



Motor Vehicle Management Bureau

Rules and Regulations

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I. OVERVIEW

The City of Boston's commitment to providing quality services to its constituents necessitates a substantial investment in vehicle and equipment assets. Effective management of these fleet assets is imperative in order to keep the City's operations at peak efficiency and readiness. An important element in achieving this objective is the establishment of a vehicle/equipment utilization policy.

This Policy, as one of the City of Boston's Employee Policies, is to be used in conjunction with federal and state regulations governing the operation of motor vehicles, the Massachusetts Conflict of Interest Law, and other applicable policies including but not limited to the Drug Free Workplace Policy, Alcohol and Drug Policies and Protocols, and any relevant collective bargaining agreements.

MOTOR VEHICLE MANAGEMENT BUREAU

Under the authority of the City of Boston Municipal Code (section 7-8), the Motor Vehicle Management Bureau has been established with the following authorities/duties:

The MVMB shall be responsible for the acquisition by purchase or otherwise and for the assignment, maintenance and disposal for all motor vehicles owned by, or leased, loaned or otherwise provided to the City, excepting vehicles owned or leased by the Fire or Police Departments, which Police or Fire Department vehicles shall not be used except for the purposes of said Department. (Ord. 1979 c. 33; Ord. 1996 c. 6)

FLEET UTILIZATION REVIEW COMMITTEE

The Fleet Utilization Review Committee shall be established and charged with making decisions to retain, reassign, eliminate, or assign pool vehicle status to inefficiently utilized vehicles and equipment. The committee shall also investigate program applications and make recommendations on alternatives to ownership of such units. It is the responsibility of the Fleet Utilization Review Committee to analyze the usage of the fleet just prior to the budget development process and the annual vehicle purchasing cycle. The Fleet Utilization Review Committee shall be comprised of the Director of Central Fleet Management along with representatives from various departments.

The purpose of the committee is to evaluate usage and application data on vehicles that are being underutilized, over utilized, or improperly utilized (units with abnormally high maintenance and/or damage costs), which therefore do not meet the established class parameters (standards).

Once a vehicle falls into one of these exception categories, the customer department shall be interviewed to review the usage records and to present justification for maintaining the vehicle's assignment and status. Should the committee decide that there is insufficient justification for the current assignment, the unit may be reassigned, replaced, or used as a substitute to replace another older vehicle. The vehicle may also be disposed of as surplus or replaced with a more applicable vehicle for the task being performed. Some vehicles may be transferred to the City Motor Pool (FleetHub) to allow other departments to use the vehicle.

Unless special circumstances dictate, the Fleet Utilization Review Committee shall meet periodically at times that correspond closely to upcoming fiscal events such as budget generation, budget implementation, budget review, and the fleet specification writing and vehicle-purchasing schedule.

A memo, generated by Central Fleet Management (CFM), shall notify customer departments that they may have inefficiently utilized equipment and shall request a response for evaluation by the committee. The customer department may request more information from CFM and, if not represented on the committee, send a representative to the meeting to clarify the usage and provide more detail. Results of the meetings will be documented, recorded, and summarized for review. These documents may also become a part of the City budget program review process to evaluate departmental program needs and effectiveness.

Utilization standards shall be levels of usage according to class of vehicle or piece of equipment. These standards may vary due to type of use. However, low usage class standards will be under the scrutiny of the Utilization Review Committee. Utilization parameters will be set by vehicle class and/or by individual unit. The usage data shall be from historical fleet records including an analysis of usage patterns for a class or unit for a period of one to two years. Historical data from current fleet software systems shall be used to establish these usage patterns. The customer department's usage patterns by class may be further separated to compensate for seasonal usage peaks and valleys. Utilization will be evaluated using miles, days of use, fuel consumption and/or hour meter readings to account for normal and specialized user tasks. An analysis of underutilized units shall include alternatives to exclusive use of the unit, such as use of City motor pool (FleetHub), arranging a short-term rental or lease, contracting for short-term service with another agency that owns a similar unit, or utilizing a contract agency to perform the service. In establishing usage parameters, the unique needs and characteristics of each department will be accounted for. Service delivery to the citizens of the City of Boston is of paramount importance.

DEPARTMENT LIAISON

All member departments under the jurisdiction of the Motor Vehicle Management Bureau are required to assign a member of their staff to act as a fleet manager/coordinator. The responsibilities of the fleet manager are primarily to act as a liaison and point of contact for all issues that arise as a result of motor vehicles assigned to the department fleet or utilized by department personnel (i.e. FleetHub vehicles). These duties include submission of motor vehicle accident reports, coordinating vehicles for scheduled preventive maintenance actions, participation at scheduled fleet manager meetings, coordination of annual vehicle inventories, and other vehicle actions as required by the Motor Vehicle Management Bureau.

VEHICLE MARKING POLICY

Most department vehicles will receive lettering identifying the department the vehicle is assigned to and City Seals. However, several City departments have approved department logos which may be used in place of, or in conjunction with, approved vehicle markings and lettering. Under no

circumstance should department specific or City markings or seals be removed from any vehicle without approval from a department/division head. Any removal of markings/seals shall be performed by an authorized Central Fleet Management employee. Drivers should under no circumstance apply any unauthorized markings, stickers, seals, signs or magnets to a City vehicle.

II. RECORD KEEPING

The MVMB will be responsible for compiling and managing all of the centralized records regarding the City's vehicles. These records include, but are not limited to, the following:

1. Vehicle registrations and insurance materials
2. Records and reports on Motor Vehicle Accident Reports
3. Employee vehicle violation reports
4. Annual inventory reports, as directed by City Ordinances
5. Information and specifications on authorized vehicle purchases
6. Information on assignment and usage of motor vehicles

It is expected that all division heads will comply with the reporting rules and requirements within this policy by submitting all necessary information to the MVMB as required. This includes copies of all accident reports, registrations, inventory reports, preventive maintenance schedules, etc.

In the event that any record requires corrections or changes, the sole authority to do so rests with the MVMB. Request for corrections must be made in writing to the MVMB for consideration.

III. AUTHORIZATION OF USE – CITY OF BOSTON MOTOR VEHICLE

Authorization of use for departmental motor vehicles is granted under the direction of the Department's Appointing Authority or his/her designee. Division heads are expected to monitor assignments and usage of the motor vehicles assigned to their division.

Use of City motor vehicles is for official use and the performance of the employee's official duties. Only those employees who have positions that require automobile transportation to carry out their duties will be authorized to use City vehicles.

It is expected that vehicles will be pooled and not assigned for individual use unless directed by the appropriate division head or his/her designee.

Any after hours, take home or out of City of Boston use must be approved by the appropriate division head or his/her designee. If at any time, the vehicle is used for commuting to and from work (for instance, the vehicle is taken home overnight), it is considered a Taxable Benefit per the IRS Publication 15-B and, as such, the employee will be required to report it in the Vehicle Usage Form at year-end. The value of such personal use, which is a taxable benefit, will be reported on the employee's W-2.

DRIVER QUALIFICATIONS

Any employee who operates a City motor vehicle shall be required to show evidence of qualification to operate such vehicle, or vehicles, including the possession of a valid and legal driver's license. The employee may also be required to produce a copy of his/her driving record.

If the employee's duties require him/her to operate a commercial motor vehicle, the employee is required to possess the appropriate Commercial Driver's License (CDL) and any endorsements as required to operate the specific type of equipment. The employee must comply with any and all applicable CDL rules and regulations of the Federal Motor Carrier Safety Administration (FMCSA) (49 CFR Parts 300-399).

As a basis of hiring, promotion, or a result of a driving record evaluation, any employee who holds a position which requires a valid Massachusetts Driver's License or a valid Massachusetts Commercial Driver's License (CDL) may be requested to demonstrate his/her driving skills, knowledge, abilities, and qualifications through a remedial driver's training program, on-the-road evaluation, physical tests or other procedures as deemed necessary and appropriate. A copy of the employee's driving record shall be obtained from the driver licensing authority as part of the hiring process to determine if the employee is qualified to operate a motor vehicle in the course of employment. Any changes in an employee's driving record must be immediately reported to the employee's supervisor/manager.

DRIVER LICENSING REQUIREMENTS

Any employee who holds a position which requires a valid Massachusetts Driver's License or a valid Massachusetts Commercial Driver's License (CDL) must maintain that license at all times. The driver is responsible to notify his/her supervisor/manager immediately if he/she learn that their driver's license is no longer valid.

Upon notification from the RMV that a driver's license has been revoked or suspended, the driver may no longer operate any city vehicles/equipment until proof of license reinstatement is supplied. Additionally, all CDL drivers are subject to the rules, regulations, and consequences of both the City of Boston's CDL policy and FMCSA regulations at all times.

FLEET HUB

Fleet Hub vehicles are designated for use on approved local City of Boston official business only. Any use outside of City limits or overnight use must be approved by the appropriate Department Head or his/her designee. If at any time, the vehicle is used for commuting to and from work (for instance, the vehicle is taken home overnight), it is considered a Taxable Benefit per the IRS Publication 15-B and, as such, the employee will be required to report it in the Vehicle Usage Form at year-end. The value of such personal use, which is a taxable benefit, will be reported on the employee's W-2.

Any employee who has been approved for membership in the Fleet Hub Program is required to possess a valid Massachusetts Driver's License and must maintain that license at all times. It is the employee's responsibility to immediately notify their department's Fleet Hub administrator upon

notification by the Registry of Motor Vehicles that his/her driver's license has been revoked or suspended. The employee is expressly prohibited from driving a Fleet Hub motor vehicle until his/her driving privileges have been restored.

Additionally, any employee who is approved for membership in the Fleet Hub Program agrees to the provision that the City of Boston may elect to enroll said employee into the City's driver's license notification program in partnership with the Registry of Motor Vehicles.

While using a FleetHub vehicle, employees shall comply with all departmental/divisional rules governing vehicle use, all of the rules and regulation listed herein as well as the **FleetHub specific policies set by Central Fleet Management**. All approved members are apprised of these FleetHub specific policies through a welcome e-mail and an online orientation and quiz before they are allowed to begin reserving FleetHub vehicles. Failure to comply with any of the aforementioned rules, regulations or policies may result in suspension or expulsion from the FleetHub program in addition to any other disciplinary measures taken by MVMB or the employees' supervisor/manager.

IV. ACCIDENT/DAMAGE/THEFT REPORTING PROCEDURES

REPORTABLE DAMAGES TO MOTOR VEHICLES

Any City of Boston employee involved in an accident that results in damage to either City of Boston property or private property and/or involves any personal injury will follow these steps:

1. Notify the appropriate law enforcement agency immediately (i.e. 911).
2. Notify the employee's immediate supervisor.
3. Exchange all necessary information with the operator(s) of other vehicles involved in the accident required to complete a Motor Vehicle Accident Report.
4. Obtain the names, addresses, and phone numbers of any witnesses
5. Make no statements as to who is at fault in the accident and refrain from discussing the circumstances of the accident with anyone other than City of Boston authorities or law enforcement officials.
6. Cooperate and comply with the instructions of any law enforcement, fire, or medical personnel at the scene of the accident.

If possible, the supervisor of the employee involved in the accident should go to the scene of the accident to ensure the above steps are followed. The supervisor should also ensure that a Motor Vehicle Accident Report is completed and submitted to the Motor Vehicle Management Bureau (MVMB).

Accident reports should be submitted to the MVMB within 24 hours of the vehicle accident. If the employee is hospitalized or otherwise incapacitated as a result of an accident, he/she should submit a report as soon as reasonably possible. Failure to report an accident in a timely manner may result in disciplinary action, up to and including termination.

POST-ACCIDENT DRUG & ALCOHOL TESTING

Employees who are involved in an accident while operating a City owned vehicle may be subject to an alcohol & drug test following an accident whenever:

1. the accident involves a fatality; or
2. an individual suffered a bodily injury that required immediate medical treatment away from the scene of the accident and/or the employee received a citation for a moving traffic violation arising from the accident; or
3. one of the vehicles involved in the accident was towed from the scene and/or the employee received a citation for a moving traffic violation arising from the accident.

Drug & Alcohol Testing will never delay necessary and immediate medical treatment. Testing should be performed as soon as possible after the accident.

Alcohol testing must be completed within 8 hours after the accident.
Drug testing must be completed within 32 hours after the accident.

This language is not intended to amend, add to, or subtract from any current collective bargaining agreement or memorandum of agreement between the City of Boston and its unions. To the extent a conflict exists between this section and any relevant collective bargaining agreement or memorandum of agreement, the terms of the applicable agreement shall prevail.

REMEDIAL DRIVER TRAINING

The Motor Vehicle Management Bureau will compile the material for the monthly Accident Report - which will be used to monitor the frequency, type, and cause of accidents involving department vehicles. The report will be prepared and submitted to division heads on the first week of each month.

In identifying frequency and trends regarding employees involved in multiple accidents during a given year, the MVMB may make the following recommendations for any employee who holds a position which requires a valid Massachusetts Driver's License or a valid Massachusetts Commercial Driver's License (CDL): 1) suspend an employee's driving privileges pending completion of remedial driver's training, 2) revoke an employee's authorization to operate a City vehicle, and/or 3) refer an employee to remedial driver's training classes.

Remedial driver's training must be completed under the auspices of the Central Fleet Management (CFM) Safety Instructor. In addition to an employee's frequency of accidents, recommendations for employees to be enrolled in the remedial driver training course may occur at the request of an employee's supervisor and/or division head.

The Motor Vehicle Management Bureau will direct the safety instructor to provide qualitative feedback in any assessment of an employee's driving skills.

STOLEN VEHICLES

If a City motor vehicle is stolen, the operator of the vehicle must immediately report the theft to the Boston Police Department or other appropriate local law enforcement agency and complete a stolen vehicle report provided by the appropriate agency. If the theft occurs during normal work hours, the employee is responsible for reporting the theft to their supervisor (who will notify proper departmental authorities) and to the MVMB. If the theft occurs during non-working hours, these notifications shall be done on the next work day. The vehicle operator shall submit a copy of the report to the MVMB.

NOTE: The City is not responsible or liable for the loss of an employee's personal property as a result of a stolen vehicle. Employees are cautioned to exercise due care of personal property when using a City motor vehicle.

V. PREVENTIVE MAINTENANCE

Every City motor vehicle has an established preventive maintenance schedule. Department fleet managers are responsible for ensuring that all vehicles assigned to their department receive maintenance actions at their scheduled times. Preventive maintenance falls into three categories - Scheduled, Non-emergency, and Emergency.

Central Fleet Management will provide monthly reports to fleet managers indicating which vehicles are due/overdue for maintenance actions.

SCHEDULED

Upon notification from Central Fleet Management, fleet managers are required to provide the listed vehicles to CFM for their preventive maintenance. Departments should ensure that impact on operational requirements is minimal, but vehicles should be delivered to CFM as soon as feasible.

Scheduled maintenance should be completed before a vehicle becomes overdue for a preventative maintenance service. Fleet managers will receive reminder notifications to have the vehicle delivered for scheduled maintenance. CFM reserves the right to utilize punitive administrative actions (i.e. turning off the vehicle's fuel card/device) to ensure that vehicles are brought in on time for preventative maintenance.

NON-EMERGENCY

Whenever an operator notices a problem with a vehicle, he/she should bring the vehicle to CFM for inspection and/or repairs. Operators must complete and sign a Driver's Complaint Sheet fully, legibly and to the best of their knowledge upon arrival at CFM. If a technician is readily available, the vehicle will receive an inspection/evaluation. Otherwise, the vehicle will be scheduled for repairs as soon as possible

EMERGENCY (NON-DUTY HOURS)

The hours of operation for Central Fleet Management are Monday through Friday 7:00am to 11:30pm. If an emergency occurs with a City vehicle during non-working hours, operators should contact non-emergency City services and information at 311 and report the problem and location of the vehicle. Hot Line operators will contact CFM staff who will

coordinate with CFM technicians to report to the vehicle's location and tow the vehicle back to the appropriate repair facility or perform on-site repairs if possible. Vehicle inspection/evaluation and repairs will be scheduled as soon as possible.

VI. RESTRICTIONS/INSTRUCTIONS/MISCELLANEOUS

FUEL

All City motor vehicles are authorized to receive fuel from one or more of the City's fuel dispensing sites or at an authorized contracted fueling location (see Attachment A). Each vehicle has been issued its own specific fuel key ("fob") or telematics device to allow it to receive the appropriate type of fuel at one or more of the City's fuel dispensing sites. If an operator loses a vehicle fob or has issues fueling with a vehicle fob or telematics device, they should notify their supervisor and CFM as soon as possible to ensure that the appropriate steps are taken to prevent any unauthorized fueling.

All operators of City vehicles are responsible for ensuring that vehicles have an adequate amount of fuel (not less than 1/2 tank) when the vehicle is returned. Operators are required to re-fuel assigned motor vehicle as required.

City vehicles should fuel exclusively at one of the City's fuel dispensing sites or at an authorized contracted fueling location unless extenuating circumstances arise. Neither CFM nor the MVMB will be responsible for providing any reimbursement for any out-of-pocket fueling costs. Any driver operating a city vehicle (FleetHub included) should refer to their supervisor to clarify their department's policy on fuel reimbursements prior to using a City motor vehicle.

GARAGING/PARKING

Unless specifically authorized by the department's Appointing Authority, and approved by the Motor Vehicle Management Bureau, all City motor vehicles under the scope of the MVMB shall be garaged/parked within the perimeter of the City of Boston.

GPS/TELEMATICS

City vehicles may be equipped with GPS and/or telematics devices This language is not intended to amend, add to, or subtract from any current collective bargaining agreement or memorandum of agreement between the City of Boston and its unions. To the extent a conflict exists between this section and any relevant collective bargaining agreement or memorandum of agreement, the terms of the applicable agreement shall prevail.

LEAVING CITY LIMITS

No operator should leave the limits of the City of Boston in a City vehicle without first notifying and receiving authorization to do so from their division head. Operators are still required to comply with all of the rules and regulations listed herein upon leaving City limits and departments are responsible for any incidental expenses (e.g. fuel, tolls, parking expenses, etc.) that may be incurred.

EMPLOYEE LIABILITY

Under MGL Ch. 258, City employees are protected from being sued by third parties when they are acting within the scope of their employment while operating a motor vehicle. If the employee(s) are found to have not been acting within the scope of their employment or not acting in compliance with certain rules or regulations outlined in this document, he/she may be at risk of being held liable for damages to third parties as well as to the City owned vehicle.

PERSONAL USE OF CITY OWNED VEHICLES

The use of City owned vehicles for anything other than City business is strictly prohibited and may subject the employee to disciplinary action up to and including termination. Any use of City owned vehicles outside of City limits or overnight use must be approved by the appropriate Department head or his/her designee.

Employees who use employer provided vehicles solely for business purposes are not required to include the value of such use in income. However, if at any time, the vehicle is used for commuting to and from work (for instance, the vehicle is taken home overnight), it is considered a Taxable Benefit per the IRS Publication 15-B and, as such, the employee will be required to report it in the Vehicle Usage Form at year-end. The value of such personal use, which is a taxable benefit, will be reported on the employee's W-2.

SEAT BELT USAGE

Massachusetts State Law (M.G.L. Chap. 90 Sect. 13A) states that no person shall operate a motor vehicle or ride as a passenger in a motor vehicle unless such person is wearing a safety belt which is properly adjusted and fastened.

Failure to use seat belts may lead to the operator receiving a citation which will be reflected on the operator's driving record.

NO SMOKING POLICY

Under the City of Boston's Work Rules and Regulations, the No Smoking policy is extended to include no smoking allowed in any City owned vehicle.

CELL PHONE USE

Effective January 3, 2012, Federal law (FMCSR) forbids all operators of commercial motor vehicles from operating commercial motor vehicles while using cell phones or other wireless devices for communications or text messaging.

City policy and Massachusetts state law (M.G.L. c. 90 Sec. 13B) forbids any driver from using a wireless device to text message while operating a motor vehicle. When an employee operates a motor vehicle for City business, the employee must adhere to proper cell phone use in accordance with City policy and any applicable Federal or Massachusetts state law(s). Violation of this policy

is a serious safety concern and will be strictly enforced, and may result in discipline, up to and including termination

TOLLS/PAID PARKING

Any driver operating a city vehicle (FleetHub included) who plans on using a toll road or who may incur parking fees during their trip should refer to their supervisor to clarify their department's policy on incidental reimbursements prior to leaving.

Please note that Central Fleet Management cannot reimburse drivers for any tolls or parking fees or for any tickets or penalties resulting from the failure to pay a toll or a parking fee.

TRAFFIC VIOLATIONS

All employees operating a City owned vehicles must abide by all speed, parking, traffic and other applicable laws. Any and all fines imposed as a result of any violations, including parking tickets and traffic violations, shall be paid entirely by the employee responsible for the violation.

COOPERATION

As a condition of the authorization to operate a City vehicle, all employees agree to cooperate in the investigation, defense, and resolution of any claim which arises as a result of his/her operation of that vehicle. Failure to comply with the requests by the City, its agents, servants, or attorneys for cooperation in the investigation, defense, or resolution of any claim may result in the denial of coverage by the City of Boston as pertains to that claim pursuant to MGL 258 section 2 (Liability/Cooperation of Public Employee). In the event the city denies coverage, the individual operator may be found personally liable to the claimant for any damages resulting from an accident and the operator will have to assume the cost of his/her own defense of the matter, including attorney's fees.

VII. COMPLIANCE

These rules and regulations apply to the use and operation of all City of Boston vehicles within the responsibility of the Motor Vehicle Management Bureau pursuant to City of Boston Code, Ordinances c. 7, s 7-8.8.

Failure to comply with these rules and regulations may result in one or more of the following: suspension of the authorization to operate a City motor vehicle, personal liability for any damage to a City owned vehicle, and/or disciplinary action up to and including termination.

All employees are required to sign off on the Acknowledgement of Policy (Attachment B)

Attachment A

<u>PWD DISTRICT</u>	<u>ADDRESS</u>	<u>HOURS OF OPERATION</u>	<u>FUEL TYPE</u>	<u>CAPACITY</u>
1	400 FRONTAGE ROAD SOUTH BOSTON	24 HOURS	DIESEL	10,000
			GASOLINE	20,000
6	315 GARDNER STREET WEST ROXBURY, MA	7:00AM - 3:30PM	DIESEL	3,000
			GASOLINE	2,500
7	58 GIBSON STREET DORCHESTER, MA	7:00AM - 3:30PM	DIESEL	4,000
8	58 DANA AVENUE HYDE PARK, MA	7:00AM - 3:30PM	DIESEL	2,500
10	280 HIGHLAND STREET ROXBURY, MA	7:00AM - 3:30PM	DIESEL	4,000
BTD OPERATIONS	112 SOUTHAMPTON STREET ROXBURY, MA	24 HOURS	DIESEL	2,500
			GASOLINE	6,000
FRANKLIN PARK	CIRCUIT DRIVE JAMAICA PLAIN, MA	7:00AM - 3:30PM	DIESEL	3,000
			GASOLINE	3,000
LOGAN AIRPORT	100 SERVICE ROAD	24 HOURS	E-85	N/A
LOGAN AIRPORT		24 HOURS	CNG	N/A

NATIONAL GRID

GARDNER STREET

CNG

N/A

