



EXECUTIVE ORDER NO. 728

PROMOTING EFFICIENCY AND ACCOUNTABILITY IN THE USE OF STATE VEHICLES

WHEREAS the proper management of state vehicles is important to ensuring the efficient and effective operation of state government;

WHEREAS Alabamians expect their tax dollars to be managed in the most efficient and cost-effective manner;

WHEREAS Alabamians further expect that state property be used for official government purposes as opposed to personal purposes;

WHEREAS, in December 2022, my office received survey responses from more than 150 agencies, departments, and other entities within the executive branch of state government concerning their use of state vehicles;

WHEREAS these survey responses indicated that, as of December 2022, state executive-branch agencies owned approximately 9,500 vehicles to support a workforce of approximately 30,000 state employees;

WHEREAS many of these vehicles are assigned to individual state employees or designated as “pool” vehicles (that is, available for check-out on an as-needed basis), but some have been identified as “unused”;

WHEREAS the survey responses indicated a need to establish new policies, or improve existing policies, concerning agencies’ reliance on pool vehicles as opposed to individually assigned vehicles;

WHEREAS the survey responses further indicated a need to improve existing policies concerning the use of so-called “cover tags” – that is, license plates used to carry out undercover law enforcement operations; and

WHEREAS improving policymaking and policy enforcement in these areas will promote public confidence in state government’s stewardship of public resources;

NOW, THEREFORE, I, Kay Ivey, Governor of the State of Alabama, by virtue of the authority vested in me by the Constitution and laws of the State of Alabama do hereby promulgate this executive order, effective immediately:

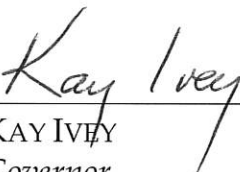
1. **General policy.** It is the policy of the executive branch of state government that state vehicles only be purchased and used to promote the most efficient conduct of official state business.
2. **Elimination of unnecessary state vehicles.** The executive branch of state government shall dispose of unnecessary state vehicles as follows.
 - a. **Policy development.** By July 1, 2023, each state executive-branch agency shall ensure that it has a written policy concerning the disposal of unnecessary state vehicles.
 - b. **Disposal of unused vehicles.** Any unused or excess vehicles shall be disposed of in accordance with established laws, policies, and procedures regarding the disposition of surplus property.
 - c. **Elimination of State Motor Pool.** Because many state executive-branch agencies increasingly rely on vehicles owned by the agencies themselves, the vehicles within the State Motor Pool operated by the Alabama Department of Transportation are increasingly likely to be unnecessary state vehicles. Accordingly, the Department of Transportation is directed to eliminate the State Motor Pool. In carrying out this task, relevant cabinet agencies shall work with agencies that currently rely on the State Motor Pool to ease the transition to other means of efficiently obtaining vehicle transportation for the conduct of official state business.
3. **Policies for the proper use of state vehicles.** By July 1, 2023, each state executive-branch agency shall ensure that it has a written policy concerning the proper use and assignment of state vehicles. To promote public confidence in the stewardship of state resources, such policies shall provide objective criteria to determine when a vehicle may properly be assigned to an individual state employee to efficiently conduct the agency's official government business.

4. **Policies for proper use of cover tags.** Undercover license plates shall be issued as follows.
 - a. **General policy.** It is the policy of the executive branch of state government that undercover license plates be used only for law enforcement surveillance or undercover investigatory purposes or for other valid security needs. *Cf.* Ala. Admin. Code r. 810-5-1-.212.
 - b. **Enhanced oversight.** Within 30 days from the issuance of this order, the Department of Revenue shall re-issue Form MV-UC (“Application for Undercover License Plates”) to improve oversight by state executive-branch agencies in the issuance of undercover license plates and to ensure that these license plates are used for law enforcement surveillance or undercover investigative needs or for another valid security need. *Cf.* Ala. Admin. Code r. 810-5-1-.212.
 - c. **Re-evaluation of existing cover tags.** On or before October 1, 2023, each state executive-branch agency shall complete Department of Revenue Form MV-UC, as revised pursuant to subparagraph 4.b, for each undercover license plate in its fleet of state vehicles. The agency shall maintain a copy of that newly completed form in its files.
 - i. **Completed forms.** Completed forms for undercover license plates (Department of Revenue Form MV-UC) shall be considered confidential law enforcement or security records.
 - ii. **Exemptions.** The requirements of this subparagraph 4.c shall not apply to the Office of the Attorney General or to the Alabama Law Enforcement Agency.
5. **Reporting.** Each state executive-branch agency shall report annually to the Office of the Governor on its usage and assignment of state vehicles and efforts to improve public confidence in the stewardship of state vehicle resources. These reports shall be filed at a time, and in a format, prescribed by the Office of the Governor.

6. **Applicability.** For purposes of this order, “state executive-branch agency” means any agency, department, board, office, commission, or other entity within the executive branch of state government.
7. **Implementation.** This order shall be implemented to the maximum extent possible consistent with applicable law and subject to the availability of appropriations. Nothing in this order shall be construed as impairing or otherwise affecting the authority granted by law to an executive branch agency, or the head thereof, including the Governor of the State of Alabama, except to the extent expressly set forth in this order.
8. **No private right of action.** This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any private party against the State of Alabama, its departments, agencies, or entities, its officers, employees, or agents, or any other person.
9. **Effect on prior related orders.** Any previously issued executive order is hereby rescinded to the extent it conflicts with this executive order.

DONE AND ORDERED this 17th day of January 2023.




KAY IVEY
Governor

ATTESTED



WES ALLEN
Secretary of State