TITLE 2. ADMINISTRATION

CHAPTER 15. DEPARTMENT OF ADMINISTRATION MANAGEMENT SERVICES DIVISION

Editor's Note: The former heading for 2 A.A.C. 15 was Department of Administration, General Services Division (Supp. 00-4).

ARTICLE 1. RESERVED

ARTICLE 2. FLEET MANAGEMENT

(Authority: A.R.S. § 41-803(B))

Former Article 2, consisting of Sections R2-15-201 through R2-15-209, transferred from Title 2, Chapter 1, Article 2, Sections R2-1-201 through R2-1-209 (Supp. 91-3).

Section

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ARTICLE 3. MATERIALS MANAGEMENT

Article 3, consisting of Sections R2-15-301 through R2-15-310, transferred from Title 2, Chapter 7, Article 8, Sections R2-7-801 through R2-7-810, Department of Administration, Finance Division, Purchasing Office.

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ARTICLE 1. RESERVED

ARTICLE 2. FLEET MANAGEMENT

R2-15-201. Definitions

The following terms apply to this Article:

"Accident reporting packet" means the automobile loss report form and witness information cards in the glove compartment of each Fleet Management vehicle.

"ADOA" means the Arizona Department of Administration.

"Approved fueling facility" means a location managed by ADOA or the Arizona Department or Transportation to dispense fuel to Fleet Management vehicles.

"Capitol area" means that area within a ten-mile radius of the State Capitol Complex.

"Director" means the Director of ADOA.

"Domicile-to-duty travel" means travel between an operator's residence and worksite as prescribed under A.R.S. § 38-622.

"Extended dispatch vehicle" means a Fleet Management vehicle that is dispatched full-time to a using agency that has continuing requirements for official state business travel.

"Fleet administrator" means the person designated by the Director to administer the Fleet Management program.

"Fleet Management" means the section of the ADOA that administers all state-owned vehicles, except those specified in A.R.S. § 41-803(E).

"Fleet Management facility" means the dispatch center, alternative fuel depot, and car wash facility located at 1501 W. Madison, Phoenix, Arizona 85007.

"Fleet Management vehicle" means any state vehicle owned and managed by Fleet Management.

"Maintenance provider" means a person contracting with Fleet Management to provide vehicle maintenance.

"Operator" means a driver of a Fleet Management vehicle.

"Recall" means a demand to return an extended dispatch vehicle because of failure to comply with this Article.

"Taxi" means a general purpose passenger vehicle on a temporary, short-term dispatch assignment.

"Using agency" means any agency to which a Fleet Management vehicle is dispatched.

"Vehicle rotation" means the periodic reassignment of vehicles dispatched to using agencies to equalize use.

Historical Note

Adopted effective July 27, 1983 (Supp. 83-4). Section repealed, new Section adopted effective February 7, 1990 (Supp. 90-1). Transferred from R2-1-201 (Supp. 91-3). Amended by final rulemaking at 6 A.A.R. 4265, effective October 20, 2000 (Supp. 00-4).

R2-15-202. Vehicles, Operators, and Uses

A. Any state employee holding a valid Arizona driver's license may be an operator if authorized by the employee's agency.

B. An operator shall use a Fleet Management vehicle only for state government activities as prescribed under A.R.S. § 38-538.02. Prohibited uses include the following:

1. Domicile-to-duty transportation of a state employee, unless specifically authorized by the employee's agency director;
2. Personal convenience; or
3. Transportation of family members or friends, or any person not essential to accomplishing the purpose for which the vehicle is dispatched.

C. Fleet Management shall ensure that a Fleet Management vehicle:

1. Bears a current state license plate in accordance with A.R.S. §§ 28-2351 and 28-2416;
2. Bears designations in accordance with A.R.S. § 38-538;
3. Is registered with the Arizona Department of Transportation Motor Vehicle Division; and
4. Complies with state emissions laws.

Historical Note

Adopted effective July 27, 1983 (Supp. 83-4). Repealed effective February 7, 1990 (Supp. 90-1). Transferred from R2-1-202 (Supp. 91-3). New Section adopted by final rulemaking at 6 A.A.R. 4265, effective October 20, 2000 (Supp. 00-4).

R2-15-203. Operator Responsibilities

A. Fueling facilities
1. An operator shall use an approved fueling facility whenever available. If an approved fueling facility is not available, an operator shall use a fueling facility that accepts the Fleet Management-issued credit card, if possible.
2. An operator assigned an alternative fuel vehicle shall use alternative fuel whenever available.
3. An operator shall use fuel from regular unleaded self-service pumps.
4. Except in the case of emergency, operators within the Capitol area shall use the ADOA Fleet Management facility to refuel Fleet Management vehicles.

B. Purchases and repairs
1. An operator shall use the Fleet Management-issued credit card for purchases and repairs only on Fleet Management vehicles.
2. An operator shall obtain authorization from the maintenance provider before making a purchase or repair for a Fleet Management vehicle that costs more than $50.00.

C. Accident reporting
1. An operator shall report a fleet management vehicle accident to the police and shall make a written report to Fleet Management within 24 hours after the accident using the automobile loss report form contained in the accident reporting packet. If the operator is incapacitated, the operator's supervisor shall make the report.
2. The operator and the operator's supervisor shall sign the automobile loss report and give it to Fleet Management within 24 hours after the accident.
3. If another driver is involved, the operator shall request that the other driver fill out the witness information card located in the accident reporting packet. The operator shall obtain the name and telephone number of any witness.
4. The operator shall submit the police report regarding the accident to Fleet Management within 10 calendar days after the accident.

D. Traffic citations
1. An operator is personally responsible for the prompt payment of any fine for a moving or non-moving traffic citation, other than for mechanical failure, received while driving a Fleet Management vehicle.
2. If a citation is received for mechanical failure, the operator shall, as soon as possible, deliver the vehicle, with the citation, to Fleet Management for repair.
3. An operator who receives a traffic citation while driving a Fleet Management vehicle and fails to resolve the matter within 90 calendar days of the citation shall lose the privilege of operating a Fleet Management vehicle. The operator's privilege shall be reinstated when the operator provides Fleet Management with verification that the operator paid the fine, successfully contested the traffic citation, or attended traffic school and possesses a valid driver's license.

E. Vehicle operation
1. The operator and all passengers shall wear seat belts while the vehicle is in motion.
2. An operator is responsible for the safe and careful operation of a Fleet Management vehicle and for observing all directives issued by the Governor.

F. Care of vehicles. An operator shall ensure that:
1. A Fleet Management vehicle is properly warmed as prescribed in the vehicle operation manual before operation;
2. A Fleet Management vehicle is kept clean and free of litter;
3. Any defect or malfunction is promptly reported to Fleet Management. If the Fleet administrator determines that the operator is negligent and fails to safeguard the Fleet Management vehicle, the cost of any resulting damage shall be billed to the using agency;
4. The vehicle maintenance schedule is followed. Fleet Management vehicles not brought in for scheduled service are subject to recall; and
5. Smoking does not occur in a Fleet Management vehicle.
   a. If Fleet Management determines that smoking occurred in a Fleet Management vehicle, the operator's agency shall be billed for the cleaning expense.
   b. A subsequent incident of smoking in a Fleet Management vehicle shall result in the operator losing the privilege to operate a Fleet Management vehicle.

G. Taxi return. An operator shall return a taxi to Fleet Management on the return date specified, unless an extension of the return date is approved by the Fleet Administrator.

H. Loaning vehicles to other state employees. An operator to whom a Fleet Management vehicle is dispatched is responsible for proper use of the vehicle. Before allowing another state employee to drive the vehicle, the operator to whom the vehicle is dispatched shall verify that the other state employee is properly licensed and instructed in the proper use of Fleet Management vehicles.

Historical Note

Adopted effective July 27, 1983 (Supp. 83-4). Section repealed, new Section adopted effective February 7, 1990 (Supp. 90-1). Transferred from R2-1-203 (Supp. 91-3). Amended by final rulemaking at 6 A.A.R. 4265, effective October 20, 2000 (Supp. 00-4).

R2-15-204. Repealed

Historical Note

Adopted effective July 27, 1983 (Supp. 83-4). Section repealed, new Section adopted effective February 7, 1990 (Supp. 90-1). Transferred from R2-1-204 and paragraph labeling corrected (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 4265, effective October 20, 2000 (Supp. 00-4).

R2-15-205. Vehicle Request Procedures

A. Using agencies may request either taxis or extended dispatch vehicles.

B. Taxis
1. Fleet Management shall fill reservations for a taxi on a first-come, first-serve basis. Vehicles shall be reserved in person, by telephone, in writing, or by electronic means.
2. Fleet Management shall hold a reserved taxi for one hour beyond the stipulated time of dispatch. If, by that time, the requesting agency does not pick up the taxi, the request shall be canceled and the taxi shall be dispatched to the next requestor.
3. If a requesting agency fails to pick up a taxi, Fleet Management shall bill the agency for one day's use.

C. Extended dispatch vehicles
1. An extended dispatch vehicle request shall be approved by the head of the requesting agency, or the agency head's designee, and forwarded to the Fleet Administrator.
2. If the extended dispatch vehicle request cannot be satisfied with existing resources, the requesting agency may request appropriated funds for purchase of a vehicle in the next budget cycle, coordinating the request with the Fleet Administrator and the Office of Strategic Planning and Budgeting.

3. If funds are available, the requesting agency shall purchase the vehicle through Fleet Management and assign the vehicle to the Fleet Management maintenance and replacement program.
4. The requesting agency shall transfer the appropriate funding to Fleet Management before the vehicle is ordered.

Historical Note
Adopted effective July 27, 1983 (Supp. 83-4). Section repealed, new Section adopted effective February 7, 1990 (Supp. 90-1). Transferred from R2-1-205 (Supp. 91-3). Amended by final rulemaking at 6 A.A.R. 4265, effective October 20, 2000 (Supp. 00-4).

R2-15-206. Special Equipment
An agency requesting specially installed equipment such as 2-way radios, sirens, cages, or tanks shall submit the request in writing to the Fleet Administrator. The using agency shall pay for the equipment, for installation of the equipment, and for restoration expenses or diminution in value caused by modifications made to install special equipment.

Historical Note
Adopted effective July 27, 1983 (Supp. 83-4). Editorial correction, subsection (B), paragraph (3) (Supp. 84-2). Section repealed, new Section adopted effective February 7, 1990 (Supp. 90-1). Transferred from R2-1-206 (Supp. 91-3). Amended by final rulemaking at 6 A.A.R. 4265, effective October 20, 2000 (Supp. 00-4).

R2-15-207. Billing Rates
A. Charges for extended dispatch vehicles are determined by a rate methodology that consists of a cost-per-month charge, a cost-per-mile charge, and a charge for fuel use.
B. Charges for taxi vehicles are determined by a rate methodology that consists of a cost-per-day charge and a charge for fuel use.
C. Fleet Management rates may vary from fiscal year to fiscal year depending upon the size of the fleet and the cost of new vehicles, maintenance, repairs, overhead, and insurance costs.

Historical Note
Adopted effective July 27, 1983 (Supp. 83-4). Section repealed, new Section adopted effective February 7, 1990 (Supp. 90-1). Transferred from R2-1-207 (Supp. 91-3). Amended by final rulemaking at 6 A.A.R. 4265, effective October 20, 2000 (Supp. 00-4).

R2-15-208. Repealed

Historical Note
Adopted effective July 27, 1983 (Supp. 83-4). Repealed effective February 7, 1990 (Supp. 90-1). Transferred from R2-1-208 (Supp. 91-3).

R2-15-209. Repealed

Historical Note
Adopted effective July 27, 1983 (Supp. 83-4). Section repealed, new Section adopted effective February 7, 1990 (Supp. 90-1). Transferred from R2-1-209 (Supp. 91-3). Section repealed by final rulemaking at 6 A.A.R. 4265, effective October 20, 2000 (Supp. 00-4).

ARTICLE 3. MATERIALS MANAGEMENT

R2-15-301. Definitions
In this Article, unless the context otherwise states:
1. "Direct transfer" means the transfer of surplus or excess materials by the Surplus Property Management Office from one state governmental unit to another without physically moving the property to the Surplus Property Management Office.
2. "Established markets" means those places where materials are regularly bought and sold at prices set by open competition.
3. "Fair market value" means the price at which sales have been consummated for assets of like type, quality, and quantity in a particular market at the time of acquisition.
4. "General Services Administrator" means the person holding the position as Administrator of the General Accounting Office, Finance Division of the Department of Administration.
5. "Posted prices" means the sale price determined by the Surplus Property Administrator to be fair market value.
6. "State plan of operation" means the agreement for acquiring federal surplus property between the state and the United States General Services Administration.
7. "Surplus Property Administrator" means the person holding the position as Administrator of the Surplus Property Management Office, General Services Division of the Department of Administration.

Historical Note
Adopted as an emergency effective January 1, 1985, pursuant to A.R.S. § 41-1003, valid for only 90 days (Supp. 84-6). Emergency expired. Permanent rule adopted effective April 3, 1985 (Supp. 85-2). Transferred from R2-7-801 (Supp. 91-3). Amended effective April 2, 1993 (Supp. 93-2).

R2-15-302. Material Management
A. The procurement officer shall ascertain or verify that materials, services, or construction items procured by such officer conform to specifications as set forth in the solicitation. The procurement officer may establish inspection and testing facilities, employ inspection personnel, enter into arrangements for the joint or cooperative use of laboratories and inspection and testing facilities, and contract with others for inspection or testing work as needed. The procurement officer may delegate authority for inspection and testing.
B. Each state governmental unit shall conduct an annual inventory, to be verified by a physical count and certified by the unit's director, of all material warehoused or otherwise stored by the unit.

Historical Note
Adopted as an emergency effective January 1, 1985, pursuant to A.R.S. § 41-1003, valid for only 90 days (Supp. 84-6). Emergency expired. Permanent rule adopted effective April 3, 1985 (Supp. 85-2). Transferred from R2-7-802 (Supp. 91-3).

R2-15-303. Disposition
A. The Surplus Property Administrator may act on behalf of the state in all matters pertaining to the disposition of excess and surplus materials.
B. No using agency, except the Department of Public Safety pursuant to A.R.S. § 41-1713(B)(7), the Arizona Coliseum and Exposition Center pursuant to A.R.S. § 3-1007(1), Arizona Correctional Industries pursuant to A.R.S. §§ 41-1623(E) and 41-1624(B), and the Department of Mines and Mineral Resources pursuant to A.R.S. § 27-105(6) shall transfer, sell, trade-in, condemn, or otherwise dispose of materials owned by the state without written authorization of the Surplus Property Administrator.
C. Using agencies shall notify the Surplus Property Administrator of all excess and surplus materials on such forms and at such times as that officer may prescribe. The Surplus Property

Administrator shall determine the fair market value of excess and surplus property.

D. The Surplus Property Administrator shall facilitate the transfer of excess or surplus materials to or between other state agencies, other units of government and eligible nonprofit institutions. The transfer document of state property shall state that the recipient agrees not to transfer title or dispose of the material within a six-month period, except for motor vehicles which have a 12-month restriction, without prior approval of the Surplus Property Administrator.

E. Disposition of surplus materials

1. Surplus materials shall be offered through competitive sealed bids, public auction, established markets, or posted prices. If unusual circumstances render the above methods impractical, the Surplus Property Administrator may employ other disposition methods, including appraisal or barter, provided such officer makes a written determination that such procedure is advantageous to the state. Only United States Postal Money Orders, certified checks, cashiers' checks or cash shall be accepted for sales of surplus property unless approved by the Surplus Property Administrator or for sales of less than $100.
2. Competitive sealed bidding
   a. Notice of sale bids shall be publicly available from the State Procurement Office at least ten days before the date set for opening bids. Notice of the sale bids shall be mailed to prospective bidders, including those bidders on lists maintained by the State Procurement Office pursuant to R2-7-312. The notice for sale bids shall list the materials offered for sale, their location, availability for inspection, the terms and conditions of sale and instructions to bidders including the place, date, and time set for bid opening. Bids shall be opened publicly pursuant to the requirements of R2-7-318.
   b. The award shall be made in accordance with the provisions of the notice for sale bids to the highest responsive and responsible bidder, provided that the price offered by such bidder is acceptable to the Surplus Property Administrator. If the State Procurement Administrator determines that the bid is not advantageous to the state, such officer may reject the bids in whole or in part and may resolicit bids or such officer may negotiate the sale, provided that the negotiated sale price is higher than the highest responsive and responsible bidder's price.
3. Auctions shall be advertised at least three times prior to the auction date, the last notice to be no less than six days prior to the auction date. All the terms and conditions of any sale shall be published and be available to the public at least 24 hours prior to the auction date.
4. Before surplus materials are disposed of by trade-in to a vendor for credit on an acquisition, the Surplus Property Administrator and State Procurement Administrator shall approve such disposal. The Surplus Property Administrator shall base this determination on the urgency of need by other state governmental units or whether the trade-in value is expected to exceed the value realized through the sale of the materials.
5. An employee of the owning or disposing state governmental unit shall not directly or indirectly purchase or agree with another person to purchase surplus property if that employee is, or has been, directly or indirectly involved in the purchase, disposal, maintenance, or preparation for sale of the surplus material.

Historical Note

Adopted as an emergency effective January 1, 1985, pursuant to A.R.S. § 41-1003, valid for only 90 days (Supp. 84-6). Emergency expired. Permanent rule adopted effective April 3, 1985 (Supp. 85-2). Transferred from R2-7-803 (Supp. 91-3). Amended effective April 2, 1993 (Supp. 93-2).

R2-15-304. Nonexpendable Material (General Fixed Assets) Inventory Records

A. Each state governmental unit, as of the end of each fiscal year, shall submit to the General Accounting Administrator an inventory report, verified by a physical count and certified by the unit's director, listing the following:

1. All nonexpendable material (general fixed assets) capitalized in accordance with the Arizona accounting manual.
2. Lease purchase or installment purchase equipment.
3. Nonexpendable material (general fixed assets) that has been, or will be, leased or rented for more than 90 days.

B. All real property, buildings, and other improvements to real property shall be included in the report required under subsection (A) of this rule but shall be identified separately within the report.

C. All copies of signed lease-purchase and installment contracts shall be submitted to the General Accounting Administrator within 30 days of execution.

Historical Note

Adopted as an emergency effective January 1, 1985, pursuant to A.R.S. § 41-1003, valid for only 90 days (Supp. 84-6). Emergency expired. Permanent rule adopted effective April 3, 1985 (Supp. 85-2). Transferred from R2-7-804 (Supp. 91-3). Amended effective April 2, 1993 (Supp. 93-2).

R2-15-305. Lost, Stolen or Destroyed Nonexpendable Material (General Fixed Assets)

A. The theft of nonexpendable material shall be immediately reported to the appropriate law enforcement agency.

B. All lost, stolen or destroyed nonexpendable material shall be reported by the state governmental unit within ten days after discovery of the loss to the General Accounting Administrator. The General Accounting Administrator may authorize in writing the deletion of such nonexpendable material from the inventory. Any such material deleted from the inventory that is subsequently located shall be added to the inventory.

Historical Note

Adopted as an emergency effective January 1, 1985, pursuant to A.R.S. § 41-1003, valid for only 90 days (Supp. 84-6). Emergency expired. Permanent rule adopted effective April 3, 1985 (Supp. 85-2). Transferred from R2-7-805 (Supp. 91-3). Amended effective April 2, 1993 (Supp. 93-2).

R2-15-306. Federal Surplus Material Program

The Surplus Property Administrator shall:

1. Prepare and file a state plan of operation with the United States General Services Administration.
2. Act on behalf of the state with any federal agencies or other surplus property agencies regarding federal surplus materials.
3. Distribute federal surplus material to eligible entities.

Historical Note

Adopted as an emergency effective January 1, 1985, pursuant to A.R.S. § 41-1003, valid for only 90 days (Supp. 84-6). Emergency expired. Permanent rule adopted effective April 3, 1985 (Supp. 85-2). Transferred from R2-7-

806 (Supp. 91-3). Amended effective April 2, 1993 (Supp. 93-2).

R2-15-307. Authority for Transfer of Material

A. The Surplus Property Administrator shall determine eligibility for the acquisition of federal or state surplus material. Eligibility for federal surplus material shall be in accordance with federal law. All entities eligible under federal law or federal income tax exempt non-profit entities and having at least one full-time salaried employee shall be eligible for state surplus material.

B. No state governmental unit shall acquire federal or state surplus material without the approval of the Surplus Property Administrator.

Historical Note

Adopted as an emergency effective January 1, 1985, pursuant to A.R.S. § 41-1003, valid for only 90 days (Supp. 84-6). Emergency expired. Permanent rule adopted effective April 3, 1985 (Supp. 85-2). Transferred from R2-7-807 (Supp. 91-3). Amended effective April 2, 1993 (Supp. 93-2).

R2-15-308. Fees and Charges

A. The Surplus Property Administrator shall determine and assess proper service and handling fees, with the approval of the Director for the acquisition, receipt, warehousing, rehabilitation, delivery, distribution, or transfer of state surplus materials. Such fees shall be fair and equitable and shall be based on cost of services performed and continuous maintenance support requirements of the surplus property management office.

1. All direct transfers of state surplus between state governmental units must be approved by the Surplus Property Administrator. Service and handling charges will not be assessed by the Surplus Property Management Office, if the direct transfer between state governmental units can be accomplished without the use of personnel, equipment handling, or facility support, of the Surplus Property Management Office.
2. All other direct transfers of state surplus materials will be assessed a service and handling charge. The receiving entity shall pay a transfer fee of 10% of the fair market value of the property with a minimum charge of $20.00 and a maximum fee of $300.00.

B. Fees on other transfers or sales shall be pursuant to R2-15-310.

Historical Note

Adopted as an emergency effective January 1, 1985, pursuant to A.R.S. § 41-1003, valid for only 90 days (Supp. 84-6). Emergency expired. Permanent rule adopted effective April 3, 1985 (Supp. 85-2). Transferred from R2-7-808 (Supp. 91-3). Amended effective April 2, 1993 (Supp. 93-2).

R2-15-309. Surplus Materials Revolving Funds

A. The State Treasurer may, after a determination that a portion of the monies in the state surplus materials revolving fund is not required for a period of three months, deposit such monies in a government-insured depository institution offering a rate of return with maturity of 13 months or less from date of purchase. All interest earned shall be credited to the revolving fund.

B. The federal surplus materials revolving fund shall be maintained in accordance with the state plan of operations.

Historical Note

Adopted as an emergency effective January 1, 1985, pursuant to A.R.S. § 41-1003, valid for only 90 days (Supp. 84-6). Emergency expired. Permanent rule adopted effective April 3, 1985 (Supp. 85-2). Transferred from R2-7-809 (Supp. 91-3).

R2-15-310. Allocation of Proceeds from Sale or Disposal of Excess or Surplus Materials

A. Except as otherwise provided in subsection (B), proceeds from the disposition of excess or surplus materials shall be retained by the Surplus Property Office.

B. State governmental units, except the Department of Public Safety pursuant to A.R.S. § 41-1713(B)(6), that originally purchased a material with General Fund monies shall not be reimbursed for its transfer or sale.

C. State governmental units that originally purchased a material with special fund monies, such as revolving, dedicated or federal funds, shall be reimbursed, less Surplus Property Office's fee, for its transfer or sale according to the following schedule:

1. The Surplus Property Office shall collect a fee for direct transfer of state excess or surplus material in accordance with R2-15-308(A)(1). The balance of the sale price shall be reimbursed to the transferring agency.
2. Reimbursement of non-direct transfer of state excess or surplus materials shall be as follows:
   a. No reimbursement if the sale proceeds for an item are less than $50.00.
   b. Reimbursement at the rate of 70% of the sale proceeds for an item selling for a price greater than $50.00.
3. Reimbursement shall not be made until completion of the sale.

Historical Note

Adopted as an emergency effective January 1, 1985, pursuant to A.R.S. § 41-1003, valid for only 90 days (Supp. 84-6). Emergency expired. Permanent rule adopted effective April 3, 1985 (Supp. 85-2). Transferred from R2-7-810 (Supp. 91-3). Amended effective April 2, 1993 (Supp. 93-2).