

County of
Tuolumne



Guideline to
County Vehicle Usage Policies

12/20/2005

County of Tuolumne
Guideline to Vehicle Usage Policies

Purpose: To define proper use of County owned vehicles and privately owned vehicles used for authorized business. This guideline is a summary of various rules and regulations. Questions regarding this guideline should be addressed to the Human Resources/Risk Manager, County Counsel, Auditor-Controller, or County Administrator as necessary.

Policy: Employee use of a County owned vehicle is a privilege authorized for use in completing assigned duties as approved by the Department Head or County Administrator. Violation of this policy may result in disciplinary action, up to and including separation from county employment.

Pursuant to Section 25305 of the Government Code, which provides that the Board of Supervisors shall by ordinance adopt rules and regulations governing the use of automobiles and the imposition of proper penalties upon any person driving, operating, or using" the automobiles contrary to the rules and regulations of the Board, the Board of Supervisors has established numerous rules and regulations that apply to the use of automobiles, both county owned and privately owned when used in connection with official county business. These rules are contained in different policy manuals, including the County Ordinance Code, Memoranda of Understanding, and the County's Risk Management program.

The purpose of this guideline is to gather these various rules and regulations into a single document. Questions regarding this guideline should be forwarded to the Human Resources/Risk Management Department.

General Provisions for Vehicle Usage

These guidelines apply to the operation of all County vehicles, with the exception of vehicles used as authorized in the vehicle code for specific purposes, such as peace officer duties, emergency staff duties, road maintenance and other road operational functions.

Traffic Violations: Traffic laws shall be observed at all times. Fines or penalties levied for violations for which the driver is directly responsible shall be paid by the driver. Any employee cited for improper use of a County vehicle or operating a County vehicle under the influence of alcohol or a controlled substance shall be subject to immediate discipline, up to and including termination.

Drivers License: All drivers of a County vehicle must have in their possession a valid California Driver's License.

Vehicle Safety:

Seat Belts: Except as exempted by law, all County-owned vehicles shall be equipped with seat belts and restraint systems. Private vehicles being used on County business

shall also be equipped with seat belts. Except as exempted by law, all persons in a County vehicle or in a private vehicle being used on County business must use seat belts any time the vehicle is in motion. The driver of the vehicle is responsible for ensuring that all occupants of the vehicle are wearing seat belts before the vehicle is put into motion.

Defensive Driving: Employees operating a motor vehicle while on County business are required to attend biennially, defensive driver training as provided by Human Resources.

Use of County Owned Vehicles and Other Motorized Equipment

Authorized Uses: County vehicles shall be used only by County officials, employees and authorized volunteers and only for a County purpose. Only County officials, employees or authorized volunteers shall be permitted to operate or use a County Vehicle. Volunteers may be authorized to drive County vehicles upon the recommendation of the department head and with the approval of the County Administrative Officer after a review of the volunteer's drivers license record maintained by the Department of Motor Vehicles.

Appropriate Use of County Vehicles: County owned vehicles are to be used in the completion of an employee's assigned duties. With appropriate approvals, an employee may use a County vehicle to:

- a. Transport members of County commissions, committees, or other volunteers to County sponsored programs, training or other public purpose events and activities.
- b. Transport a member of the immediate family to and from school or daycare, if the school is near a direct route from the employee's work site and home. The work site is defined as the building location to which the employee is assigned.
- c. Transport of an immediate family member(s) to an event or activity outside the County, to which the employee has received approval to attend, such as, an overnight training program or conference.
- d. The transportation of an immediate family member(s) requires the completion and signature of a hold harmless agreement approved by County Counsel.

Unacceptable Use of a County Vehicle: Any use for the employee's personal benefit that is not directly, or indirectly, related to the employee's assigned duties, including, but not limited to:

- a. Use after normal duty hours for any purpose.
- b. Extended use during travel outside the County for personal benefit.
- c. Transportation of family members to any location other than school.

Passengers: Passengers are defined as non-authorized persons, employees, or volunteers. Employees or authorized volunteers are prohibited from carrying, in a County vehicle, hitchhikers at any time or any other passenger not having been pre-authorized by the department head. No passenger is authorized to ride in a County vehicle without first having the expressed authorization of the department head and second, having completed and submitted to the County Administrative Officer a Hold Harmless Agreement (Attachment A).

Use restriction: No car shall be used at any time for any purpose other than official business and in the regular course of county business. (Ordinance 2.48.050)

Abuse of Vehicles: County vehicles shall not be used for activities which may damage the vehicle.

Personal Liability: Employees may be held personally liable for damage to County equipment and other penalties may be assessed if damage occurs to a County vehicle through negligence or illegal activity.

Employees may be held personally liable when, outside the course and scope of their employment, they cause damage to other persons or property while driving a County vehicle.

Personal Property: Personal property such as radios or air conditioners shall not be attached to a County vehicle.

Keys: Keys shall not be left in unattended vehicles, even when parked in secured enclosures. (The Road Department is provided an exception to this policy for vehicles temporarily parked in a construction zone.)

Garaging: All county owned vehicles, except for vehicles assigned to specific officers and employees by the county administrative officer, shall be parked when not in use at locations designated by the county administrative officer. (Ordinance 2.48.020)

Garaging at home: Officers and employees authorized by the county administrative officer to keep county owned vehicles at their homes shall house such vehicles in a secure location at night. (Ordinance 2.48.080)

Take home policy: Department heads may authorize employees to take county owned vehicles home if the employee is subject to emergency call back during off duty hours or if an employee car pool plan is approved by the department head and the county administrative officer. The cost of the employee car pool plan shall be paid for by the participating employees at the mileage compensation rate established. (Ordinance 2.48.030)

Employees are prohibited from taking home a County vehicle if the employee's home is outside of Tuolumne County, unless pre-authorized by the County Administrative Officer. (Administrative Policy)

Employees are prohibited from taking home a vehicle on a daily, or other scheduled basis, unless pre-authorized by the County Administrative Officer. (Administrative Policy)

Records: Each department to which a county owned vehicle is assigned shall keep such records relating to vehicle usage as are prescribed by the county administrative officer. (Ordinance 2.48.040)

Maintenance responsibility: Department Heads are responsible to assure that County owned vehicles are properly maintained. Maintenance and repair shall be performed by approved contractors when an existing contract has been established. A list of approved contractors may be obtained from the Purchasing Office. Required vehicle maintenance or repair not provided by an approved contractor's may be obtained by the department from any qualified vendor at the lowest cost. (Ordinance 2.48.090 and Administrative Policy).

The purchase of gasoline must be done from the County's locally approved vendor. For out of county purchases employees should seek the lowest price. All purchases should be made with County provided credit cards. (Administrative Policy.)

Use deprivation: Any officer or employee failing to observe the rules and regulations set forth in this policy shall be deprived of the use of county owned automobiles, as determined by the County Administrator. (Ordinance 2.48.100)

Use of Privately Owned Vehicles on Official County Business

Compensation: The use of privately owned vehicles shall be compensated for only when used in connection with official county business and only if, in the case of employees, permission for such use is first obtained from the employee's department head. (Ordinance 2.48.120)

Mileage compensation: The rate of compensation for mileage traveled in connection with official county business shall be set by the federal reimbursement rate maintained in the Auditor-Controller's office. (Ordinance 2.48.130)

Compensation Responsibilities: It shall be the responsibility of each department head or designee to investigate and approve each request for expense reimbursement. It shall be the responsibility of each employee to obtain prior approval from the department head or designee to incur a business expense. Departments shall endeavor to utilize the County's credit card system for payment of expenses incurred under this Article (referred hereafter as department credit). Credit charged expenses not approved by the department head are the sole responsibility of the employee and may be so deducted from the employee's salary. Prior approval may be in the form of standing orders issued by the department head. (Memoranda of Understanding¹)

Travel Authorization: Travel outside the State of California must be approved by the County Administrative Officer. Requests for such travel shall be submitted by memorandum, or electronic mail through the County Administrative Officer with sufficient justification. Incidental travel through the state of Nevada to another California destination shall be considered as travel within the State.

The department head or designee is authorized to approve necessary travel within the State of California and use of transportation mode consistent with this Article.

Wherever possible, travel expenses should be charged on the department's credit. (Memoranda of Understanding)

Records: Officers and employees using privately owned vehicles in connection with official county business shall maintain such records as are prescribed by the Auditor-Controller. Failure to maintain such records shall result in rejection of mileage claims. (Ordinance 2.48.140)

Requests for expense reimbursement not charged to the department's credit must be filed with the County Auditor within thirty (30) calendar days of the date of return. Failure to file within that time period will result in non-payment of claim.

Those expenses not charged to the department's credit shall require receipts or vouchers which verify the claim expenditures, except:

1. Private mileage;
2. Taxi, streetcar, bus, and ferry boat fares, bridge and road tolls, and parking fees;
3. Other authorized expenses.

Except as otherwise provided in this Article, expense reimbursements shall be made on an actual cost basis. (Memoranda of Understanding)

Transportation Modes: The general rule for selection of a mode of transportation is that mode which represents the lowest expense to the County, considering direct cost and staff time.

(a) Travel via private automobile: Reimbursement for use of privately-owned automobiles to conduct County business shall be set at the Federal Mileage Reimbursement rate for all miles driven per month. Reimbursement at this rate shall be considered as full and complete payment for actual necessary expenses for the use of the private automobile, insurance, maintenance, and all other transportation related costs. The County does not provide any insurance for private automobiles used on County business. The owner of an automobile is responsible for the personal liability and property damage insurance when the vehicle is used on County business.

When employees, traveling on official County business, leave directly from their principal place of residence rather than their assigned work location, mileage allowed to the first work contact point shall be equal to the actual mileage from the residence or the mileage computed from the assigned work location, whichever is less. Similarly, if the employee departs from the last work contact point directly to the residence, only such mileage shall be allowed as the lesser distance between it and the assigned work location. (Memoranda of Understanding*)

Insurance: Privately owned vehicles used by officers and employees in connection with official county business shall be insured by such officers and employees for comprehensive, collision, property damage and liability, including coverage for business use. (Ordinance 2.48.150)

Automotive Accidents

If an accident involving a County automobile happens, the involved employee must notify his supervisor immediately. As soon as is possible, the employee shall

complete an Automobile Accident Report (see Attachment B) and file that report with the County Counsel's Office. The report form is intended for the exclusive use of the County Counsel's Office in defending the County and its employees from litigation. It is protected by attorney/client privilege. Obviously, the report is not to be copied or shared with anyone other than the County Counsel's Office.

The County Counsel's Office has issued the following requirements to any County employee involved in an automobile accident while in County service. Sadly, there are individuals who think of government as a "deep pocket" able to pay and pay for their "pain and suffering." While they may or may not initially intend to file a claim after an incident involving a County employee, it is to the County's interest (and your own - should you be sued as an individual) to plan for the worst case scenario.

Requirements If You Are In An Accident

1. Never admit fault
2. Always file a police report, even if minor damage and there are no apparent injuries
3. Take notes, such as what the driver says, does, looks like, any admissions he makes (i.e. "sorry, didn't see you, my fault"), etc. Put them on a separate sheet of paper and attach them to an Automobile Accident Report.
4. Notify your supervisor immediately
5. Complete an Automobile Accident Report
6. Get a copy of the police report.
7. Send all documents to the County Counsel's Office.
8. Take pictures of the accident scene if you have a camera available.

Vehicle Safety Belt/Restraint System

General: Most deaths and injuries involved in vehicular accidents can be prevented by wearing safety belts. Striking steering assemblies, windshields, windshield frames, and instrument panels accounts for 70 percent of fatalities involved in motor vehicle collisions. Estimates reveal four out of five persons who died when thrown from a vehicle would have lived had they remained in the vehicle at the time of the accident. As used here, the term safety belt includes passive restraints and air bags as well as safety belts.

Objectives: The objectives of this procedure are to:

1. Protect drivers and riders from death or serious injury in the event of a motor vehicle crash.
2. Fix responsibilities for providing/wearing/maintaining vehicular safety belts.

Policy: It is the policy of the County and the law of the State, to require the use of safety belts and to assure compliance with applicable provisions of Section 3653 of the General Industry Safety Orders, Section 1596 of the Construction Safety belts and child passenger restraint systems in vehicles used for County business.

Use of Safety Belts: Safety belts shall be used in conformance with the following:

Rules Regarding the Use of Safety Belts

1. Except as exempted by law, all drivers and passengers shall use safety belts when on County business, whether they are in County-owned vehicles or privately owned vehicles.
2. Only the number of persons for whom working safety belts are available are allowed in vehicles on County business.
3. Operators of motorized equipment shall use seat belts when seat belts are provided on such equipment.
4. Persons in wheel chairs and gurneys being transported shall have safety devices securing them to their wheel chairs or gurneys which in turn shall be secured against movement within the transporting vehicle.
5. Exceptions to these requirements for use of safety belts include:
 - a) Emergencies where conformance is impractical.
 - b) Children under the age of six years or weighing less than 60 pounds shall be safeguarded in vehicles in accordance with Section below.

Child Passenger Restraint Requirement: No child under the age of six years or weighing less than 60 pounds shall be transported on a highway in a County-owned or for " County purposes in a privately-owned vehicle without being safeguarded in accordance with the following:

1. A child passenger restraint system (infant or toddler seat) shall normally be used which meets applicable Federal standards and is provided with a label which states "Dynamically Crash Tested". Departments may obtain child passenger restraint systems from the following sources:
 - a) Continuing departmental needs for child safety seats should be met by the purchase of an adequate number of infant and/or toddler seats through the Purchasing Department.
 - b) Occasional departmental needs for child's safety seats may be met by:
 - 1) Use of a seat provided by the child's parent or guardian.
 - 2) Prior arrangements for the loan of an infant or toddler seat from the County Children's Protective Service.
 - c) Child safety seats must be installed to prevent injury to the child due to activation of automobile airbags.
2. In an emergency, a child may be secured by an adult safety belt. Do not use the shoulder belt portion if it lies across the child's face or neck. Instead, place the shoulder belt portion between the child's back and the seat. Holding a child in your arms can be particularly dangerous during a crash because your weight is thrown forward and can crush the child even when you are wearing a seat belt.

Safety Belt Requirement for Special Vehicle and Equipment: Safety belts shall be provided for the following County-owned special vehicles and equipment.

All haulage vehicles and earth moving equipment, which have been provided with rollover protection, shall also be provided with safety belts meeting the requirements of Section 1596 of the Construction Safety Orders or Section 3653 of the General Industry Safety orders, as appropriate. This includes scrapers, loaders, crawler or wheeled tractors, bulldozers, graders, water wagon prime movers, and similar equipment.

Procurement and Maintenance of Safety Belts: Responsibilities for the procurement and maintenance of safety belts are as follows:

County personnel who procure vehicles are responsible for adequate numbers of approved safety belts come with each vehicle, or are properly added. Using departments are responsible for advising those who procure County vehicles concerning any special requirements for safety belts.

Seat Belt Reminder labels: Departments shall assure that all assigned motor vehicles have legible labels normally placed on the vehicle's dashboard notifying drivers and passengers to wear seat belts. These labels are available from Facilities Management.

Acknowledgement of Receipt of Guideline to County Vehicle Usage Policy

I acknowledge receipt of the Guideline to County Vehicle Usage Policy. I am submitting this verification of having read and understood the policy to HR/Risk Management.

Employee's name (please print clearly)

County of Tuolumne
Employer

Employee's Signature

Date

Attachment “A”

County Hold Harmless Agreement

County of Tuolumne
Hold Harmless Agreement

The attached Hold Harmless Agreement is to be completed by any guest seeking to be transported by an authorized employee/officer/volunteer of the County in a County owned or operated vehicle or in any employee owned vehicle to be used in connection with official County business. Additionally, the transport of a guest must have the pre-authorization of the department head and this signed agreement must be submitted to the County Administrative Office.



Hold Harmless Agreement

Passenger: _____, shall hold the COUNTY, its agents, officers,
(Please Print Name)
employees and volunteers harmless from, save, defend and indemnify the same against, any and all claims, losses, and damages for every cause, including but not limited to injury to person or property, arising directly or indirectly out of any act or omission while traveling in County vehicle. The undersigned agrees to abide by all County policies, rules and regulations while a passenger in the County vehicle.

Purpose of Trip(s)

Date

Passenger Signature

Relationship to Driver

Driver's name (County Employee)

Department Head Review and Approval

County Administrator Review and Approval

Attachment “B”

County Automobile Accident Report

AUTOMOBILE ACCIDENT REPORT

Date of Report: _____ To: COUNTY COUNSEL

From: Name: _____ Dept: _____

IMPORTANT NOTICE

This form is intended for the exclusive use of the County Counsel's Office in defending the County and its employees from litigation. It is protected by the Attorney-Client privilege.

GENERAL INFORMATION

Employee's Name: _____

Department: _____ Division: _____

Work Telephone Number: _____ Home Phone: _____

Date of Accident: _____ Time: _____ am or pm

Location: _____

Where were you coming from: _____

Where were you going to: _____

What was the purpose of your trip: _____

COUNTY VEHICLE

Year: _____ Make: _____ Model: _____

License Plate No: _____

Is vehicle still in use: _____ Yes _____ No

If not, where is the vehicle now: _____

OTHER VEHICLE

(For more than 1 put additional information on a separate sheet)
(Not necessary if accident report is attached)

Driver: _____ Owner: _____

Address: _____ Address: _____

Phone: _____ Phone: _____

Year: _____ Make: _____ Model: _____

License Plate No: _____

Is vehicle still in use: _____ Yes _____ No

Insurance Company: _____

ACCIDENT

Description of accident: _____

Law enforcement authority contacted: _____

Address: _____

Report No.: (attach copy) _____

Was anyone cited? Yes No

If yes, who: _____ For what: _____

Weather Conditions: _____

Road Conditions: _____

INJURIES

Was anyone injured? Yes No

If yes, who: _____

Describe the injuries: _____

Comments and actions of injured person(s): _____

WITNESS OR PASSENGERS

NAME	ADDRESS	PHONE
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

SUGGESTIONS IF YOU ARE IN AN ACCIDENT

1. Never admit to fault.
2. Always file a police report, even if minor and no apparent injuries.
3. Take notes, such as what the driver says, does, looks like, any admissions he/she makes, etc. . . . Put them on a separate sheet and attach to this report.
4. Notify your supervisor immediately.
5. Complete this report.
6. Get a copy of the police report.
7. Send all documents to the County Counsel's Office.