

(2) The use of state-owned motor vehicles for commuting purposes by officers and employees of state agencies between official work stations and residences may be authorized by the state agency's executive director where the state agency's executive director determines that such use is based on rules and regulations promulgated by the division and which includes:

(a) Promotion of a legitimate nonpartisan state interest;

(b) Promotion of the efficient operation of the state motor vehicle fleet system; and

(c) Is cost-effective to the state agency.

(3) A determination by the director that commuting purposes meet the criteria for commuting authorization shall be based on review and verification of written application forms and supporting documentation submitted in the manner provided in rules and regulations adopted by the division.

(4) (a) Any individual who has received the state agency executive director's authorization to use a state-owned motor vehicle for commuting purposes shall reimburse the state for such use at a rate computed by the division. This rate shall approximate the benefit derived from the use of the vehicle. Reimbursement shall be for twenty days per month regardless of how many days the individual uses the vehicle to commute during the month. Reimbursement shall be made as provided by rule.

(b) Unless provided by rule, no exceptions shall be made to the reimbursement provisions of this subsection (4).

Source: L. 92: Entire section added, p. 1004, § 3, effective July 1. L. 2004: (1) and (4) amended, p. 308, § 7, effective August 4.

24-30-1114. Restrictions on assignment of vehicles. (1) Requisitions for assignment or reassignment of state-owned motor vehicles shall not be honored when the purpose of the assignment or reassignment is to provide a newer or lower mileage vehicle to a state officer or employee on the basis of rank, position, management authority, length of service, or other nonessential purpose.

(2) Special use vehicles, including but not limited to four-wheel drive and law enforcement vehicles, shall be assigned only to those agencies and individuals authorized or otherwise designated by the division to operate such vehicles.

Source: L. 92: Entire section added, p. 1005, § 3, effective July 1.

24-30-1115. Motor fleet management fund - creation. (1) There is hereby created a fund to be known as the motor fleet management fund, which shall be administered by the department of personnel and which shall consist of all moneys which may be transferred hereto in accordance with section 24-30-1104 (2) (k) or 24-30-1113 (4).

(2) The moneys in the fund shall be subject to annual appropriation by the general assembly for the purposes of this part 11. Any moneys not appropriated shall remain in the fund and shall not be transferred to or revert to the general fund of the state at the end of any fiscal year. Subject to severe budget constraints and annual appropriation, a portion of the state motor fleet shall be replaced each year. The number of motor vehicles to be replaced annually shall be based on a methodology provided by the department of personnel approved by the general assembly.

(3) Notwithstanding any provision of this section to the contrary, on April 20, 2009, the state treasurer shall deduct one million dollars from the motor fleet management fund and transfer such sum to the general fund.

Source: L. 92: Entire section added, p. 1005, § 3, effective July 1. L. 96: Entire section amended, p. 1500, § 12, effective June 1. L. 2004: (2) amended, p. 309, § 8, effective August 4. L. 2009: (3) added, (SB 09-208), ch. 149, p. 623, § 18, effective April 20.

a penalty for the unlawful use of such postage meter for private purposes.

(2) Any person who uses a state-installed postage meter for private purposes commits class 3 misdemeanor and shall be punished as provided in section 18-1.3-501, C.R.S.

Source: L. 83: Entire section added, p. 892, § 1, effective June 20. L. 2002: (2) amended, p. 1532, § 245, effective October 1.

Cross references: For the legislative declaration contained in the 2002 act amending subsection (2), see section 1 of chapter 318, Session Laws of Colorado 2002.

24-30-1112. Permanent assignment of vehicles - verification of minimum mileage - revocation. (1) Unless an agency can justify to the division the need for permanent assignment because of the unique use of a vehicle, a state-owned passenger motor vehicle shall not be permanently assigned to:

(a) Any agency, state officer, or state employee, if the use of such vehicle is not likely to meet the minimum required mileage established by the department of personnel for the utilization classification associated with the vehicle's intended work function unless:

(I) The state officer's or employee's duties are routinely related to public safety; and

(II) The state officer's or employee's duties are likely to expose such officer or employee routinely to life-threatening situations.

(2) The division shall establish a program and adopt rules and regulations providing for annual verification that each permanently assigned motor vehicle has met the minimum required mileage based on the appropriate utilization classification. If verification establishes that a vehicle has not met the minimum annual mileage rate and if the responsible state agency cannot justify such lower mileage, permanent assignment shall be revoked immediately.

(3) The division shall adopt rules and regulations governing the procedure for revocation of assignment of state-owned motor vehicles. Revocation of assignment shall occur when it has been determined that:

(a) The vehicle has been used for other than official business, or without the state agency executive director's approval as provided in section 24-30-1113;

(b) Required reports have not been filed or reports which have been filed fail to meet the standards established in rules and regulations adopted by the division for the filing of such reports and such deficiencies are not cured within thirty days after receiving notification from the division of such deficiency;

(c) False information has knowingly and willfully been supplied on an application for permanent assignment, commuting reimbursement form, or other required report or form;

(d) An individual required to do so fails to sign all reports or forms submitted for vehicles permanently assigned and fails to cure the deficiency within thirty days after receiving notification from the division of such deficiency;

(e) That a state-owned motor vehicle has been abused; or

(f) That a violation of other rules or regulations promulgated by the division has occurred which warrants revocation of assignment as specified in the rules and regulations adopted by the division.

(4) New requisitions for assignment of vehicle following the revocation of assignment shall not be honored until the division is assured that the violation for which a vehicle was previously revoked will not recur.

Source: L. 92: Entire section added, p. 1003, § 3, effective July 1. L. 2004: IP(1)(a), (2), and (3)(a) amended, p. 308, § 6, effective August 4.

24-30-1113. Commuting - reimbursement by state officers and employees. (1) Except as provided in this section, the state agency shall not assign any state-owned motor vehicle to an officer or employee of a state agency for any reason other than as necessitated by the conduct of official state business.