



STATE OF ARKANSAS
**Department of Finance
and Administration**

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November 3, 2010

Richard Davies
Executive Director
Arkansas Department of Parks and Tourism
1 Capitol Mall
Little Rock, Ar. 72201

Dear Mr. Davies,

Based on the information presented in your correspondence, dated October 13, 2010, the following determinations have been made:

Due to the required level of travel and the responsibilities assigned, a waiver under Sec. 5, Paragraph C, of Executive Order 10-14, regarding the status designation of commuter has been granted to the following positions:

Director of Arkansas State Parks
Executive Director
Tourism Director

Similarly, based on the information provided, your request for the status designation of commuter for the following positions has been denied:

Executive Director, Keep Arkansas Beautiful Commission
Chief Engineer, P.E.
Engineer P.E.

Additionally, a waiver under Sec. 4 of Executive Order 10-14 allowing the operation of a State vehicle without red Official Business Only license plates or official seal has been denied for the vehicle(s) assigned to the following position:

Executive Director

Please be aware that, under Section 4 of Executive Order 10-14, all vehicles must carry red, Official Business Only license plates and each must carry the official seal of either the State or your agency. Unless otherwise stated, this

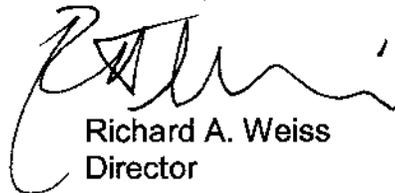
requirement applies to vehicles assigned to employees operating under a status designation of commuter.

Please also be aware that, under Section 3 of Executive Order 10-14, all vehicles not assigned to individual employees must be pooled, made available to any authorized employee and must remain on State property when not in use.

Additionally, please recall that Executive Order 10-14 requires State vehicles be used solely for purposes of official State business.

Thank you for your assistance and cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Weiss', with a large, stylized flourish on the left side.

Richard A. Weiss
Director

Jake Bleed

From: Richard Davies [richard.davies@arkansas.gov]
Sent: Wednesday, October 13, 2010 5:25 PM
To: Richard Weiss; Jake Bleed
Subject: FW: Request for Commuter Status
Attachments: Request for Commuter Status Doug Weaver.pdf; Request for Commuter Status Joe David Rice .pdf; Request for Commuter Status Kin Siew.pdf; Request for Commuter Status RWDavies.pdf; Robert Phelps KAB Request for Commuter Status.pdf; Request for Commuter Status Greg Butts.pdf

Guys: Here's our commuting requests and a preface memo. Your consideration would be appreciated. RWD

MEMORANDUM

TO: Richard Weiss
FROM: Richard W. Davies
DATE: October 13, 2010
Re: State Vehicles

As a preface to our individual requests, I think it worthwhile to say a word or two about how the Department of Parks and Tourism handles vehicles, and has for years, which, in my view, conforms with the new Governor's Policy Directive. Out of our 244 total vehicles in the Department to operate our 67 locations, only six (6) are assigned that would fall under the "commuting" portion of the new Governor's directive. That's about 2% of the fleet. The rest of the assigned vehicles either are in regular travel status or law enforcement. Two of the six remaining are engineers, and the other four are the Executive Director, State Parks Director, Tourism Director and Keep Arkansas Beautiful Director.

These vehicles have never been assigned due to "rank" as some sort of job perk. As a matter of fact, three of our six Division Directors do not have assigned cars, Admin, History, and Great River Road, and only one section manager in the entire department has an assigned vehicle (law enforcement). The vehicles are assigned due to the nature of our business and what is expected of these folks not only by me but by the constituencies they represent and serve. These decisions HAVE been made for business reasons.

If you deal with "Legitimate State Business Purpose" for a "commuting" exemption, even if you disregard any value to employees' time, the commuting allows folks to be more places, more often, in a more responsive manner than they would otherwise. Not only do we have the employees, facilities and visitors in State Parks where timely emergency response may be necessary, for whatever reason, Parks and Tourism, especially these directors in question, seem to be on the "A" list for every civic club, chamber of commerce, regional tourism group and association, and special event in the state.....and they all aren't noon programs in Little Rock. They're often on nights and weekends. Those folks depend on us, and expect us to be there, but we're also dependent on them. We're the largest user of volunteers in State Government, and we do our best to be responsive to their events too. Just last week, for instance, the Parks Director hauled it out of a PEER committee meeting at the Capitol at 3:30 pm in order to speak to one of our volunteer group's annual meeting in Fort Smith at 6:30. My guess is that he got back home about 11 pm, and he was in the office at 8 pm the next morning. That's our life around here. We generally have more places to be than we have time for. A lot of time is spent driving "after hours" in order to help preserve "office hours," and avoiding overnight expenses as well. I see that as a benefit to the state.

So what's the cost? I don't think there's any question any of these folks need a vehicle readily available in order to do their jobs at all. Our jobs ARE about travel, after all, and a vehicle is an essential tool. So then you deal with the commuting cost. My commute, for instance, is 5 miles each way. That's 10 miles a day. If I commuted every day of 50 weeks a year at 50 cents a mile, we're looking at \$1200. If you throw in driving somewhere for lunch, add another \$600 for a total of \$1800. Then if you deduct all the days I don't commute, plus mileage saved in my particular case coming or going from home to anywhere north of I-40, the cost comes down even more. My guess is that we're looking at about \$1000 a year per person at most, and the employee is paying taxes on commuting use on top of that. If you multiply that \$1000 times six for all the commuting requests we have for the whole department, we're looking at \$6000 per year.

Do I think we get a \$6000 worth of efficiency out of it? Obviously, yes, or we wouldn't have been doing it. That's about two thirds of what we spend for our copy machine lease in the central office per year! We're spending almost \$100 million of the public's money over here every year in direct service to the public. If we want to look at just one side of the ledger, we could save a ton more money if we didn't have computers, cell phones and copy machines. Could we still do our jobs? Probably so.....I can remember when we didn't have any of that, and so can you. But we wouldn't be very efficient, responsive or productive.

This isn't my first rodeo, so I understand the dangers of picking fights with folks who buy ink by the barrel, and we'll certainly abide by whatever decision comes down. But if someone asked me why these six folks in Parks and Tourism deserved a waiver, this memo is pretty much what I'd tell them. And I'd hasten to add that it's not for some fat cat bureaucrats with 8-5, Monday through Friday desk jobs. There may have been vehicle abuses in other parts of State Government, but I don't think they've been over here. It IS possible for someone to have done it right.....

Request for Status Designation: Commuter

Executive Order 10-14 established Status Designations for employees whose duties require assignment to a State Vehicle. Request for the Status Designation of Commuter must be made for individual state employees. Waivers issued under Governor's Policy Directive 3 will cease to be valid after Nov. 1, 2010.

Please use this form to Request the Status Designation of Commuter for employees within your State Agency, Board or Commission who require the use of a State Vehicle to travel to and from home and whose use of a State Vehicle is as a Commuter as described by Executive Order 10-14.

Please supply the following information for each state employee to receive the Status Designation of Commuter as described under Executive Order 10-14:

1. Name of Employee:

Greg Butts

2. Position or Title of Employee:

Director of Arkansas State Parks

3. Agency, Board or Commission:

Arkansas Department of Parks & Tourism

4. Year, Make and Mode of Vehicle to be Assigned:

2007 Dodge Durango

5. VIN Number of Vehicle to be Assigned:

D8HB38P37F584872

6. Estimated Mileage Driven on a Monthly Basis:

896

7. License Plate Number of Vehicle to be Assigned:

069-LHN

8. Does this vehicle have Official State License Plates: Yes: No:

9. If the employee has previously used a State Vehicle under a Waiver from Governor's Policy Directive 3 but no longer thinks it's necessary to use a State Vehicle in this manner, please check here:

10. Please use this space to describe the Legitimate State Business Purpose that would be met if this employee was granted a Commuter Status Designation. If additional space is needed, please add additional pages as necessary:

The state park director is responsible for the overall administration, management, operation, construction, planning, programming, policy making and evaluation of the 52 state parks, state park central office operations and four regional offices. Job duties include making public presentations and attending meetings (ex: municipal, county, state and federal agencies, associations, partners, stakeholders, etc.) and events outside the office, before, during and after standard office hours (8 am-5 pm), in addition to weekends. Additionally, duties include responding to various park emergencies and weather events (fires, tornados, floods, etc.). Different from most state agencies, state park operations are "24/7", 365 days a year, with all of the challenges, problems and demands of operating small cities, with over 8 million visitors annually. The position's responsibilities and associated travel are not always 8-5.

Duties also include responsibilities designated in the Arkansas Department of Emergency Management's Emergency Response Plan, for responding to and managing state parks roles in state or federal emergencies in Arkansas. Many trips require leaving early, returning late or both beyond normal work hours. Unlike most state agencies, the work responsibilities are throughout Arkansas.

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Please supply the following information for each state employee to receive the Status Designation of Commuter as described under Executive Order 10-14:

1. Name of Employee:

Richard W. Davies

2. Position or Title of Employee:

Executive Director

3. Agency, Board or Commission:

Arkansas Department of Parks and Tourism

4. Year, Make and Mode of Vehicle to be Assigned:

2004 Ford Expedition

5. VIN Number of Vehicle to be Assigned:

1FMPU16L14LA88602

6. Estimated Mileage Driven on a Monthly Basis:

1150

7. License Plate Number of Vehicle to be Assigned:

SeeArk

8. Does this vehicle have Official State License Plates:

Yes:

No:

9. If the employee has previously used a State Vehicle under a Waiver from Governor's Policy Directive 3 but no longer thinks it's necessary to use a State Vehicle in this manner, please check here:

10. Please use this space to describe the Legitimate State Business Purpose that would be met if this employee was granted a Commuter Status Designation. If additional space is needed, please add additional pages as necessary:

Numerous after hours events, speaking engagements and meetings - it varies, but some months as much as 40% of week nights. Visits or inspections to federal, state, local and private parks and tourism facilities in all corners of the state, where even a "day trip" involves leaving very early or returning after hours if we want to get anything done. After hours hosting of writers, photographers or visiting tourism industry folks. Regular meetings out of the office at state and federal agencies, or legislative subcommittees out in the state and away from the Capitol complex. Monthly or quarterly meetings of three separate commissions - most out of town. Emergency response to serious incidents (storms, floods, fires, deaths) at State Parks. We operate 53 state parks all over the state and 12 welcome centers at the state borders, so the majority of our employees and operations are "in the field." I also try to attend a fair number of field employee training or conferences held in the parks. Probably out of the office 60% of the time for one reason or another. Commuting status makes me more efficient and allows me to be in more places to deal with constituents when time is an issue, which it usually is. Also saves on overnight travel expenses when I could go ahead and get home at a reasonable hour, which in turn preserves business hours for other work that needs to be done.

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1. Name of Employee:

Joe David Rice

2. Position or Title of Employee:

Tourism Director

3. Agency, Board or Commission:

Arkansas Department of Parks & Tourism

4. Year, Make and Mode of Vehicle to be Assigned:

2008 Dodge Durango

5. VIN Number of Vehicle to be Assigned:

1D8HB38N78F134495

6. Estimated Mileage Driven on a Monthly Basis:

1,200

7. License Plate Number of Vehicle to be Assigned:

084 LHN

8. Does this vehicle have Official State License Plates: Yes: No:

9. If the employee has previously used a State Vehicle under a Waiver from Governor's Policy Directive 3 but no longer thinks it's necessary to use a State Vehicle in this manner, please check here:

10. Please use this space to describe the Legitimate State Business Purpose that would be met if this employee was granted a Commuter Status Designation. If additional space is needed, please add additional pages as necessary:

Many of my in-state travels involve early departures so I can make an 8:00 am meeting in Russellville, a 9:00 am meeting in Arkadelphia, or a 10:00 am meeting in Bentonville. Likewise, it's not uncommon to return to Little Rock well after normal business hours. In addition, I take about half a dozen business trips by airline over the course of a year and more often than not have to book very early flights (e.g., 6:00 am) out of Little Rock. Should I be required to drive my own personal car to the Big MAC to obtain a vehicle from a car pool, it would probably add 30 minutes to every trip, not to mention shuffling luggage and other materials from one vehicle to the other. After hours return trips would require a similar commitment of time. Also, I usually average anywhere from 5 to 10 meetings a week in the local area, usually at CJRW, Aristotle, the Statehouse Convention Center, the Arkansas State Highway & Transportation Department, Heifer International, the Arkansas Arts Center, or other venue. Tracking down a carpool vehicle would again be a time-consuming effort which would be difficult if I'm scrambling to get off the phone and make a meeting downtown. Lastly, I occasionally provide transportation for visiting writers, editors, photographers, and other guests. I take pride in the cleanliness of the car assigned to me and that's not necessarily guaranteed even in the best of car pools.

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Please supply the following information for each state employee to receive the Status Designation of Commuter as described under Executive Order 10-14:

1. Name of Employee:

Robert Phelps

2. Position or Title of Employee:

Executive Director

3. Agency, Board or Commission:

Keep Arkansas Beautiful Commission

4. Year, Make and Mode of Vehicle to be Assigned:

2006 Ford Escape Hybrid

5. VIN Number of Vehicle to be Assigned:

1FMYU95H76KB36385

6. Estimated Mileage Driven on a Monthly Basis:

983

7. License Plate Number of Vehicle to be Assigned:

427 HKJ

8. Does this vehicle have Official State License Plates:

Yes: No:

9. If the employee has previously used a State Vehicle under a Waiver from Governor's Policy Directive 3 but no longer thinks it's necessary to use a State Vehicle in this manner, please check here:

10. Please use this space to describe the Legitimate State Business Purpose that would be met if this employee was granted a Commuter Status Designation. If additional space is needed, please add additional pages as necessary:

The KAB auto is the only vehicle assigned to the Commission and functions as the transportation link that connects us to our 56,000+ yearly community volunteers in the various programs we manage in 60 counties, including 10 different Keep America Beautiful community affiliates, 6 Shine communities and 23 Litter Free Zone school campuses, plus the numerous speaking engagements, conferences in which we participate and the meetings we attend across the state. It is an essential tool that I utilize to permit important face-to-face interaction between KAB and the numerous citizens, groups and organizations which provide volunteers to our programs. These contributed services allow KAB to produce a cost benefit value to the state and its communities of over \$6 million /year average and results in a favorable return-on-investment of over \$15 per state program dollar expense.

Because of the varied nature of our volunteer-led programs, the diverse geographic areas they cover and the distant locales I must visit, the ability to use the auto for commuting is a great time saving benefit to the KAB program. It allows me to conveniently leave for meetings and trips directly from my home and return directly there before and after work day hours and on weekends. I also routinely schedule out-of-office local and area meetings and functions at the beginning or near the end of the work day to minimize disruptions from office.

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Please supply the following information for each state employee to receive the Status Designation of Commuter as described under Executive Order 10-14:

1. Name of Employee:

Kin Siew

2. Position or Title of Employee:

Chief Engineer, P.E.

3. Agency, Board or Commission:

Arkansas State Parks and Tourism

4. Year, Make and Mode of Vehicle to be Assigned:

2007 Dodge Durango

5. VIN Number of Vehicle to be Assigned:

1D8HB38PX7F584870

6. Estimated Mileage Driven on a Monthly Basis:

866

7. License Plate Number of Vehicle to be Assigned:

837LHM

8. Does this vehicle have Official State License Plates:

Yes:

No:

9. If the employee has previously used a State Vehicle under a Waiver from Governor's Policy Directive 3 but no longer thinks it's necessary to use a State Vehicle in this manner, please check here:

10. Please use this space to describe the Legitimate State Business Purpose that would be met if this employee was granted a Commuter Status Designation. If additional space is needed, please add additional pages as necessary:

2. As the Chief Engineer for the Arkansas State Parks, I am the supervisor for 4 engineers, 4 inspectors, 2 surveyors and 1 GIS coordinator. My other responsibilities include the overall project management, design coordination, oversight and implementation of engineering/construction projects across the 52 state parks. My job duties include attending project meetings, visiting job sites to oversee construction and engineering projects. These responsibilities require me to travel across the state outside normal business hours. Additionally, my duties include responding to various park emergencies and weather events (fires, tornadoes, floods, etc.). Many of my trips require leaving early, returning late or both beyond normal work hours. Unlike other agencies, my work and job responsibilities entail locations throughout Arkansas.

Since this vehicle was assigned to me, and by starting and ending my travel at my home location, I am able to leave early and arrive home late. This eliminates overnight stays that would otherwise be required. I am currently averaging over 866 miles/month. Over 2/3 of this travel is related to attending construction meetings and trips to various state parks for construction management duties.

In all of my travel scenarios, efficiency, response time, and effectiveness are lost and additional costs come in.

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Please supply the following information for each state employee to receive the Status Designation of Commuter as described under Executive Order 10-14:

1. Name of Employee:

Doug Weaver

2. Position or Title of Employee:

Engineer, P.E.

3. Agency, Board or Commission:

Arkansas State Parks and Tourism

4. Year, Make and Mode of Vehicle to be Assigned:

2007 Dodge Pickup

5. VIN Number of Vehicle to be Assigned:

1D7HA18P17J619143

6. Estimated Mileage Driven on a Monthly Basis:

2525

7. License Plate Number of Vehicle to be Assigned:

304 LHM

8. Does this vehicle have Official State License Plates:

Yes:

No:

9. If the employee has previously used a State Vehicle under a Waiver from Governor's Policy Directive 3 but no longer thinks it's necessary to use a State Vehicle in this manner, please check here:

10. Please use this space to describe the Legitimate State Business Purpose that would be met if this employee was granted a Commuter Status Designation. If additional space is needed, please add additional pages as necessary:

2. As a civil engineer for the Arkansas State Parks, I am responsible for the project management, design coordination, oversight and implementation of engineering/construction projects across the 52 state parks. My job duties include attending project meetings, visiting job sites to oversee construction and engineering projects. These responsibilities require me to travel across the state, outside normal business hours. Additionally, my duties include responding to various park emergencies and weather events (fires, tornadoes, floods, etc.). Many of my trips require leaving early, returning late or both beyond normal work hours. Unlike other agencies, my work and job responsibilities entail locations throughout Arkansas.

Since this vehicle was assigned to me, and by starting and ending my travel at my home location, I am able to leave early and arrive home late. This eliminates overnight stays that would otherwise be required. I am currently averaging over 2500 miles/month. Over 2/3 of this travel is related to attending construction meetings and trips to various state parks for construction management duties.

In all of my travel scenarios, efficiency, response time, and effectiveness are lost and additional costs come in to play by not allowing a waiver from a pool vehicle. Time is a "cost" adding to every trip in checking out a