

1                                   **STATE FLEET OPERATIONS AMENDMENTS**

2   2002 GENERAL SESSION

3   STATE OF UTAH

4                                   **Sponsor: Gerry A. Adair**

5 **This act modifies provisions governing fleet operations and fuel dispensing services. This**  
6 **act narrows the definition of motor vehicle for purposes of fleet operations, clarifies that**  
7 **higher education institutions are obligated to participate in the fuel dispensing program, and**  
8 **authorizes the Motor Vehicle Review Committee to establish fees to offset costs when**  
9 **agencies fail to follow the fuel dispensing program requirements.**

10 This act affects sections of Utah Code Annotated 1953 as follows:

11 AMENDS:

12           **63A-9-101**, as enacted by Chapter 334, Laws of Utah 1996

13           **63A-9-401**, as last amended by Chapter 85, Laws of Utah 1997

14 *Be it enacted by the Legislature of the state of Utah:*

15           Section 1. Section **63A-9-101** is amended to read:

16           **63A-9-101. Definitions.**

17           (1) (a) "Agency" means each department, commission, board, council, agency, institution,  
18 officer, corporation, fund, division, office, committee, authority, laboratory, library, unit, bureau,  
19 panel, or other administrative unit of the state.

20           (b) "Agency" includes the State Board of Education, the Office of Education, each Applied  
21 Technology Center, the board of regents, the institutional councils of each higher education  
22 institution, and each higher education institution.

23           (c) "Agency" includes the legislative and judicial branches.

24           (2) "Committee" means the Motor Vehicle Review Committee created by this chapter.

25           (3) "Division" means the Division of Fleet Operations created by this chapter.

26           (4) " Director" means the director of the division.

27           (5) "Executive director" means the executive director of the Department of Administrative



28 Services.

29 (6) (a) "Motor vehicle" means a [~~self-propelled vehicle capable of carrying passengers~~]  
30 motor vehicle as defined in Section 41-1a-102 that is required to be registered by Title 41, Chapter  
31 1a, Part 2, Registration.

32 (b) "Motor vehicle" includes vehicles used for construction and other nontransportation  
33 purposes if registered under Title 41, Chapter 1a, Part 2, Registration.

34 (7) "State vehicle" means each motor vehicle owned, operated, or in the possession of an  
35 agency.

36 Section 2. Section **63A-9-401** is amended to read:

37 **63A-9-401. Division -- Duties.**

38 (1) The division shall:

39 (a) coordinate all purchases of state vehicles;

40 (b) establish one or more fleet automation and information systems for state vehicles;

41 (c) make rules establishing requirements for:

42 (i) maintenance operations for state vehicles;

43 (ii) use requirements for state vehicles;

44 (iii) fleet safety and loss prevention programs;

45 (iv) preventative maintenance programs;

46 (v) procurement of state vehicles, including authorization requirements for fleet expansion  
47 and standards for vehicle sizing, alternative fuel vehicles, short-term lease programs, and warranty  
48 recovery programs;

49 (vi) fuel management programs;

50 (vii) cost management programs;

51 (viii) business and personal use practices, including commute standards;

52 (ix) cost recovery and billing procedures;

53 (x) disposal of state vehicles;

54 (xi) reassignment of state vehicles and reallocation of vehicles to other fleets;

55 (xii) standard use and rate structures for state vehicles; and

56 (xiii) insurance and risk management requirements;

57 (d) establish a parts inventory;

58 (e) create and administer a fuel dispensing services program that meets the requirements

59 of Subsection (2);

60 (f) emphasize customer service when dealing with agencies and agency employees; and

61 (g) conduct an annual audit of all state vehicles for compliance with division requirements.

62 (2) (a) (i) Each [state] agency [~~and each higher education institution~~] shall subscribe to the  
63 fuel dispensing services provided by the division.

64 (ii) [~~A state~~] An agency may not provide or subscribe to any other fuel dispensing services,  
65 systems, or products other than those provided by the division.

66 (b) The committee may, by following the procedures and requirements of Section  
67 63-38-3.2, establish fees to offset costs incurred by the division when an agency fails to comply  
68 with fuel dispensing program requirements.

69 [~~(b)~~] (c) Counties, municipalities, school districts, special districts, and federal agencies  
70 may subscribe to the fuel dispensing services provided by the division if:

71 (i) the county or municipal legislative body, the school district, or the special district board  
72 recommends that the county, municipality, school district, or special district subscribe to the fuel  
73 dispensing services of the division; and

74 (ii) the division approves participation in the program by that government unit.

**Legislative Review Note**  
**as of 2-19-02 2:51 PM**

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**