

VEHICLE USE

I. PURPOSE

The purpose of this policy is to establish requirements and procedures for acceptable vehicle use for official City business to include the City's take-home vehicle policy, as well as ensure the safety of all employees and the public.

II. DEFINITIONS

A. City Vehicle/Equipment

Any licensed/unlicensed motor vehicle or equipment (on-road/off-road) owned, leased, maintained, insured by, or loaned to the City of Colonial Heights. This includes all motor vehicles, rolling stock, lawn equipment, marine equipment, generators (stationary or portable), and pumps. Use or operation shall be defined as starting the ignition/motor and/or moving, towing or driving the City vehicle / equipment. **Any reference made in this Policy to a City vehicle shall also mean and include City equipment, where applicable.**

B. Customer/Citizen

Any individual(s) or entity, including City clients, vendors, and contractors, whose transport is for official City business. City vehicles may also be used to transport other local, state, and federal government employees for the purpose of conducting official City business, and for car-pooling to meetings, training, and conferences.

C. Dispatched

Contacted by official source via pager/beeper/cell phone, emergency center dispatch, telephone, radio or other communication device that requires and directs an employee to respond to official duty and requires response by travel.

D. Emergency

Any event or situation requiring immediate response to protect life or property, or to protect the health and safety of the public or the environment, or to maintain and enforce law and order.

E. Employee

For purposes of applying the provisions of this policy, this means employees of the City of Colonial Heights under the general direction of the City Manager or the City's Constitutional Officers while engaged in official City business. However, employees of Constitutional Officers are and remain employees of their respective Constitutional Officers.

F. Official City Business

Any work or activity performed in the discharge of one's official duties on behalf of the City or a Constitutional Officer, provided the use of the City vehicle has been so authorized.

G. Outside of Normal Working Hours (On-Call)

An employee who is subject to being summoned to a work site during off-duty time or to respond by travel to emergencies.

H. Public Safety Employee

Any sworn employee in a public safety department or office (i.e., Police, Fire, and Sheriff).

I. Regular Basis

The term "regular basis" means travel more than eight (8) days per month averaged over a calendar year, or travel on a rotating schedule of days at multiple times throughout the month.

J. Seasonal Activity/ Special Event

A seasonal activity would typically extend from one (1) to three (3) months in duration, but never exceed six (6) months in duration. A special event would be considered an activity with a frequency of no more than one (1) per month. City vehicles may only be taken home during the special event.

K. Take-Home City Vehicle

A City vehicle designated for use in the normal performance of duties, including the commute between the place of residence and the work site.

L. Wireless Communication Devices

A device that utilizes a system using radio-frequency, infrared, microwave, or other types of electromagnetic or acoustic waves in place of wires, cables, or fiber optics to transmit signals or data. Wireless devices include but are not limited to cell phones, pagers, tablets, and Global Positioning System (GPS) receivers (excluding two-way radios for business use).

III. RESPONSIBILITIES

A. City Manager

The City Manager shall be responsible for reviewing, and approving or disapproving requests for take-home vehicle assignments as outlined in this policy; and granting exemptions to the take-home requirements and procedures.

B. Department Directors

Directors and supervisors shall make certain all employees are informed regarding this policy and enforce its provisions. Department directors shall follow the provisions of the policy, maintain complete and accurate records of take-home vehicles and provide the appropriate information to the City Manager and the Human Resources Department.

C. Employees

Employees shall maintain compliance with the provisions of this policy.

IV. TAKE-HOME CITY VEHICLE POLICY

A. City Take-Home Vehicle Assignment

Assignment of a City vehicle is neither a privilege nor a right of any employee. The approval of a take-home City vehicle shall be made for the purpose of emergency response outside of normal working hours or assuring the efficient performance of official City business.

City vehicles shall be taken home outside of normal working hours only when necessary to improve responsiveness and/or effectiveness during emergency situations. Under no circumstances shall family members, friends, or any individual other than fellow employees, customers/citizens, or other governmental employees within the course of official City business, be transported in any City vehicle.

Employees who are authorized to drive City vehicles home on a regular basis will leave their City vehicle with their department when that employee is on vacation or extended leave if directed to do so by their Department Director.

B. Take-Home City Vehicle Authorization Requirements

The following are authorized for take-home City vehicles when approved in accordance with the requirements below:

1. Sworn public safety employees. A list of eligible employees shall be submitted to the City Manager by July 1 of each year for approval, with additional employees submitted to the City Manager for approval as needed during the fiscal year.

2. Employees on official standby status on a rotational basis and assigned a City vehicle with specialized equipment for dispatched first response to emergencies outside of normal working hours, when determined to be necessary for regular and efficient operations. A list of eligible employees shall be submitted to the City Manager by July 1 of each year for approval, with additional employees submitted to the City Manager for approval as needed during the fiscal year.
3. Other employees with a demonstrated need for take-home use of a City vehicle for emergency response or to assure efficient performance of City business. A list of eligible employees shall be submitted to the City Manager by July 1 of each year for approval, with additional employees submitted to the City Manager for approval as needed during the fiscal year.
4. Employees requiring a take-home City vehicle on a temporary basis for a seasonal activity/special event or potential emergency/emergency event as approved by the employee's Director. The temporary assignments shall not exceed four (4) times per month and each assignment shall not be for more than three (3) days.
5. The above section 4 may be suspended by the City Manager in emergency situations.
6. Limited Personal Use - Take-home vehicles may not be utilized for conducting personal business during working hours (i.e. shopping, banking, etc.) with the exception of travel to a dining establishment within the vicinity of the City during break periods.

C. IRS Regulations Related to Take-Home Vehicle Use

1. The City Finance Department will provide affected employees with information on taxability of take-home vehicle use for categories of use where an exception does not apply.
2. The taxable value of take-home vehicle use will be added as income for affected employees according to the implementation method or methods utilized by the City Finance Department.

V. CITY VEHICLE AND EQUIPMENT USE GUIDELINES

A. Authorized Users

Before an employee may drive a City vehicle, the employee's department is responsible for conducting an initial orientation and familiarization with the vehicles and the work performed.

Additionally, the employee's department shall ensure the employee meets the following applicable requirements before the employee is permitted to operate City motor vehicles. This applies to all employees driving or operating City vehicles regardless of frequency.

1. Non-CDL Vehicles

Employees must possess a valid driver's license with an acceptable driving record.

2. CDL Vehicles

Employees must at a minimum possess a CDL Learner's Permit with appropriate endorsements. CDL Learner's Permit holders will have sixty (60) days after employment or assignment to obtain their appropriate level of CDL with appropriate endorsements. Learner's Permit holders are subject to driving restrictions required by the Federal Motor Carrier Safety Administration and the Departments of Transportation.

Employees required to drive a City vehicle must maintain a valid driver's license or CDL with an acceptable driving record as a standard for continued employment. Specifically, employees required to drive shall allow the City access to their Motor Vehicle Record (MVR). Employees whose MVR record reflects a pattern of moving violations, or whose MVR point balance is negative eight (8) or greater, or negative six (6) or greater for CDL drivers, or who display negligent operation of City vehicle, will be closely reviewed by the employee's department and Human Resources to determine if the employee will be permitted to continue to operate City vehicles or retain employment with the City.

B. Authorized Use

The following list of examples is for general guidance only and should not be interpreted as an exhaustive list that covers all circumstances or conditions of use:

1. City vehicles are provided for the use of City employees in expediting official City business. The granting of this convenience does not provide City employees with any special consideration in relation to the law. When operating a City vehicle, each employee must obey all state and local motor vehicle laws and ordinances.

Emergency vehicles are defined by the Code of Virginia Section 46.2-920 and may be exempt from certain traffic regulations provided certain conditions are satisfied which are set forth in Section 46.2-920.

2. City vehicles are authorized to be used to conduct official City business.
3. City vehicles may be used to transport customers/citizens when the transport is for official City business. City vehicles may also be used to transport other local, state and federal government employees for the purpose of conducting official City business and car-pooling to meetings, training and conferences.
4. Family members or other riders are not permitted in City vehicles unless on official City business.

5. City vehicles may be used for transportation to and from dining establishments within the vicinity of the city during break periods when the job to which the vehicle is assigned is field-related requiring the individual to be on the road a substantial amount of the time.

C. Unauthorized Use

Use of equipment to perform personal repairs, maintenance, or improvements to private property is prohibited.

City vehicles are not to be used for the following:

1. Personal business, banking including ATMs, shopping or any other personal business that is not official City business. Exceptions:
 - Uses included in Section V.B.5 of this policy.
 - Twenty-four hour shift Fire Department employees are permitted to use City vehicles while on duty to food shop and to obtain necessary supplies.
 - The Limited Personal Use exception for take-home vehicles provided in Section IV.B.6 of this policy.
2. Transportation to and from an employee's residence unless authorized in accordance with Section IV of this policy for Take-Home Vehicles.
3. Picking up and transporting non-City employees which are not directly related to official City business.

D. General Provisions

1. City vehicles shall be operated only by employees who have been properly trained and authorized. A valid driver's license is required to operate a City vehicle when required by law. Employees who operate City vehicles classified as commercial motor vehicles must have a valid CDL.
2. Employees are required to adhere to and follow all traffic laws, and ordinances.
3. Use of all tobacco products in City vehicles is prohibited.
No alcoholic beverages, illegal drugs, as identified in schedules I through V of the Controlled Substances Act, drug paraphernalia, or weapons, except in the lawful course of official duties may be used or transported in City vehicles.
4. Operation of City Vehicles and personal vehicles for official City business, by employees under the influence of alcoholic beverages, intoxicants, or illegal drugs is prohibited.

5. Employees shall be responsible for reducing, as appropriate and reasonable, the amount of fuel needed for delivery of City services.
6. No City vehicle is to be left unattended and running except when running is required to operate specialty accessory equipment such as air compressors, hydraulic tool circuits and generators or power electrical equipment, e.g. work-site night lighting. If left unattended, the gear-shift must be in the 'park' position and the emergency brake must be set.
7. Employees shall not sit idle with the engine running unless necessary and reasonable in the conduct of official City business.
8. Employees shall remove all unnecessary excess weight from City vehicles.
9. The operator and passengers shall wear safety belts and adhere to all motor vehicle laws while the City vehicle is in operation.

E. Reporting Motor Vehicle Violations

1. **When employees use a City vehicle to conduct official City business they are required to immediately report the receipt of any criminal or traffic warrant or summons, or any automated enforcement violations resulting from such vehicle use while conducting official City business, to their direct supervisor.**
2. **All employees who drive a City vehicle on an occasional or regular basis must immediately report to their supervisor any conviction for a moving violation, whether on or off the job and/or any action, whether on or off the job, that that could affect, or potential affect, the status of a valid driver's license to include suspension, revocation and/or any court ordered restriction.** Failure to report such information may result in disciplinary action. Following further review, a determination will be made regarding the status of the ability for that employee to operate a City vehicle and any potential disciplinary action.
3. **All employees who drive a City vehicle on an occasional or regular basis who are charged with Driving Under the Influence (DUI), whether on or off the job, must immediately report such a charge to their supervisor and will be immediately relieved of job duties that require driving.** All City driving privileges shall be suspended until further notice. A further determination will be made regarding future City driving privileges and any potential disciplinary action.

F. Departmental Rules and Regulations

Any departmental rules, regulations or procedures governing the use or operation of City vehicles as approved by a director should be written, with a copy sent to Human Resources, and shall be enforceable and considered a part of this City Vehicle Use Policy provided they are not in conflict with this Policy.

G. Utilizing Cell Phones or Other Wireless Communication Devices

When an employee is operating any City vehicle, the use of City-supplied or personal cell phones or other wireless communication devices is prohibited by the driver unless the driver is using a hands-free device. If the driver does not have a hands-free device, he or she shall pull safely off the road and stop driving before making or receiving a phone call, or before making or reading a text message or an email. Drivers of law enforcement vehicles are not subject to this provision during emergency response.

VI. USE OF PERSONAL VEHICLE FOR OFFICIAL CITY BUSINESS

Employees of the City of Colonial Heights may find it necessary or be required to use their personal vehicles for the conduct of City business. When such an occasion arises, the following rules shall apply:

- A. The use of a private vehicle for City business, as herein provided, must be approved by the Department Director or supervisor.
- B. The City of Colonial Heights assumes no liability for third parties or for any damages to the vehicle arising out of an accident or mishap while the private vehicle is in operation on City business.
- C. Employees authorized to operate private vehicles for City business may be reimbursed at the current mileage reimbursement rate in accordance with the City Travel Policy.
- D. The operator and all passengers of personally owned vehicles being used for official City business shall wear safety belts and adhere to all other state and local motor vehicle laws and ordinances.
- E. The operation of a personal vehicle for official City business by an employee who is under the influence of alcoholic beverages, intoxicants, or illegal drugs is prohibited.
- F. Use of a personal vehicle for routine commuting to and from work is not considered official City business and is not governed by this policy.

VII. VEHICLE OPERATION MONITORING

A. Telematics and GPS Monitoring

City vehicles may be equipped with Global Positioning System (GPS) software which monitors vehicle operations including, but not limited to, speed, location, idle times, and routes. Monitoring such usage permits the City to identify means by which to reduce fuel

costs, increase driver safety, improve utilization efficiencies, and identify vehicle misuse. Because vehicle usage may be monitored, City employees have no expectation of privacy while operating or riding as a passenger in a City vehicle.

When GPS monitoring reveals that an employee may have engaged in conduct that violates the law, City policy or reasonable and acceptable business practices, the department shall conduct an investigation. In determining whether corrective action is warranted, consideration shall be given to the nature, severity and frequency of the violation(s). City employees are prohibited from disengaging or tampering with the telematics technology in any way.

B. Payment of Violations

City employees driving city vehicles or operating personal vehicles while on city business who are issued a motor vehicle citation or violation will be responsible for any accompanying fines or fees.

VIII. MOTOR VEHICLE ACCIDENTS

Department heads shall ensure that employees are advised of and adhere to the following reporting procedures that are to be followed in any situation in which a City vehicle is involved in an accident, whether with a privately-owned vehicle, another City vehicle, or any public or private property.

- A. The employee involved in an accident is to report the accident immediately to the local Police Department having jurisdiction where the accident occurred; if the accident includes injuries, 911 should be called and the vehicle should not be moved.
- B. It is expected that all employees fully cooperate with the investigating law enforcement officers and are honest and forthcoming. Employees should inform the investigating law enforcement officers by which City department they are employed.
- C. Accidents shall be reported immediately by those employees involved to their department supervisor and Risk Management. A Vehicle Incident/Accident Report must be completed by the driver and his/her supervisor(s), as well as by the employees who are passengers or witnesses to a City vehicle accident. The Vehicle Incident/Accident Report(s) must be forwarded to Risk Management no later than 48 hours after the accident.

IX. MAINTENANCE OF CITY VEHICLES

- A. Employees with an assigned City vehicle are responsible to daily ensure that the vehicle is in proper mechanical condition and is kept and maintained in a clean appearance at all times.
- B. City vehicles shall be maintained by Fleet Maintenance unless arrangements are made with the Public Works Department for certain maintenance functions to be performed elsewhere.

C. Gasoline and Diesel fuel

1. Gasoline and Diesel fuel shall be acquired at the designated City gas pump.
2. In emergency situations service stations, or when otherwise directed by City administrative staff or allowed by City policy, gasoline or diesel fuel may be purchased at commercial establishments.
3. Gas or Diesel Fuel may be purchased, if needed, while on an approved trip outside of the corporate limits of the city. Receipts must be obtained for reimbursement.

X. **MISCELLANEOUS**

The City Manager may approve exceptions to this Vehicle Use Policy on a case-by-case basis.

In the event of any conflict between this Vehicle Use Policy and the Colonial Heights City Code, the Colonial Heights City Code shall prevail.

The Vehicle Use Policy will be distributed to each employee. Each employee will sign and date a Policy Acknowledgement Form certifying the employee has received a copy of the Vehicle Use Policy; understands that it is the employee's responsibility to read the policy or have it read to them, has the right to ask questions about the policy, and shall comply with the provisions of the policy. Violations of this policy may result in disciplinary action up to and including dismissal.