control of that agency to the
36 Department, except those motor vehicles under the
37 ownership, custody or control of the Highway Patrol or
38 the State Bureau of Investigation which are used primarily
39 for law-enforcement purposes, and except those motor
40 vehicles under the ownership, custody or control of the
41 Department of Crime Control and Public Safety for
42 Butner Public Safety which are used primarily for law-
43 enforcement, fire, or emergency purposes.

- 1 4. To maintain, store, repair, dispose of, and replace state-
2 owned motor vehicles under the control of the
3 Department. The Department shall ensure that state-
4 owned vehicles are not normally replaced until they have
5 been driven for 90,000 miles or more.
- 6 5. Upon proper requisition, proper showing of need for use
7 on State business only, and proper showing of proof that
8 all persons who will be driving the motor vehicle have
9 valid drivers' licenses, to assign suitable transportation,
10 either on a temporary or permanent basis, to any State
11 employee or agency. An agency assigned a motor vehicle
12 may not allow a person to operate that motor vehicle
13 unless that person displays to the agency and allows the
14 agency to copy that person's valid driver's license.
15 Notwithstanding G.S. 20-30(6), persons or agencies
16 requesting assignment of motor vehicles may photostat or
17 otherwise reproduce drivers' licenses for purposes of
18 complying with this subpart.

19 As used in this subpart, 'suitable transportation' means the
20 standard vehicle in the State motor fleet, unless special
21 towing provisions are required by the employee or agency.
22 The Department may not assign any employee or agency a
23 motor vehicle that is not suitable. The Department shall
24 not approve requests for vehicle assignment or
25 reassignment when the purpose of that assignment or
26 reassignment is to provide any employee with a newer or
27 lower mileage vehicle because of his or her rank,
28 management authority, or length of service or because of
29 any non-job-related reason. The Department shall not
30 assign 'special use' vehicles, such as four-wheel drive
31 vehicles or law enforcement vehicles, to any agency or
32 individual except upon written justification, verified by
33 historical data, and accepted by the Secretary.

- 34 6. To allocate and charge against each State agency to which
35 transportation is furnished, on a basis of mileage or of
36 rental, its proportionate part of the cost of maintenance
37 and operation of the motor pool.

38 The amount allocated and charged by the Department of
39 Administration to State agencies to which transportation is
40 furnished shall be at least as follows:

- 41 I. Pursuit vehicles and full size four-wheel drive
42 vehicles – \$.24/mile.

- 1 II. Vans and compact four-wheel drive vehicles –
2 \$.22/mile.
- 3 III. All other vehicles – \$.20/mile.
- 4 7. To adopt, with the approval of the Governor, reasonable
5 rules for the efficient and economical operation,
6 maintenance, repair, and replacement, as limited in
7 paragraph 4. of this subdivision, of all state-owned motor
8 vehicles under the control of the Department, and to
9 enforce those rules; and to adopt, with the approval of the
10 Governor, reasonable rules regulating the use of private
11 motor vehicles upon State business by the officers and
12 employees of State agencies, and to enforce those rules.
13 The Department, with the approval of the Governor, may
14 delegate to the respective heads of the agencies to which
15 motor vehicles are permanently assigned by the
16 Department the duty of enforcing the rules adopted by the
17 Department pursuant to this paragraph. Any person who
18 violates a rule adopted by the Department and approved
19 by the Governor is guilty of a Class 1 misdemeanor.
- 20 7a. To adopt with the approval of the Governor and to enforce
21 rules and to coordinate State policy regarding (i) the
22 permanent assignment of state-owned passenger motor
23 vehicles and (ii) the use of and reimbursement for those
24 vehicles for the limited commuting permitted by this
25 subdivision. For the purpose of this subdivision 7a, 'state-
26 owned passenger motor vehicle' includes any state-owned
27 passenger motor vehicle, whether or not owned,
28 maintained or controlled by the Department of
29 Administration, and regardless of the source of the funds
30 used to purchase it. Notwithstanding the provisions of
31 G.S. 20-190 or any other provisions of law, all state-
32 owned passenger motor vehicles are subject to the
33 provisions of this subdivision 7a; no permanent
34 assignment shall be made and no one shall be exempt
35 from payment of reimbursement for commuting or from
36 the other provisions of this subdivision 7a except as
37 provided by this subdivision 7a. Commuting, as defined
38 and regulated by this subdivision, is limited to those
39 specific cases in which the Secretary has received and
40 accepted written justification, verified by historical data.
41 The Department shall not assign any state-owned motor
42 vehicle that may be used for commuting other than those
43 authorized by the procedure prescribed in this subdivision.

1 A State-owned passenger motor vehicle shall not be
2 permanently assigned to an individual who is likely to
3 drive it on official business at a rate of less than 3,150
4 miles per quarter unless (i) the individual's duties are
5 routinely related to public safety or (ii) the individual's
6 duties are likely to expose him routinely to life-
7 threatening situations. A State-owned passenger motor
8 vehicle shall also not be permanently assigned to an
9 agency that is likely to drive it on official business at a
10 rate of less than 3,150 miles per quarter unless the
11 agency can justify to the Division of Motor Fleet
12 Management the need for permanent assignment
13 because of the unique use of the vehicle. The
14 Department of Administration shall verify, on a
15 quarterly basis, that each motor vehicle has been driven
16 at the minimum allowable rate. If it has not and if the
17 department by whom the individual to which the car is
18 assigned is employed or the agency to which the car is
19 assigned cannot justify the lower mileage for the quarter
20 in view of the minimum annual rate, the permanent
21 assignment shall be revoked immediately.

22 Every individual who uses a State-owned passenger motor
23 vehicle, pickup truck, or van to drive between his official
24 work station and his home, shall reimburse the State for
25 these trips at a rate computed by the Department. This rate
26 shall approximate the benefit derived from the use of the
27 vehicle as prescribed by federal law. Reimbursement shall
28 be for 20 days per month regardless of how many days the
29 individual uses the vehicle to commute during the month.
30 Reimbursement shall be made by payroll deduction.
31 Funds derived from reimbursement on vehicles owned by
32 the Motor Fleet Management Division shall be deposited
33 to the credit of the Division; funds derived from
34 reimbursements on vehicles initially purchased with
35 appropriations from the Highway Fund and not owned by
36 the Division shall be deposited in a Special Depository
37 Account in the Department of Transportation, which shall
38 revert to the Highway Fund; funds derived from
39 reimbursement on all other vehicles shall be deposited in a
40 Special Depository Account in the Department of
41 Administration which shall revert to the General Fund.
42 Commuting, for purposes of this paragraph, does not
43 include those individuals whose office is in their home, as

1 determined by the Department of Administration, Division
2 of Motor Fleet Management. Also, this paragraph does not
3 apply to the following vehicles: (i) clearly marked police
4 and fire vehicles, (ii) delivery trucks with seating only for
5 the driver, (iii) flatbed trucks, (iv) cargo carriers with over
6 a 14,000 pound capacity, (v) school and passenger buses
7 with over 20 person capacities, (vi) ambulances, (vii)
8 hearses, (viii) bucket trucks, (ix) cranes and derricks, (x)
9 forklifts, (xi) cement mixers, (xii) dump trucks, (xiii)
10 garbage trucks, (xiv) specialized utility repair trucks
11 (except vans and pickup trucks), (xv) tractors, (xvi)
12 unmarked law-enforcement vehicles that are used in
13 undercover work and are operated by full-time, fully
14 sworn law-enforcement officers whose primary duties
15 include carrying a firearm, executing search warrants, and
16 making arrests, and (xvii) any other vehicle exempted
17 under Section 274(d) of the Internal Revenue Code of
18 1954, and Federal Internal Revenue Services regulations
19 based thereon. The Department of Administration,
20 Division of Motor Fleet Management, shall report
21 quarterly to the Joint Legislative Commission on
22 Governmental Operations and to the Fiscal Research
23 Division of the Legislative Services Office on individuals
24 who use State-owned passenger motor vehicles, pickup
25 trucks, or vans between their official work stations and
26 their homes, who are not required to reimburse the State
27 for these trips.

28 The Department of Administration shall revoke the
29 assignment or require the Department owning the vehicle
30 to revoke the assignment of a State-owned passenger
31 motor vehicle, pickup truck or van to any individual who:

- 32 I. Uses the vehicle for other than official
33 business except in accordance with the
34 commuting rules;
- 35 II. Fails to supply required reports to the
36 Department of Administration, or supplies
37 incomplete reports, or supplies reports in a form
38 unacceptable to the Department of
39 Administration and does not cure the deficiency
40 within 30 days of receiving a request to do so;
- 41 III. Knowingly and willfully supplies false information
42 to the Department of Administration on
43 applications for permanent assignments,

1 commuting reimbursement forms, or other required
2 reports or forms;

3 IV. Does not personally sign all reports on forms
4 submitted for vehicles permanently assigned to him
5 and does not cure the deficiency within 30 days of
6 receiving a request to do so;

7 V. Abuses the vehicle; or

8 VI. Violates other rules or policy promulgated by the
9 Department of Administration not in conflict with
10 this act.

11 A new requisition shall not be honored until the Secretary of the
12 Department of Administration is assured that the violation
13 for which a vehicle was previously revoked will not recur.

14 The Department of Administration, with the approval of the
15 Governor, may delegate, or conditionally delegate, to the
16 respective heads of agencies which own passenger motor
17 vehicles or to which passenger motor vehicles are
18 permanently assigned by the Department, the duty of
19 enforcing all or part of the rules adopted by the
20 Department of Administration pursuant to this subdivision
21 7a. The Department of Administration, with the approval
22 of the Governor, may revoke this delegation of authority.

23 Prior to adopting rules under this paragraph, the Secretary of
24 Administration may consult with the Advisory Budget
25 Commission.

26 Notwithstanding the provisions of this section and G.S.
27 14-247, the Department of Administration may allow the
28 organization sanctioned by the Governor's Council on
29 Physical Fitness to conduct the North Carolina State
30 Games to use State trucks and vans for the State Games of
31 North Carolina. The Department of Administration shall
32 not charge any fees for the use of the vehicles for the State
33 Games. The State shall incur no liability for any damages
34 resulting from the use of vehicles under this provision.
35 The organization that conducts the State Games shall
36 carry liability insurance of not less than one million
37 dollars (\$1,000,000) covering such vehicles while in its
38 use.

39 8. To adopt and administer rules for the control of all state-
40 owned passenger motor vehicles and to require State
41 agencies to keep all records and make all reports regarding
42 motor vehicle use as the Secretary deems necessary.

- 1 9. To acquire motor vehicle liability insurance on all State-
2 owned motor vehicles under the control of the
3 Department.
4 10. To contract with the appropriate State prison authorities
5 for the furnishing, upon such conditions as may be agreed
6 upon from time to time between such State prison
7 authorities and the Secretary, of prison labor for use in
8 connection with the operation of a central motor pool and
9 related activities.
10 11. To report annually to the General Assembly on any rules
11 adopted, amended or repealed under paragraphs 3, 7, or 7a
12 of this subdivision.
13 j. To establish and operate central mimeographing and duplicating
14 services, central stenographical and clerical pools, and other
15 central services, if the Governor after appropriate investigation
16 deems it advisable from the standpoint of efficiency and
17 economy in operation to establish any or all such services. The
18 Secretary may allocate and charge against the respective agencies
19 their proportionate part of the cost of maintenance and operation
20 of the central services which are established, in accordance with
21 the rules adopted by him and approved by the Governor and
22 Council of State pursuant to paragraph k, below. Upon the
23 establishment of central mimeographing and duplicating services,
24 the Secretary may, with the approval of the Governor, require
25 any State agency to be served by those central services to transfer
26 to the Department ownership, custody, and control of any or all
27 mimeographing and duplicating equipment and supplies within
28 the ownership, custody, or control of such agency.
29 k. To require the State agencies and their officers and employees to
30 utilize the central facilities and services which are established;
31 and to adopt, with the approval of the Governor and Council of
32 State, reasonable rules and procedures requiring the utilization of
33 such central facilities and services, and governing their operation
34 and the charges to be made for their services.
35 l. To provide necessary information service for visitors to the
36 Capitol.
37 m. To perform such additional duties and exercise such additional
38 powers as may be assigned to it by statute or by the Governor."
39 Sec. 2. This act is effective upon ratification.