



County of Monterey

Vehicle Use Policy (Revision 04/2013)

April 16, 2013

COUNTY OF MONTEREY
VEHICLE USE POLICY AND PROCEDURES

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Attachment B: Acknowledgement of Receipt / Understanding of the County of Monterey
Vehicle Use Policy

COUNTY OF MONTEREY
VEHICLE USE POLICY AND PROCEDURES

I) Introduction

All officials and employees who use a County or privately owned vehicle for County business shall follow the guidelines set forth in this policy and procedures.

II) Purpose

The purpose of this policy is to establish and specify Monterey County's general requirements and guidelines for vehicle use (both private and County owned) by officials and employees during the conduct of official County business and to establish related procedures and controls. References to employees in this policy include officials and permanent and temporary County employees unless stated otherwise.

III) Policy

County and privately owned vehicles used for County work activities are to be operated in a safe manner consistent with local, state and federal laws. All accidents must be reported promptly according to the procedures outlined within. The use of County vehicles shall be limited to necessary County business.

IV) Procedures

A) Responsibilities

1) Resource Management Agency - Public Works

- The County Administrative Officer has designated the Resource Management Agency - Public Works Director as the agent responsible for implementing the provisions of this policy.
- The Resource Management Agency - Public Works Director shall be responsible for the uniform application and interpretation of County policy with regard to assignment of County vehicles to individuals and departmental pools.
- The Director shall also be responsible for ensuring that any proposed exceptions to this County policy are considered for maximum benefit to the County.
- Responsibility for County vehicles shall be centralized under the direction of the Monterey County Fleet Manager for maintenance, acquisitions, repairs and other responsibilities not delegated to other departments. This includes the authorization of alternate repair facilities.

2) Department Heads

- Ensure that all permanent staff and temporary County employees within his/her department, who drive vehicles on County business, are aware of and comply with this policy and procedures.
- Ensure all permanent staff, temporary County employees in each department who drive vehicles on County business are provided a copy of this policy and procedures.
- Ensure the employees sign an acknowledgement of receipt (**see Attachment B**) stating they have received, read, and have had the opportunity to obtain answers to any questions they may have regarding the meaning and interpretation of the policy and procedures. Employees shall not operate a vehicle (County or private) for County business, until he/she has signed the acknowledgement of receipt form.
- Ensure executed statements of acknowledgement are kept on file in the department.

2) Department Heads (Continued)

- The department head or his/her designee shall approve permanent retention authorization in March of each year and maintain annual filings of such authorization.
- Provide a copy of the department's retention authorization lists to the Resource Management Agency - Public Works, which will send a request for a copy annually, in April.
- Ensure County vehicles are operated by authorized County permanent staff and temporary County employees who possess a legally valid California driver's license of the proper class for the vehicle being operated, prior to the vehicle being assigned, and who meet all other requirements established by their department.¹
- Establish a driver's license verification process to verify driver's license status of authorized drivers, using **the California Department of Motor Vehicles "Employer Pull Notice" (EPN) Program (see Attachment A)**.
- Ensure that temporary County employees, who drive County vehicles, are subject to the same policy and procedures as permanent County employees.
- Ensure that all assigned vehicles are delivered to the County vehicle maintenance facility whenever service is due.²
- Ensure that all reimbursement claims for County vehicle repairs are sent to the Fleet Manager for verification and approval.
- Ensure that drivers' records and status information will be kept confidential.
- Ensure that all drivers utilizing County vehicles attend a defensive driver-training program. All new employees/drivers shall attend defensive driver training prior to driving on County business. The training may be a County or privately provided training course. Verification of attendance shall be kept on file in employee training records and recorded in the LDN database. The course shall be repeated every two (2) years or sooner if employee is involved in an automobile accident or if deemed necessary by the department head.

¹To obtain authorization for temporary County employee use of county owned vehicles, the appropriate department manager will submit a memo to the department head or his/her designee listing the temporary County employee's name, hours of work, assignment, and drivers license number for approval.

²Only the Fleet Manager or his/her designee can authorize use of alternate repair facilities, unless the situation is an emergency.

A) Responsibilities

3) Division Managers

- Ensure that all permanent staff and temporary County employees under his/her supervision, who drive County vehicles, possess a valid California driver's license of the proper class.
- Report ALL accidents reported to you to your department head or his/her designee immediately and Fleet Management.

4) Drivers

- Ensure the vehicle is used for official County business only and ensure that passengers shall be County employees or authorized persons.
- Have possession of a valid California driver's license of the proper class at all times while operating any vehicle on County business.
- Wear seat belts at all times and instruct all passengers to fasten their seat belts before the vehicle is in motion.
- Operate the vehicle in a safe manner conforming to traffic laws and road conditions.
- Smoking is prohibited in County owned or leased vehicles.*
- County vehicles are to be serviced and repaired by the Fleet Management Division of the Resource Management Agency - Public Works. In the event of a vehicle breakdown within County limits or when traveling out of the County, every effort should be made to contact Fleet Management for assistance or instructions. Point of contact during regular working hours (7:00 a.m. to 3:30 p.m.) is the East Laurel Service Center at: **Fleet Management**, 855 E. Laurel Drive, Building A, Salinas, **(831) 755-4949**.*
- After hours, contacts are listed in the Vehicle Operator's Handbook found in glove compartments of all County vehicles.*
- As a requirement, all drivers must conduct an operator's check of the vehicle each day using the Vehicle Safety Check Sheet (see Attachment B) prior to operating. The minimum operator's check should consist of a check for body damage (dents, etc.), mechanical problems, and to verify all lights are functioning, all of which should be reported to your immediate supervisor and then in writing to the Fleet Management Division by completing a Vehicle and Property Damage Incident Report.
- Operate the vehicle in the manner consistent with the intended use of the vehicle.
- Place no bumper stickers or logos on County owned vehicles.
- Ensure no pets are allowed in County owned vehicles, unless necessary for completion of assigned County duties.

* Not a responsibility, but is a rule or other information included as a guideline in this policy.

4) Drivers (Continued)

- Immediately notify their department head or his/her designee of any change in his/her driving privileges.
- **Use of a County vehicle for transportation to home or a restaurant for meals is prohibited**, unless permanent retention has been authorized or it is done during duty hours or while attending a meeting on official County business.*
- Notify your division manager/supervisor **immediately** in the event you are involved in an accident.
- In the event of an accident, utilize the accident information provided on Page 10, Section "E".

B) Assignment of Vehicles

When not on County business, County vehicles are to be kept on County property locations. Privately owned vehicles are not to be left on County property for more than 24 hours (may be towed at owners expense)-unless prior arrangements are made otherwise with the department head or his/her designee. Duty hours, temporary or permanent retention may be allowed as follows:

1) Duty Hour Retention

The minimum transportation needs for this category of vehicle assignment shall include the following conditions:

- The department head or his/her designee has determined the assignee's duties cannot be satisfactorily performed without continuous availability of a suitable vehicle during duty hours.
- The tasks performed during duty hours require a specially equipped vehicle.
- The need cannot be met by use of a department pool vehicle.
- The monthly mileage claim costs of a privately owned vehicle would regularly exceed costs of assigning a County vehicle.

* Not a responsibility, but is a rule or other information included as a guideline in this policy.

B) Assignment of Vehicles (Continued)

2) Permanent Retention

A department head or his/her designee may assign an employee permanent (overnight) retention of a County vehicle if the department head deems that: 1) permanent retention is in the best interest of the public; and 2) the task(s) to be performed when called during off-duty hours requires immediate travel to the job location.

When an employee is assigned a vehicle for standby overnight or a weekend, an assigned County vehicle is not to be used for personal use except in rare emergency situations when no other vehicles are available (such as for an urgent medical need).

Approval for permanent retention is contingent on the employee being (and remaining) on a continuous on-call status during other than normal working hours (i.e., 24-hours on call) and meeting at least one of the following criteria:

- The need to respond to emergencies in the field with a vehicle specially equipped to meet the work needs of the department an average of at least six (6) or more calls per month.
- The employee is required to respond to the field with specially equipped vehicles to meet the seasonal work conditions of the department.
- The employee reports directly to the field at least fifty percent (50%) of his/her scheduled workdays and the employee lives more than ten (10) miles from the office headquarters.
- The employee operates specialized equipment that would be required in the event of an emergency and there is not enough time to retrieve the equipment from a County facility.
- An employee has an irregular work schedule due to required attendance at work related activities an average of at least two (2) weekends per month or two (2) evenings per week.

3) Temporary Retention

The authority granted in this section shall not be used in place of or to circumvent the requirements of making formal requests for permanent retention.

When an employee is assigned a vehicle for standby overnight or a weekend, an assigned County vehicle is not to be used for personal use except in rare emergency situations when no other vehicles are available (such as for an urgent medical need).

A department head or his/her designee shall be authorized to grant temporary retention of vehicles to employees based on the following criteria:

- When an employee is temporarily scheduled for standby duty outside of normal working hours due to emergency conditions or adverse weather.
- When an employee is leaving before working hours or returning from an authorized County business trip after regular working hours.

C) Use of a County Vehicle for Personal Business

When using a County vehicle, an employee shall follow these guidelines:

- When an employee is assigned a vehicle for standby overnight or a weekend, an assigned County vehicle is not to be used for personal use except in rare emergency situations when no other vehicles are available (such as for an urgent medical need).
- When a County car is taken home, it should be parked in an appropriate place such as the employee's driveway, garage, or close to the employee's home.
- Notwithstanding the above, a County vehicle shall not be used at all for the above listed exceptions when the employee has access to another private vehicle.
- If non-County employees (i.e., family members) attend local, regional or state meetings with an employee, the employee shall use his/her personal transportation, with the prior authorization of the department head or designee. Mileage claims shall be presented in accordance with the applicable provisions of the County's Personnel Policies and Practices Resolution.
- Each County employee who is assigned the use of a County vehicle shall be responsible for proper and complete reporting to the County's Auditor-Controller, to the Internal Revenue Service and to the California Franchise Tax Board to the value of the mileage and use of the assigned County vehicle for other than assigned County business.
- Transportation of any person(s) not connected with County business is prohibited in County vehicles unless otherwise expressly permitted by applicable law, or unless the department head or his/her designee gives prior specific authorization.

D) Use of Privately Owned Vehicles for County Business

The use of privately owned vehicles for official County business shall be allowed or encouraged when such use is determined to be in the best interests of the County.

Use of a privately owned vehicle for official County business shall not be mandatory, unless it has specifically been made a condition of employment, pursuant to the Personnel Policies and Practices Resolution Section A.18.2.

1) Prerequisites for Authorization

Any private vehicle to be operated shall be in sound mechanical condition and adequate for providing the required transportation in a safe and legal manner. The vehicle shall be a conventional 4-wheel vehicle. Under no circumstances shall a 2 or 3-wheel vehicle be used for County business. The vehicle shall be equipped with seat belts.

Any employees authorized to use a privately owned vehicle for official County business shall have:

- Prior authorization of his/her department head or their designee.
- A valid California driver's license of the proper class with him/her at all times when operating the vehicle, while on County business.
- Provide valid current proof of public liability/property damage insurance with policy limits not less than those set forth in California Vehicle Code Sections 16451.
- The County will not cover any damages incurred to passengers not associated with County business, unless prior authorization is received from the department head or his/her designee. These damages will be the responsibility of the employee's insurance. The County discourages carrying passengers not associated with County business during trips on County business.
- Borrowing a privately owned vehicle (not owned by County employee) for use on County business is prohibited.
- Cost of wear and tear to a personally owned vehicle used on County business is the responsibility of the vehicle owner.
- The County is not responsible for any loss/damage that occurs to any personally owned vehicle while parked on or near County work sites, at the employee's home/residence, not being used for County business, or while the employee is traveling on his/her normal commute to and from work.

1) Prerequisites for Authorization (Continued)

An employee may drive his/her own vehicle for County business only if the department head or his/her designee has approved the use, and:

- A County vehicle is not available.
- Non-County employees passengers are not carried.

An employee's supervisor may approve use of a private vehicle in the following situations:

- When there is no County vehicle available and alternate trip plans are not possible.
- When the only available County vehicle is unsafe to drive. In this instance, the vehicle shall be taken out of service.
- When the employee will be attending an all day meeting within the County and it is not appropriate to utilize a County vehicle for the entire day.

2) Mileage Reimbursement

Employees authorized to use their private vehicles for County business can claim reimbursement to the extent authorized by either the applicable provisions of the County's Salary and Benefits Resolution or the applicable provisions of any memorandum of understanding.

3) Personal Property Reimbursement

When an employee is authorized to use his/her private vehicle for County business pursuant to this policy and sustains damage to the vehicle while in the authorized performance of official County business, he/she may submit a claim for reimbursement for such loss subject to the following:

- He/she must report the incident that caused the damage to his/her insurance carrier if the damage exceeds their collision deductible.
- He/she must report the incident that caused the damage to his/her supervisor.
- He/she must report the incident to the police.

3) Personal Property Reimbursement (Continued)

- The employee will be eligible for reimbursement up to the amount of his/her collision coverage deductible or \$500.00, whichever is less upon submission of a substantiated claim consisting of:
 - i. A copy of the accident/incident report that was submitted to his/her supervisor.
 - ii. A copy of the accident/incident report prepared for his/her personal insurance (if the damage exceeds his/her comprehensive deductible).
 - iii. A copy of the police report.
 - iv. A statement signed by the employee's department head confirming the employee was on authorized County business at the time of the incident/accident, was authorized to use a personal vehicle on County business and that he/she approves the claim request.
 - v. A copy of the repair bill or estimate.
 - vi. A copy of the declarations page of the employee's automobile insurance policy evidencing the deductible for collision damage or comprehensive coverage.
 - vii. A copy of the vehicle registration form verifying the employee as the registered owner of the vehicle.
 - viii. A completed Monterey County claim form.

All such requests for reimbursements shall be subject to the approval of the County Administrator's Office.

E) In the Event of an Accident

All accidents involving a County vehicle or a private vehicle while used in the course and scope of employment must be reported whether or not there is damage to the County vehicle or whether or not the employee is cited.

An individual, whether officer, permanent, temporary or seasonal County employee, shall be personally responsible for all damages proximately caused to other persons and/or property when that individual, while operating or traveling in a County or privately owned vehicle, acts outside the course and scope of his/her office or employment or engages in criminal misconduct, fraud, malice or gross negligence. If the individual is using his/her privately owned vehicle pursuant to County policy, the individual's insurance shall be considered primary to that maintained by the County.

E) In the Event of an Accident (Continued)

The County will not assume responsibility for injury to a non-County passenger who is an occupant of a County vehicle or a personally owned vehicle being used in the course of County business, unless prior authorization for his/her presence has been granted as set forth herein. Disciplinary action may result if an investigation determines an employee was not in compliance with this policy.

In the event of an accident, the employee shall utilize the following information:

- Stop immediately.
- Take steps to prevent another accident at the scene.
- Call a doctor or ambulance; or 911 if necessary.
- Notify police.
- Obtain as much information about the accident as possible, (i.e., names and addresses of witnesses, license numbers of vehicles involved, etc.)³
- Do not discuss fault, liability, or responsibility for the accident.
- Do not agree to pay for anything or say that the County will take care of the costs or damage.
- Do not sign any papers.
- Do not discuss the accident or give statements to anyone at the scene, other than police officers.
- File a police report within ten (10) days, no matter how small the accident.
- The accident is to be reported as soon as possible to the Fleet Management Division (755-4949).
- Report the accident to your direct supervisor/manager and/or department head immediately or as soon as practically possible.
- In the event of personal injury, worker's compensation report forms are to be completed and submitted as required by the Worker's Compensation Procedure Manual when a County employee is injured in a vehicle accident.
- Complete required reports in accordance with the County Vehicle Accident Review Procedures.⁴
- If possible, take photos of the damaged vehicle/property and submit them with the incident report.

³ An accident report kit is provided in the glove compartment of each county vehicle.

⁴ A closed/concluded investigation (if applicable), may be reopened in the event new facts or evidence arise.

Attachments

- A – DMV Employer Pull Notice (EPN) Program Enrollment Information and Sample Forms

- B – Acknowledgment of Receipt / Understanding of the County of Monterey Vehicle Use Policy

Attachment A

DMV Employer Pull Notice (EPN) Program Enrollment
Information and Sample Forms

Employer Pull Notice (EPN) Program

Summary:

The following information is provided to assist the departments in setting up license verification process. The license verification process is now required for all officers, employees who use a County owned vehicle or a privately owned vehicle for County Business.

The EPN program is free to government agencies and one application is good for forty-eight (48) months. Once approved, a listing of requested drivers will be sent to you. After that, the listings will follow annually unless there is a change in one of your employee's license status. In the event there is a change, an update on the specific driver will be automatically sent to you. The most common type of notification is by paper. E-mail access may be acquired for departments who require instant access / notification, by filling out an additional application.

The attached information will provide you with the web address, contact phone number and general information about the program along with samples of various forms.

Attachment B

Acknowledgement of Receipt / Understanding of the County of
Monterey Vehicle Use Policy



VEHICLE SAFETY CHECK SHEET

VEHICLE NUMBER	PRIMARY DRIVER	
ODOMETER READING (MILES)	NEXT SCHEDULED MAINTENANCE DUE	MILES

Week period: From _____ to _____

DRIVER'S INITIALS								
DATE								
		MON Yes/No	TUE Yes/No	WED Yes/No	THU Yes/No	FRI Yes/No	SAT Yes/No	SUN Yes/No
MONTHLY CHECKS (To be checked every 1 st working day of each month)								
1	Fire extinguisher present, fully charged and checked monthly?							
2	Proof of insurance/incident folder present in vehicle?							
3	Vehicle registration present in vehicle?							
WEEKLY CHECKS								
4	First aid kit present and fully stocked?							
5	Road kit with flares present and fully stocked?							
6	Spare tire present, inflated and in good condition?							
7	Engine fluids at recommended levels?							
DAILY CHECKS								
8	Two-way radio operational?							
9	Windshield in good condition? (free of cracks or pits)							
10	Windshield wiper blades in good condition?							
11	Tires in good condition with 1/8" tread no nails or cuts?							
12	Does the horn work?							
13	Headlight low and high beams operational?							
14	Turn signals, emergency flasher, parking/license lights operational?							
15	Vehicle back-up alarm operational? (if applicable)							
16	Brakes functioning properly?							
17	Emergency brake tested and operational?							
18	Equipment or cargo secured in case of sudden stop?							
19	Light bar and arrow stick attached securely and operational?							
20	Is the body of the vehicle in good condition free of scratches and dents? Perform a visual check of every side of the vehicle.							

COMMENTS / CORRECTIVE ACTION REQUIRED (i.e. any missing equipment): _____

Supervisor's Signature: _____	Date: _____
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This safety check sheet is to be completed starting every morning by the primary driver. Some items are to be not less than weekly and should be checked every Monday morning. Any safety issues should be reported to supervisor immediately. The completed sheet is to be submitted to the driver's supervisor or manager after completion. The supervisor or manager will be responsible for reviewing this sheet and taking action on any problems listed. A work order should be generated for any repairs needed to keep the vehicle in full operational status. After review, the sheets are to be submitted to Fleet Coordinator on a weekly basis.

County of Monterey

ACKNOWLEDGEMENT OF RECEIPT / UNDERSTANDING OF THE COUNTY OF MONTEREY VEHICLE USE POLICY

I verify by signing this form:

- I have been provided a copy of the Monterey County Vehicle Use Policy.
- I understand its contents.
- All questions that I may have had regarding this policy have been answered.
- I understand that I am responsible for full compliance with this policy.
- I understand that I shall take the defensive driver training prior to driving on county business.
- I understand that I will enroll in the County's "Employer Pull Notice" program as a requirement for driving on County business.

EMPLOYEE'S PRINTED NAME	SIGNATURE
DEPARTMENT / DIVISION	DATE