

RISK MANAGEMENT BULLETIN

ISSUE: STATE OWNED "RECREATIONAL TYPE" VEHICLES



The State owns a number of snowmobiles, all terrain vehicles and motorcycles. We would like to remind agencies and employees that, like the State's other vehicles, these are insured solely for the purpose of fulfilling the State's mission. The State is liable for its negligent acts or omissions in its ownership, maintenance or use of these vehicles. Risk Management Division provides self insurance for this liability subject to the following criteria:

- Each September, agencies must provide Risk Management with a count of existing recreational type vehicles at the time the State's vehicle liability insurance is renewed. If these vehicles are not reported to us and a premium is not charged, there is no coverage through our office for the vehicle liability associated with them.
- Our insurance agreement defends and indemnifies employees against claims arising out of acts or omissions within the course and scope of employment. It is important for agencies and employees to understand that we are not required to defend and indemnify an employee if the use of the vehicle is not within the course and scope of employment.
- Risk Management strongly recommends not allowing non state employees to operate any state owned recreational vehicles. This includes family members. As with all other state owned vehicles, agencies desiring authorization for non state employees to be insured, must meet certain criteria. In short, these criteria are: the driver must be at least 18 years of age, the vehicle must be used for a State purpose only, the department grants permission for this usage, and a vehicle use agreement form (available through our office) is completed and approved by Risk Management.

The nature of these vehicles may tempt an employee or his family to use them for personal and/or pleasure use. Agencies need to discourage this, for the employee and the State's protection. Our recommendations to control your liability loss exposure related to these vehicles are:

- Report the recreational vehicles to us!**
- Restrict usage to State business!**
- Restrict operation to departmental approved drivers only!**
- Restrict passengers to necessary passengers only!**

****Please copy and distribute this bulletin to your employees that operate your department's recreational type vehicles.****

Call our office if you have any questions at all, or if we can be of assistance.