

# RISK MANAGEMENT BULLETIN

## RECREATIONAL TYPE VEHICLES

The State is liable for its negligent acts or omissions in its ownership, maintenance or use of certain vehicles.\*

Risk Management provides liability insurance subject to the following criteria:

- Agencies must report the number of vehicles to Risk Management.
- A premium for liability insurance has been paid.

Our insurance agreement defends and indemnifies employees against claims arising out of acts or omissions within the course and scope of employment. 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 recommends use be restricted to State employees only. As with all other vehicles, agencies desiring authorization for non state employees to be insured, must meet certain criteria:

- The driver must be at least 18 years of age,
- Valid license and good driving record.
- The vehicle is used for a State purpose only, the department grants permission for this usage.
- A Vehicle Use Agreement 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.

\*Exceptions to immunity <https://legislature.maine.gov/statutes/14/title14sec8104-A.html>.

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

Call our office if you have any question.