

MEMORANDUM



Date: March 7, 2024

To: All FWC Staff

From: Sarah Barrett, Deputy Chief of Staff

A handwritten signature in blue ink, appearing to be "S. Barrett", enclosed within a blue circular scribble.

Subject: Internal Management Policies and Procedures (IMPP) 5.3 and Interim Policy Memorandum 2024-01

In light of a heightened focus on vessel safety, we are introducing an IPM in conjunction with IMPP 5.3: Use of Commission Vehicles, Vessels, Equipment and Aircraft.

It is important to note this IPM supersedes all vessel guidance referenced in IMPP 5.3 and is provided to ensure continuous improvement without any undue delay.

IPM 2024-01 is designed to address immediate safety concerns, providing additional guidelines and protocols to enhance the overall safety of our fleet of vessels.

The decision to implement this IPM stems from a proactive approach to risk management and a dedication to the well-being of our operators and crew and is based on careful consideration of current circumstances and the need for swift adjustments.

We understand the importance of consistency and are committed to ensuring the IPM aligns seamlessly with our overarching goals and values.

Please take time to review both the IPM and IMPP 5.3 as your adherence is integral to maintaining safe and secure vessel operations.

Thank you for your understanding and cooperation.

SECTION: 5.3

SUBJECT: Use of Commission Vehicles, Vessels, Equipment and Aircraft

**AUTHORITY: Executive Director
60B-1.004, Florida Administrative Code**

Policy:

The Commission's vehicles, vessels, equipment and aircraft shall be used only for official business. All Commission employees, as defined in this policy for each of vehicle, vessels, equipment and aircraft, must have satisfactorily completed training or demonstrated proficiency in operating Commission vehicles, vessels, equipment and aircraft. All Commission vehicles, vessels, equipment and aircraft shall be maintained and operated in a manner to ensure safe, effective usage and maximum longevity. All Commission vehicles, vessels, equipment and aircraft should be operated in the most economical and efficient manner and to project a favorable image of the Commission. This policy shall be followed when use is by Commission employees or other authorized persons. The guidelines listed below shall be used in administering this policy.

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General Guidelines:

5.3.1 Definitions

- A. Commission Vehicle** – As defined in Section 287.14 (2), F.S., automobile, light truck, airplane or other vehicle designed primarily for transporting persons. Vehicle owned by FWC.
- B. Commission Aircraft** – Aircraft owned by FWC.
- C. Employee Card** – WEX Fuel Card issued to an Individual.

- D. **Equipment** – Assets of the Commission which require fuel to function and which are required to be reported to DMS for tracking in the FLEET System. These include, but are not limited to, automobiles, trucks, motorcycles, ATVs, tractors, forklifts, watercraft and aircraft.
- E. **Equipment Assignee** – The FWC employee who is the primary driver, who is responsible for submitting the monthly cost report, or who is responsible for the maintenance and repair of the equipment.
- F. **Equipment Card** – WEX Fuel Card assigned to a piece of equipment that has a property number associated with it.
- G. **Equipment Damage** – Damage to motorized equipment (except scratches and other such minor damage).
- H. **Equipment Damage/Accident Report (EDAR)** – Document used to track equipment damage and/or accident which may be submitted to DFS.
- I. **Vehicles Operation and Use Report** – Documents used to track the miles, gallons, cost and repairs on vehicles. These reports are entered in to the DMS reporting and tracking database (FLEET) on a monthly basis.
- J. **Vessel** – Watercraft which require fuel to function and which are required to be reported to DMS for tracking in the FLEET system.

5.3.2 Operation of Commission Vehicles

- A. Any person operating a Commission vehicle shall possess a current and valid driver's license.
- B. The use of seat belts is mandatory in all Commission vehicles.
- C. The operator of any state-owned or leased vehicles shall be held personally responsible for violations of motor vehicle laws. This includes parking and moving violations.
- D. Operators may only use Commission vehicles for travel within the course and scope of their work duties or when in Commission related travel status. Travel to and from the home, designated as the official office, for duties within the scope of work are permitted. Operators using a personal vehicle for Commission business are advised to seek their insurance carrier's recommendation regarding the need for a work travel rider on their vehicle insurance.
- E. Operators may use Commission vehicles only within the scope and guidelines of this policy. Operators other than Commission employees or Regular Service Volunteers must have a completed "Memo of Authorization to Operate Fish and Wildlife Conservation Commission Vehicles" signed by the Executive Director or designee on file with the local Regional Property Analyst. FWC Regular Service Volunteers are authorized to operate Commission vehicles as per procedures set forth in IMPP 6.9 and must follow the guidelines found herein.
- F. Personnel may use an assigned vehicle to commute to and from their residence if the approved DMS vehicle use code for their position allows such use. However, conducting personal business or any activity outside the course and scope of the employee's duties in the course of commuting is not allowed. Division of Law Enforcement sworn personnel shall refer to

Division General Orders for specific guidelines and exceptions to this policy as they relate to the use of patrol vehicles.

- G.** Operators in travel status may use an assigned vehicle to travel short distances for essential meal breaks. Using the assigned vehicle for non-essential personal errands (i.e. entertainment, shopping, etc.) is an activity not covered by state insurance and is not allowed.

5.3.3 Passengers in Commission Vehicles

- A.** Circumstances requiring supervisory approval before transporting persons:
 - 1. Volunteers - When utilizing volunteers on programs and projects of the Commission.
 - 2. Other circumstances not specifically listed
- B.** Circumstances not requiring supervisory approval before transporting non-FWC employees:
 - 1. Transporting prisoners in custody
 - 2. Search, rescue and public service
 - 3. Cooperative endeavors - When transportation of persons is necessary as part of Commission participation with other agencies and organizations on matters of mutual concern.
- C.** Transportation in or use of Commission vehicles for reserve officers shall be as provided in the applicable Division of Law Enforcement General Orders.

5.3.4 Operation of Commission Aircraft

- A.** Commission aircraft shall not be piloted, taxied or ground run by any person except pilots employed by the Commission, with the exception of Federal Aviation Administration (FAA) qualified maintenance personnel, under contract to the Commission for the repair and maintenance of that aircraft.
- B.** Commission aircraft shall be operated in compliance with all applicable FAA regulations, Florida Statutes and Rules, and Commission flight manual(s) in effect at the time.

5.3.5 Passengers in Commission Aircraft

- A.** Commission employees or members may be transported on board Commission aircraft when such transportation is in pursuit of Commission business, provided such transportation is the most cost-effective or expedient manner of travel available.
- B.** No person other than Commission employees shall be transported on board Commission aircraft unless such transportation is necessary or desirable as a part of Commission participation with other agencies or organizations on matters of mutual concern.
- C.** Any Commission employee, court official, reserve officer or employee of any law enforcement or conservation agency may serve as an observer on board Commission aircraft during any routine law enforcement patrol flight, survey or search and rescue mission. Commission personnel must be on duty and have approval of their immediate supervisor prior to the flight.

- D. The Division of Law Enforcement Aircraft Administrator or designee must approve the transport of personnel other than those described in paragraphs A, B, C of this section.

5.3.6 Aircraft Scheduling

- A. Aircraft flight requests for Law Enforcement or Commission biological/wildlife missions shall be initiated at the regional level by the regional commander or designee. These flight requests should be routed to the nearest aviation supervisor or appropriate law enforcement pilot at least 15 days prior to the start of the month for which the flight is anticipated. While failure to make a timely request will not eliminate the possibility of flight scheduling, it may severely hamper those efforts due to scheduling conflicts. If a conflict arises, the aviation supervisor shall decide the highest priority mission to be flown based on the overall value to the Commission.
- B. Once a monthly flight schedule is established, the pilot shall forward that schedule to their immediate aviation supervisor, the aviation administrator and their regional commander at least 7 days prior to the first of the month for which the schedule covers.
- C. When advance scheduling is not possible, adverse weather or unscheduled maintenance prohibits flights, the aviation supervisor or designated pilot will make every effort possible to meet the requestor's needs through an alternative aircraft or secondary date.

5.3.7 Rental of Aircraft

Reference IMPP 4.1.27. Contact the Purchasing Section for assistance in procuring aircraft rental.

5.3.8 Accidents and Equipment Damage

A. Accidents

1. Automobile accidents, regardless of the extent of damage, shall be reported immediately to the local police.
2. Accidents involving **BODILY INJURY** shall be reported immediately to the appropriate regional, division or office director. If a Commission employee(s) is injured and unable to provide this information, the responsibility will be that of the employee's next informed supervisor. The Regional Property Analyst shall be notified immediately by the appropriate regional, division or office director or their designee.
3. Accidents without bodily injury shall be reported within 24 hours to the appropriate regional, division or office director. The appropriate regional, division or office director shall be responsible for ensuring that accidents are reported to the Regional Property Analyst within 48 hours of the time of the accident. The Equipment Damage/Accident Report (located on the FWC intranet, in the "Forms Library") shall be submitted through the division or office chain of command to the Regional Property Analyst within five working days after the accident. A copy of the investigating

police officer's Florida Traffic Accident Report must also be forwarded as soon as it is available.

4. The Department of Financial Services, Division of Risk Management (RM) determines liability in the event of an accident. If RM determines the agency liable and the employee was in the scope of employment, RM will pay the damages to the claimant. If RM determines the agency is not liable, the claimant or their insurance company will be responsible for the damages. If another party is not responsible for the damages to FWC's vehicle, vessel or equipment, FWC will pay for the damages through the routine purchasing process. (See IMPP 5.3.8.B)

B. Equipment Damage

Damage to motorized equipment (except scratches and other such minor damage) shall be verbally reported by the involved employee within 24 hours to the appropriate regional, division or office director.

The Equipment Damage/Accident Report (located on the FWC intranet, in the "Forms Library") shall be submitted through the division or office chain of command to the Regional Property Analyst within five working days after the damage.

C. Reimbursement

1. The Regional Property Analyst or the Finance and Budget Office, Operations Manager shall be responsible for pursuing reimbursement for damages to Commission equipment caused by non-commission parties.
2. After the required documents are sent to Risk Management, Non-Commission claimants will be directed to the assigned Risk Management adjuster on their case or RM will contact them and request the appropriate forms.

5.3.9 Operation and Maintenance

- A. An employee to whom equipment is assigned shall be directly responsible for its operation and maintenance in accordance with Commission policy. Supervisors shall periodically inspect equipment to ensure compliance. Reasonable care and caution in operating equipment shall be exercised at all times to prevent damage and reduce wear. Extra caution shall be exercised when it is necessary to operate equipment under adverse or extreme conditions.
- B. Maintenance of equipment shall conform to procedures and specifications provided by the manufacturer.
- C. All equipment shall be kept as clean as possible, both inside and outside, under the conditions dictated by its use. It is understood that certain required use of equipment results in an unclean condition; however, such a condition shall be corrected as soon as is reasonably possible. All items transported in Commission vehicles shall be stored in a neat manner.
- D. For all equipment tracked in FLEET and reported to DMS, all use and maintenance and repairs (including the cost of labor, parts, etc.) should be recorded on the Vehicle Operation and Use Report and submitted monthly

to Asset Management. However, a Vehicle Operation and Use Report is not required for agency aircraft.

5.3.10 Auxiliary Equipment

- A.** The installation of auxiliary equipment or accessories on Commission vehicles is prohibited unless authorized by regional, division or office directors.
- B.** Authorized auxiliary equipment, whether used separately or in conjunction with other equipment, shall be installed in the most effective location and useful manner as specified by the manufacturer. The regional director or his designee shall make this determination should disagreement occur on this matter.

5.3.11 Fuel Purchases

- A.** Fuel purchases shall be made in the following order according to availability:
 - 1.** Self-service pumps at the lowest priced service stations (Discount is based on cost.)
 - 2.** Commission bulk tanks (where available).
 - 3.** Other service stations when the above options are not available.
- B.** Gasoline purchase receipts shall indicate vehicle equipment number or tag number, quantity, unit price and total price.
- C.** The State of Florida's gasoline credit card is available from the Asset Management Section.
- D.** WEX Fuel Cards are for FUEL ONLY.
- E.** All WEX Purchases should be recorded on the Vehicle Operation and Use Report.
- F.** For further information please review the WEX Fuel Card Guidelines.

5.3.12 Use of Tobacco in Agency Vehicles and Vessels

- A.** When allowed, the use of tobacco products, while in an agency vehicle or vessel, shall be as inconspicuous as possible. Employees who use tobacco products in accordance with this policy are responsible for properly disposing of the byproduct.
 - 1. Vehicles** - The use of smoking products is prohibited in agency vehicles. Employees may use other tobacco products, including electronic cigarettes (e-Cigarettes), while in an agency vehicle with the consent of fellow passengers.
 - 2. Vessels** - The use of smoking products is prohibited in enclosed portions of an agency vessel. Employees may use other tobacco products, including electronic cigarettes (e-Cigarettes), while in enclosed portions of an agency vessel with the consent of fellow passengers. The use of tobacco products is allowed on deck when it is possible to use the products away from fellow employees. Smoking products should be disposed of in a receptacle designed for that purpose; employees may not dispose of a smoking product by throwing into the water.

5.3.13 Training on the Use of Agency Vehicles, Vessels and Equipment

- A.** All employees of the Commission shall receive training in the use of Commission vehicles, vessels and other equipment prior to being permitted to operate and use without direct supervision, except Commission vehicles that only require a driver's license for operation are exempt from the training requirement unless the vehicle is a special purpose vehicle (e.g. bucket truck, etc.) or when directed by the employee's supervisor. However, employees must hold a valid driver's license before being permitted to operate any Commission vehicle, including those vehicles exempt from the training requirement. Supervisors are responsible for ensuring that subordinate employees receive the appropriate training in a timely manner. The following vehicles, vessels and other equipment have a training requirement:
- All Terrain Vehicles (ATVs)
 - Any vehicle requiring a Commercial Driver's License (CDL) for use
 - Any swamp buggy
 - Any cargo or vessel trailer
 - Any airboat
 - Any vessel
 - Any heavy equipment (e.g. front end loaders, dump trucks, etc.)
 - Any other piece of equipment as designated by a supervisor
- B.** At a minimum, training shall be conducted by a supervisor (if the supervisor has the training and experience) or a certified or designated trainer and consists of a review of this Internal Management Policy and Procedure (IMPP), the operator's manual or similar documentation for the piece of equipment, and a hands-on orientation and introduction to the equipment and its safe and appropriate use. The supervisor shall inform the Commission's Training Coordinator within the Human Resources Office, in writing of the completed training including a copy of the proficiency check sheet.
- 1.** A supervisor may temporarily waive the training requirement if an employee has not yet had an opportunity to attend the appropriate training and the following conditions are met:
 - a.** An emergency situation requires that the employee operates the vehicle, vessel or equipment in order to meet operational requirements or to protect his or her own life, the lives of others or critical property.
 - b.** The supervisor or designee:
 - has sufficient expertise or appropriate trainer certifications to ensure that an appropriate field orientation on the operation and use of the equipment in question can be provided to the employee; or
 - is in a position to continuously assist and guide the employee during the operation and use of the equipment.
 - c.** The supervisor notifies his/her supervisor of the decision to temporarily waive the training requirement on a specific piece of

equipment for a specific employee and for a specified time frame.

Whenever possible, this notification should be in writing.

2. An employee will have 6 months from the time formal training is implemented and made available to satisfactorily complete the formal training. Any employee who can document the completion of training or demonstrate proficiency to a certified/designated trainer on said vehicle, vessel or equipment which is equivalent to or exceeds the training course adopted by the agency and is accepted by the Safety Program Manager or Safety Advisory Board, will be exempted from the agency training. Documentation shall consist of a certificate of satisfactory completion or written record of proficiency approved by a supervisor or certified/designated trainer.
- C. In addition to the above, certain equipment has specific training requirements as identified below:
1. **ATVs:** Prior to operating an ATV, all employees must complete the ATV Rider Course taught by an ATV Safety Institute-certified instructor or other agency approved training course.
 2. **Trailers:** Prior to operating a trailer, all employees shall complete a Commission-approved trailer operations course that includes appropriate classroom and practical training and written and practical testing for close quarter operations, including developing skills for turning, backing, parking and highway operations, including braking. Employees should train on vehicle/vessel combinations or similar combinations, they will be using during the course of their duties.
 3. **Vessels:** Prior to operating a vessel, all employees shall obtain a Boating Safety Education Card, issued after completing a National Association of State Boating Law Administrators (NASBLA) approved boating safety education course. Approved courses are offered by the United States Coast Guard Auxiliary, the United States Power Squadrons, the Florida Fish and Wildlife Conservation Commission and several commercial vendors. A valid U.S. Coast Guard Operator of an Uninspected Passenger Vessel (OUPV) license can be used as a substitute for the Boating Safety Education Card. Also prior to operation, employees shall successfully complete an agency-approved vessel operations course appropriate for any class of vessel not requiring a USCG license and satisfactorily complete a check ride with a certified/designated trainer on any vessel operated by the employee. Vessel Classes are: Class A (less than 16 feet), Class 1 (16 to less than 26 feet), Class 2 (26 to less than 40 feet), Class 3 (40 to less than 65 feet), Class 4 (65 to less than 110 feet) and Class 5 (more than 110 feet). Vessel operations courses shall include instruction on trailer operations for vessels in a class that requires a trailer. Check rides shall include the launch and recovery of the vessel.
 4. **Airboats:** Prior to operating an airboat, all employees shall complete airboat operations training in accordance with the Commission's Airboat Manual.

5. Exemptions and waivers in accordance with Section 5.3.13 (B)(1) are available for these pieces of equipment.

Note: Satisfactory completion by sworn law enforcement personnel of the Academy and Field Training Officer Program meets or exceeds the requirements for vessel operations, trailer operations, ATV and airboat operations.

D. Area Familiarization

In addition to ensuring appropriate training or certification is obtained, Supervisors are responsible for ensuring that employees (external hires, internal promotions or lateral transfer employees) receive an appropriate introduction to and familiarization with the assigned area and environment before operating any vehicle, vessel or equipment by themselves. Area familiarization may be conducted by the supervisor or another agency employee well familiar with the area and environment. If applicable to a position, area familiarization shall include at least the following:

1. General orientation to the assigned area including boat ramps, Wildlife Management Area (WMA)/state forest access points, trailheads, etc.
2. Potential hazards in commonly accessed areas on land and on the water.
3. Prevailing wind, weather and tidal conditions.
4. Appropriate trailer operations if employee is unfamiliar with trailering/towing in a certain type of environment (e.g. trailering in an urban environment or on dirt roads, etc.) or if the type of trailer is different from previously operated trailers.
5. Introduction to relevant representatives from other divisions or offices, partner agencies and organizations (e.g. state foresters, park rangers, state and federal law enforcement personnel assigned to area, etc.).
6. Knowledge on any other issue that might assist an employee new to the area to be a safe operator of an assigned vehicle, vessel or piece of equipment.

5.3.14 Vehicle Equipment Operation and Use Reports

A. Vehicle and Equipment Tracked in FLEET

Operational cost records shall be kept for mobile land, air or water vehicles, and equipment as determined by the Executive Director, by the employee to whom such equipment is assigned. Management information reports shall be prepared and used in the management of Commission equipment and in providing information to the Department of Management Services (DMS) and in accordance with DMS regulations and procedures.

Vehicle operation and use reports shall be submitted monthly for:

- automobiles
- pickup trucks
- vans
- utility vehicles

- medium and heavy trucks
- buses
- tractors
- crawlers
- fork lifts
- heavy equipment
- boats over 12' in length with marine engines over 50 horsepower
- airboats in accordance with Commission and DMS procedures

Data shall be entered clearly on the Monthly Equipment Cost Report Form daily and totals calculated, by the employee to whom the equipment is assigned on that day. If another employee uses the equipment anytime during the month, that employee's name is entered in the destination column on the corresponding date line.

Monthly Equipment Cost Report shall be signed by equipment assignee's supervisor prior to submitting to Asset Management Section for input. Electronic approval or signature is allowable, i.e., via email. The supervisor's signature signifies that the supervisor reviewed the document for completeness (all required fields have been filled in) and has addressed any errors or anomalies with the employee regarding the data submitted. For equipment assigned to an employee and not assigned to a pool and regularly used by multiple people, due to the supervisor's familiarity with the employee's work, the supervisor shall also evaluate the reasonableness of the information submitted with regard to the work activities of the employee. Any errors or anomalies the supervisor identifies shall be addressed with the employee. This requirement to sign / approve the Monthly Equipment Cost Report will become effective with the implementation of the online, automated cost reporting tool.

All reports are due to Asset Management by the 10th of the month for the previous month's activity. Per DMS requirements, all logs are to be input into the FLEET system by the 15th of the month. A list of any missing logs will be sent to the Property Custodian by the 25th of the month.

B. Employee Cards

A monthly fuel usage log must be completed and signed by the employee and their supervisor. This document is called FWC Monthly WEX Employee Card Cost Log. It must be submitted to Asset Management by the 10th of the month for the previous month. A report is not required, if there is no usage for the month.

The FWC Fuel Card Program Guidelines contains information on allowable and unallowable use of the Employee Cards.

C. The Asset Management Section, the Division of Law Enforcement, and the Institute, as applicable, are responsible for inputting the monthly equipment information into FLEET by the 15th of the month.

- D. The equipment assignee shall be responsible for submitting accurate and timely monthly cost reports. A monthly report is required for vehicles and equipment although the equipment may be idle or down for the entire reporting period. A log is not required for Employee Cards if there is no usage.
- E. On a monthly basis, summarized cost and use information shall be posted on the Commission's Asset Management web site for use and review by Property Custodians, equipment assignees and management. These reports will contain operation and maintenance data which will allow the user to analyze fleet utilization and condition. It will also allow the user to identify any anomalies or irregularities.
- F. Asset Management will also compare fuel card usage data with data reported on the Monthly Equipment Cost Report to identify any anomalies or irregularities. Asset Management will work with the Property Custodian to resolve any issues or concerns.
- G. Information required by the Department of Management Services shall be provided in a timely manner and in the format required by that Department.

5.3.15 Vehicle Assignment and Usage Codes

Vehicle assignment and usage codes are assigned by D/O directors for agency vehicles. The D/O will provide this information to the Asset Management Section on the FWC Equipment Information Form when the new vehicle is received. When vehicles are transferred between employees, the vehicle assignment and use code must be recorded on the Property Transfer Request form. These codes are printed on the Monthly Equipment Cost Report that is provided by the D/O. When changes occur in the use of the vehicle that would affect the assignment and use code, the D/O must notify the Asset Management Section.

History: Est. 11/28/2001; Rev: 02/13/2006, 06/06/2007, 06/13/2011, 06/09/2013, 09/22/2014

APPROVED:

Eric Sutton

Executive Director or Designee

September 22, 2014

Date