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Office of the City Manager

## VEHICLE USE POLICY

### A. **PURPOSE:**

The purpose of this Administrative Policy is to develop and implement a written vehicle use policy in accordance with Internal Revenue Service regulations. This policy provides internal policies and procedures with regard to the access, use, and responsibility of driving City-owned vehicles, personal vehicles operated for City business, and participation in the City of Lemoore's Take-Home Vehicle Program.

### B. **DEFINITIONS:**

Assigned Take-Home Vehicle: A City vehicle which is used by a City employee for City business and for regularly commuting to and from the employee's home and work site.

Assigned Vehicle: A City vehicle assigned primarily to a department or City employee for City business, but not for employee commuting to and from the employee's home and work site.

Call-Out: A directive to an employee to report to a work site during off-duty time or day, and to respond to emergencies, which require immediate response to protect life and property.

Commute Trip Mileage: The mileage from an employee's home to the regular place of work and back, or the actual daily mileage from home to the first work-site and from the last work-site to home.

Designated Parking Area: A City parking facility or lot which has been identified by an employee's department director as an acceptable overnight location for parking the assigned City vehicle.

Light Duty Vehicle: Any vehicle with a gross weight of 6,000 pounds or less.

Out of Service: A City vehicle has a sign on the window stating that the vehicle has been placed Out of Service.

Work Site: The office or site a City employee reports to perform normally scheduled work.

### C. **SCOPE:**

This policy applies to all employees of the City of Lemoore, volunteers, and other temporary workers of the City.

**D. GENERAL POLICY:**

The City of Lemoore strives to provide a safe work environment for employees and for the public.

Use of a City vehicle by an employee is neither a right nor a privilege; rather, it is a trust conferred to facilitate necessary performance of job duties and directly benefits the Department facilitating the vehicle's use. Use of a City vehicle should always lead to positive perceptions by our citizens.

The City of Lemoore strives to provide efficient and effective oversight in the vehicle assignments and maintenance.

**E. FLEET ADMINISTRATOR'S RESPONSIBILITIES:**

The Fleet Administrator shall:

1. Develop and maintain a comprehensive list of vehicle assignments with the assistance of Department Heads.
2. Be responsible for notifying departmental fleet representatives or contacts when scheduled Preventive Maintenance (PM) Services are due.
3. Develop criteria used to replace a vehicle and determine when a vehicle will be replaced.
4. Establish safety thresholds on vehicle wear items, including minimum tire tread depth, minimum brake pad thickness, etc.
  - a. When the Fleet Administrator finds that a vehicle does not meet established safety thresholds, he/she shall give the Department Head the option to either pay for the necessary repairs or take the vehicle out of service.
5. Deactivate or cancel fuel card privileges of employees who have repeatedly failed, after notification by Fleet Administration, to comply with the City's established policies governing vehicle preventive maintenance scheduling, fuel card usage and accurate odometer reporting. The privilege shall be restored after the employee demonstrates to the Fleet Administrator that he/she can comply with the established policies. The Fleet Administrator shall contact that employee's Department Head before temporarily canceling fuel card privileges.
6. Recommend disciplinary action to the supervisors and/or Department Heads of employees that repeatedly fail to comply with the policies herein.
7. Ensure that all City vehicles are appropriately marked. City vehicles which are routinely used in operations necessitating they remain unmarked may be left unmarked with the City Manager's approval
8. Furnish the following information to Department Heads for placement in the glove compartment of each City vehicle:
  - a. Vehicle Registration Information
  - b. In Case of Accident/Insurance Policy Card
  - c. Vehicle Accident Report Form
  - d. Vehicle Inspection Sheets

**F. DRIVER RESPONSIBILITIES:**

As required by the position, when an employee operates a City vehicle or a personal vehicle for which reimbursement or an auto allowance is received, the following rules shall be observed (failure to abide by these rules shall result in discipline up to and including termination):

1. City vehicles shall be used only in the performance of City business, including meetings, schools, conferences or other business related events. City vehicles shall not be used for private or personal business, except for incidental stops during travel to and from the work site. Police Officers may seek authorization under extraordinary circumstances from the Shift Sergeant per Policy 706.3 of the Lemoore Police Department Policy Manual.
2. Persons assigned a City vehicle may utilize the vehicle for meal purposes and authorized breaks within the general locality where the employee is performing duties or reporting for assignments. City vehicles are not authorized to be driven in Drive-Thru lanes. This requirement is for the express purposes of reducing emissions, increasing gas mileage, and demonstrating positive public perception through the responsible use of public resources.

Exceptions to this limitation are as follows:

- a. There is no other means of accessing the establishment
  - b. There is moderate to heavy rainfall.
  - c. There are no vehicles present in the Drive-Thru which would impede emergency response
3. City vehicles will not be used to transport family members or other passengers not engaged in City business or required to be conveyed in the performance of duty, without prior approval of the City Manager or designee.
  4. City and/or personal vehicles operated for City business shall be operated in a safe and courteous manner at all times. City and/or personal vehicles operated for City business shall be required to comply with the laws and ordinances concerning operation of motor vehicles and rules of the road and shall not be operated by an individual using or under the influence of drugs and/or alcohol. Seat belts for the driver and any passenger must be fastened at all times. Emergency vehicles are excepted from Section F.4 of this policy when operating Code-3.
  5. Except for the performance of official City business, no alcohol or firearms shall be carried in a City vehicle without the express permission of the City Manager or designee.
  6. Drivers and passengers shall not smoke in City vehicles.
  7. Maximum, economical, and efficient use shall be made of all City vehicles. Unnecessary driving will not be permitted. The following methods and practices are expected to be followed in order to meet this requirement:
    - a. Employees will take the most direct route to, from or between job assignments.
    - b. Ensure Tires are properly inflated.
    - c. Light duty vehicles should not be left to idle for more than 30 seconds when stopped. The only exceptions are the K-9 vehicle, and emergency response vehicles when responding to emergencies. In such cases, the limitations of Policy 706.8 of the Lemoore Police Department Policy Manual should be followed.
    - d. Drivers should remove equipment in excess of what is required to perform assigned duties for the purpose of lightening the load of the vehicle to increase fuel efficiency.

- e. Speeding, quick starts, and rapid braking reduce vehicle efficiency, and is not permitted. Safety vehicles are excepted from this section when operating Code-3.
8. An employee who is operating a City vehicle or private vehicle on City business is required to pay for moving violations and/or parking citations for which he/she is responsible.
9. The lack of a City provided Take-Home vehicle is not a sufficient reason for an employee to refuse to respond to an after hours call back. Call backs will continue to be governed by existing City and Departmental policies and employees who fail to respond will be subject to disciplinary action.
10. An employee who operates an assigned vehicle or a private vehicle for City business must have the appropriate valid driver's license, the state required liability insurance and current registration for the vehicle.
11. An employee who is assigned a vehicle shall ensure all of the vehicle's required preventive maintenance and repair work is performed on schedule and in a timely manner so as to obtain optimum running condition and maximum fuel economy. Under no circumstances will a vehicle with a serious safety problem be permitted to operate until properly repaired. Police Department personnel shall follow the guidelines of Policy 704.2 of the Lemoore Police Department Policy Manual. The Fleet Administrator will be responsible for ensuring that all City vehicles meet safety guidelines.
12. Police Officers shall ensure that, absent emergency conditions or supervisor approval, officers driving patrol vehicles shall not place a vehicle in service that has less than one-quarter tank of fuel per Policy 704.4 of the Lemoore Police Department Policy Manual.
13. The City will assume no responsibility for personal property stored or left in a City vehicle.
14. Police Officers may, per Policy 706.4 of the Lemoore Police Department Policy Manual, remove all firearms from the interior of the vehicle and place them in the trunk or properly secured in the Police Department, and/or residence for Take Home Vehicle participants, when the vehicle is not attended.
15. The employee to whom a vehicle is assigned is responsible for City property stored or left in a City vehicle.
16. Employees using personal vehicles for official City business should familiarize themselves with the City's "Travel Expense" policy (available under "Travel Forms" for the current year, on the City's public drive through the City server). Personnel will be reimbursed at the City's current mileage rate established by the Internal Revenue Service.
17. Employees may be assigned the occasional overnight use of vehicles; however, if occasional overnight usage by any employee exceeds 12 times per year, IRS regulations require that the cumulative mileage costs be taxable to the employee as wages.

## **G. DRIVING REQUIREMENTS**

1. All City owned vehicles are subject to inspection and/or search at any time by a supervisor and no employee assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.
2. An employee who is assigned a vehicle is responsible for reporting any changes altering their driving record to the Human Resources Office. If an employee, while operating a City vehicle or personal vehicle on City business, is involved in a motor vehicle accident involving any bodily injury and/or greater than \$1000 damage, the employee shall immediately report the incident to the immediate supervisor and the Human Resources Office and the Lemoore Police Department, except if any of the employees are Police Officers, in which case the California Highway Patrol shall be contacted in lieu of the Lemoore Police Department for investigative services per Policy 706.7 of the Lemoore Police Department Policy Manual. If the accident occurs outside of the City of Lemoore, the employee shall contact that jurisdiction's Police Department.
3. Drivers of vehicles weighing more than 26,000 pounds or a vehicle carrying sixteen (16) passengers or more must have a valid Commercial Class B license with a passenger endorsement or Commercial Drivers License (CDL) if they drive vehicles which require a CDL.
4. Driving histories may be obtained for prospective new employees who may be required to operate a city vehicle. If a position requires an operator's license, then the possession of a valid California driver's license will be required.
5. All City employees who will be driving City vehicles will be enrolled in the DMV's employee pull notice program. This program allows the City to receive a driver record report at least once every twelve months or when any conviction, failure to appear, accident, driver's license suspension, revocation or any other action is taken against the employee's driving privilege during employment. Anytime an employee's license is jeopardized through suspension, revocation, or pending civil or criminal proceedings, an employee must immediately report such status to his/her department head and the Human Resources Office. Failure to do so will result in disciplinary action in accordance with Section 7.10 of the Personnel System Guidelines.
6. Should an employee have his/her license suspended or revoked, or receive points on his/her license for convictions and/or motor vehicle violations, he/she may be disciplined, up to, and including, termination, in accordance with the Personnel System Guidelines. The personnel action shall be taken by the employee's supervisor and filed in the employee's personnel file. Documentation shall be presented to the department head to ensure that the license has been reinstated.
7. The employee's supervisor retains the authority to determine whether, in his/her professional judgment, it is appropriate for the employee to operate a city vehicle.

## **H. MAINTENANCE AND CARE OF CITY VEHICLES**

1. All City of Lemoore vehicles shall be appropriately marked with the vehicle number and signage that designates the vehicle as being owned and operated by City of Lemoore employees. Any exceptions must be approved by the City Manager.
2. Department Heads are responsible for ensuring proper use of their department's vehicles, proper display of City seals, proper and timely inspections, preventive maintenance, and that necessary repairs are done in a timely manner for all vehicles assigned to their department.
3. All City vehicles shall be maintained in conformity with the vehicle manufacturer's suggested preventive maintenance schedule. Departments will be notified, by the designated Fleet Administrator, when a vehicle is due for preventive maintenance.
4. The vehicle driver is responsible for ensuring the cleanliness and appropriate physical appearance of their assigned vehicle. Department Heads shall designate a person to be responsible for pool vehicles, and shall notify the Fleet Administrator of whom has been assigned responsibility. This requirement includes:
  - a. The exterior of the vehicle shall be clean in appearance, consistent with weather and working conditions. Frequency of scheduled washes will vary according to conditions under which the vehicle is used.
  - b. The interior of the vehicle shall be kept clean and orderly. Daily removal of litter is necessary. Confidential Material should be disposed of properly. Accumulation of trash will not be permitted.
  - c. Supervisors shall make, at a minimum, monthly inspections of vehicles assigned to employees under their charge and pool vehicles within their department/division to ensure the vehicles are being maintained in accordance with this policy.
5. Gas cards for fuel sites in the City are issued to individual drivers, and may be issued for specific vehicles. Gas cards for vehicles will stay with the vehicle, not the driver. Gas cards for drivers will stay with the driver whom the gas card was issued to. Personnel who have been assigned gas cards shall never let any other employee borrow or use their gas card, and never reveal their PIN to other employees. Gas cards are for City owned vehicles only and not personal vehicles used for City business.

## **I. TAKE-HOME VEHICLE ASSIGNMENT**

1. Participation in the Take-Home vehicle program is voluntary; however, the City has the right to deny participation, or suspend, revoke, terminate, or modify this program at anytime, for any reason.
2. Use of Take-Home vehicles is governed by the IRS' Taxable Fringe Benefit Guide. Vehicles have been provided for business purposes only. Accordingly, the personnel participating in the City's Take-Home vehicle program should be aware that any and all personal use of the vehicle is taxable to the employee as wages.
  - a. Personal use of a vehicle includes all commute trip mileage.

- b. Personal use of a vehicle includes the mileage incurred for the purpose of meals. To prevent necessitating the implementation of Mileage Logs within all Take-Home vehicles, staff will make the following assumption with regards to mileage incurred for the purpose of meals: Assume that all Take-Home vehicle participants drive a total of 5 miles of personal use, plus commute distance, for each day they work; therefore, employees are expected to limit personal use, excluding commute mileage, to 5 miles per day.
3. Any personnel being considered for an assigned Take-Home vehicle must maintain a satisfactory or above rating in all categories/dimensions on their most recent performance review. A competent or above rating must be maintained throughout the employee's rating period in order to continue to be eligible for this privilege. Failure to meet this requirement will result in personnel having to relinquish the assigned vehicle until the performance review rating requirement is met.
4. Assignment and care of Take-Home vehicles for Police Department personnel shall follow the guidelines of Policy 706 of the Lemoore Police Department Policy Manual.
5. Assignment of Take-Home vehicles, for non-Police Department personnel, is limited by distance. The respective personnel shall not be assigned a Take-Home vehicle if their residence is greater than 15 miles from their normal work site.
6. Some City positions requiring a response to special situations, emergencies, or events exceeding normal working hours on a regular basis may be assigned a City vehicle.
7. City take-home vehicle assignments will be reviewed annually as part of the budget review process and for IRS reporting purposes.
8. Employees whom are assigned Take-Home vehicles are responsible for washing and cleaning both the interior and exterior of their respective vehicle. Vehicle care for all City vehicles will be performed during non-working hours. Self-Washing facilities are located on several City facility locations.
9. Employees will dress appropriately when using the assigned Take-Home vehicle.
  - a. Employees shall wear work/business appropriate clothing.
  - b. Employees will not wear short-shorts, tank tops, flip flops, etc.
10. The following rules apply to police officers who are assigned a Take-Home police vehicle:
  - a. Officers will dress appropriately when using the marked patrol vehicle.
    - i. Proper attire must be worn. Officers will wear some type of identifying attire, ie., Uniform, Department approved shirt, hat, or display a badge on person.
    - ii. Officers will equip themselves with police identification, police radio, handcuffs, O.C. spray, firearm, and spare magazines.
  - b. Officers will monitor the police radio at all times while operating a marked vehicle within City limits.

- c. While off duty and/or in civilian attire, officers will not take traffic enforcement action unless the violation is extremely hazardous.
  - d. Officers may render public assistance, e.g. to a stranded motorist, when deemed prudent.
  - e. Any officer on suspension is not authorized a Take-Home vehicle.
11. Any employee on annual leave, earned personal leave, compensatory time, or other earned leave equal to or exceeding one duty week (36 hours or more) will not keep possession of the Take-Home vehicle during such extended leave
- a. Assigned Take-Home vehicles will be left in a designated parking area at the end of the last duty shift preceding the start of leave.
  - b. The Fleet Administrator will be notified by the employee in advance of the leave and informed of any known maintenance issues for the assigned vehicle. Repairs and preventive maintenance will be scheduled during the employee's absence.
  - c. Employees using less than one week of leave are encouraged to leave their assigned vehicle with the Fleet Maintenance shop for maintenance purposes.
  - d. All employees participating in the Take-Home vehicle program will make their vehicle available for scheduled maintenance.
12. Department Heads are responsible for notifying Fleet Administration in writing whenever an employee with a take-home vehicle assignment is permanently assigned a different vehicle.
13. Any personnel assigned a Take-Home vehicle must inform the Finance Department when moving to a new address for IRS fringe benefit reporting purposes.
14. All personnel assigned a Take-Home vehicle must comply with the guidelines and/or rules set forth in this policy.
15. Nothing in this policy will prohibit the City Manager or Chief of Police from authorizing any employee the use of a Take-Home vehicle for a limited period of time to address any identified need, such as commuting to authorized training or court appearances.

**J. REVOCATION OF TAKE-HOME AUTHORIZATION**

Take-Home authorization may be revoked:

- 1. For failure to comply with the provisions of this policy.
- 2. For a change in job assignment, duties or responsibilities such that a take-home vehicle is no longer justified.
- 3. When an employee has been found at fault in an accident with any city-owned vehicle, at the discretion of the Department Head
- 4. As a disciplinary measure.
- 5. When it is in the best interest of the City of Lemoore.