

BEDFORD COUNTY GOVERNMENT

VEHICLE USE POLICY

I. **GENERAL STATEMENT OF POLICY**

The purpose of this policy is to provide operational guidelines and procedures to the operations of motor vehicles and other road-worthy equipment owned by Bedford County for the purpose of providing for the protection and safety of human life, and providing for the protection of the County's assets. This policy applies to all motor vehicles and other road-worthy equipment owned or leased by Bedford County with the exception of vehicles used by "On Call Personnel" as addressed later in the foregoing policy, and establishes the minimum requirements for operation of such vehicles and equipment. As used hereafter, the term "vehicle" refers to all motor vehicles and other road-worthy equipment owned or leased by Bedford County. This policy coordinates with all other applicable personnel policies, including but not limited to, "Alcohol & Drug Testing for Commercial Motor Vehicle Drivers," and "Alcohol and/or Drugs in the Work Place."

II. **RESPONSIBILITIES**

A. It is the responsibility of the Administration to:

1. Provide motor vehicles appropriate for the intended uses.
2. Develop policies and procedures for educating employees regarding the use of vehicles.

B. It is the responsibility of all Bedford County Elected Officials and Department Heads to:

1. Identify and justify vehicle and equipment needs.
2. Make specific assignments of vehicles and equipment
3. Insure that employees are properly licensed to operate the vehicles(s) assigned to them. Verification of licensure must be done on an annual basis.
4. Insure that vehicles assigned to their department are operated properly in accordance with the policy.
5. Understand and comply with all federal and state laws, local regulations, and Bedford County policies relating to the use of vehicles. Failure to carry out appropriate management responsibilities may result in disciplinary action up to and including termination.
6. Insure that employee drivers are familiar with federal and state laws, local regulations, and Bedford County policies relating to the use of vehicles. Volunteer personnel, with the exception of public safety volunteers in good standing with their department, may not operate County vehicles.
7. For new employees, this driving record must be checked and verified prior to the performance of any driving duties.

8. Take appropriate disciplinary action for employee violations of federal and state laws, local regulations, and Bedford County policies relating to the use of vehicles.
- C. It is the responsibility of employee drivers to:
1. Maintain an appropriate, valid driver's license for the vehicle or equipment assigned to them.
 2. Notify the supervisor immediately upon receipt of any traffic violation (citation or arrest).
 3. Notify the supervisor immediately if the driver's license is restricted, suspended, revoked, canceled, or otherwise invalidated.
 4. Understand and comply with all federal and state laws, local regulations, and Bedford County policies relating to the use of vehicles. Failure to carry out appropriate operator responsibilities may result in disciplinary action up to and including termination.
 5. Refrain from the manufacture, distribution, dispensing, possession, purchase, sale, transfer, or use of drugs or alcohol while on the job or in the workplace including on, in, and around vehicles is prohibited.
 6. Refrain from being under the influence of drugs or alcohol (as defined in personnel policy "Alcohol and/or Drugs in the Work Place") during working hours regardless of whether those drugs or alcohol were consumed during working hours or prior thereto is prohibited.
 7. Operate vehicle(s) at all times in accordance with this policy.
 8. Assume responsibility for resolution, which may include payment, or any traffic citation received while operating a County vehicle.
 9. Secure authorization from supervisor/manager prior to operating a non-emergency vehicle outside the boundaries of Bedford County.
 10. Use any appropriate personal protective equipment for the job being performed in, on, or around a vehicle.
 11. Insure that assigned vehicle is maintained in a safe and clean operating condition.
 12. Report mechanical problems to supervisor and the appropriate repair facility, and make arrangement for repair of the vehicle.
 13. Provide immediate notification to supervisor of any accident or incident while operating a County vehicle. Regardless of whether there is any resulting bodily injury or property damage.
 14. Insure that any material and/or tools hauled in the vehicle are properly secure and/or stored in a safe manner in compliance with applicable state and local laws.

III. **OPERATING POLICES AND PROCEDURES**

A. GENERAL CONDITIONS OF VEHICLE USE

1. Employees without the appropriate, valid driver's license are prohibited from operating any County vehicle.
2. The license must be in possession of the driver at all times while operating a County vehicle.
3. The manufacture, distribution, dispensing, possession, purchase, sale, transfer, or use of drugs or alcohol is strictly prohibited while on the job or in the workplace, including on, in, and around vehicle.
4. Employees must not be under the influence of drugs or alcohol during working hours regardless of whether those drugs or alcohol were consumed during working hours or prior thereto.
5. The driver must operate a non-emergency County vehicle in a safe, lawful, efficient, and courteous manner and must obey all traffic laws, parking regulations, and rules of the road. Common sense security precautions and driving habits shall be observed.
6. The term "assigned vehicle" refers to whatever vehicle is provided to the employee, whether driven on a routine or occasional basis, including vehicles from a vehicle pool.
7. The driver is required to maintain a clean and presentable vehicle, inside and out.
8. Traffic and parking violations are the responsibility of the driver and may result in disciplinary action when warranted.
9. The County vehicle is a tool provided to aid the employee in performance of his/her duties. The County vehicle is to be used only for legitimate County business. **Personal use, except as defined in this policy, is specifically prohibited. Personal use for travel outside the jurisdiction (Bedford County boundary) is prohibited.**
10. **The County vehicle may not be used for any personal use other than that which is for personal comfort.** The term "personal comfort" shall mean acts, which are reasonable necessary to the health and comfort of an employee while working, such as satisfaction of thirst, hunger, or other physical demands, or protecting themselves from excessive cold, which are incidental to employment.
11. The driver and all passengers are required to use seat belts and other restraint devices in all vehicles so equipped. The driver is responsible for enforcement of this policy. Removal or disabling of seat belt/restraint mechanisms is specifically prohibited.
12. Except as provided herein, all County vehicles shall bear an asset number, County decal, and government issue license plates. The only exceptions to this provision are as follows. The County Mayor shall determine exempted vehicle.
 - a. Vehicles assigned to Sheriff's operations may be exempted from identification requirements when conditions warrant.
 - b. Vehicles assigned to the Department Heads may be exempted from decal and license requirements when appropriate to their function.

13. The operation by or transportation of non-County personnel in a County vehicle is prohibited except as required by legitimate County business purposes, or with the authorization of the County Mayor. This subsection does not apply to the vehicles listed in Exhibit A. The provisions of Exhibit A shall be applicable to those vehicles listed therein.
14. The driver shall perform all required daily checks and inspection of the vehicle and shall promptly report all problems, including body damage, to the supervisor or maintenance department coordinator who will then determine if the vehicle needs attention before being put into service.
15. Failure to comply with any of the provisions of this policy may result in disciplinary action, up to and including termination.

B. FLEET SERVICES

1. All purchase, titles, and licensing of County motor vehicles and road-worthy equipment shall be processed through the Department of finance.
2. All affected departments are expected to maintain appropriate confidentiality and protection of information relating to undercover vehicles.

Non-emergency vehicles shall be equipped with all necessary options for the safety and comfort of the operator. Installation of optional equipment for the purpose of enhancing the cosmetic value and/or providing creature comfort or convenience is specifically prohibited. Factory installed "standard options" are permitted in accordance with current Purchasing regulations.

3. Mobile radios and telephones are the responsibility of the operating department. Such equipment shall be mounted as non-destructively as possible.
4. All maintenance needs, including emergency road service, shall be referred to and coordinated by the Department Head. Every effort will be made to schedule preventive maintenance to minimize the impact on user department operations.

C. TAKE-HOME VEHICLES

1. Pursuant to County policy on such use, a vehicle for take-home or 24-hour use may be assigned to certain County employees for bona fide County business reasons when the nature of their work requires such assignment.
2. The "special rule" of \$3.00 per round trip commute shall be used in all instances of take-home non-emergency vehicle use except as provided below. This "special rule," as promulgated by the IRS, allows this flat rate to be added to an affected employee's gross income and withholding made

accordingly. The following requirements must be met to remain in compliance and are hereby made mandatory.

- a. For bona fide business reasons, the County requires an employee to commute to and/or from work in an assigned vehicle. Vehicles are assigned for such purposes to key employees of the County who are required to be on call and report if needed at any time.
 - b. The take-home vehicle may not be used for any personal use other than commuting and that which is for personal comfort. The term “personal comfort” shall mean acts which are reasonably necessary to the health and comfort of an employee while working, such as satisfaction of thirst, hunger, or other physical demand, or protecting themselves from excessive cold, which are incidental to employment.
 - c. The employee must assist the County Mayor’s Office in keeping adequate mileage records on the forms and in the manner prescribed by said office in order to insure future compliance.
 - d. Failure to comply with these provisions will result in the revocation of all take-home vehicle privileges and may result in further disciplinary action.
3. Those employees deemed to be “control” employees as more particularly defined by IRS rules and regulations or those assigned vehicles for legitimate fringe benefit purposes shall be subject to a separate rule for calculation of the taxable fringe benefit portion of a take-home County vehicle. “Control” employees generally include employees who are either elected officials or executives appointed by the executive branch of government and confirmed by a legislative body. The following requirements must be met:
- a. The affected employee must assist in keeping adequate mileage records as more specifically set forth in Section 2c above.
 - b. The Department of Finance shall calculate the amount included in an affected employee’s gross income on the basis of Annual Lease Value computations provided by the IRS and the percentage of personal use determined by mileage records as accurately as reasonably possible. Year-end reconciliation’s between the County and the affected employee based upon the actual record of use may result in adjustments for withholding purposes.
4. Exempt vehicles require no calculation for gross income inclusion or withholding. Bedford County recognizes that some personnel are on call 24/7 routinely. These employees are required to respond to emergencies both on and off duty or perform life saving medical treatment wherever they may be. These employees have special training and the vehicles they drive are equipped with specialized emergency or technical equipment used to treat and protect the citizens of our County. Employees and vehicles that fall into this category are exempt from these policies. These employees and vehicles include those listed on Exhibit A.

5. For employees subject to the “special rule,” withholding will be taken each pay period at the 20% rate required by law. All withholding for other employees will be done quarterly.
6. The following record keeping requirements in addition to those set forth above are hereby made mandatory.
 - a. It is the responsibility of the Department Head to determine when such take-home assignments are required in the best interest of the County, and to make such assignments where necessary.
 - b. The administrators are responsible for assuring that the criteria as herein set forth in the “special rule,” “control” employee rule, or an another fringe benefit, are met for each take-home vehicle assignment.
 - c. The administrators of the various departments shall be responsible for supplying to the Department of Finance a list of take-home assignments including the driver’s name, social security number, and fleet identification number of each assigned vehicle. Any revisions or changes to this list shall be forwarded in writing within five (5) working days.
7. These policies are subject to future revision as may be made necessary to comply with future IRS regulatory changes.

D. OUT-OF-TOWN TRAVEL

1. Bedford County may provide County-owned vehicles for out-of-town travel as required for legitimate County business when automotive travel is the most efficient and cost-effective means of transportation.
2. Vehicles used for out-of-town travel may be assigned department vehicles or motor pool vehicles when available.
3. The provisions of this policy will coordinate with other policies and procedures regarding travel on County business.
4. With proper documentation, employee out-of-pocket expenses may be reimbursed in accordance with other travel policy.
5. Breakdowns and/or other mechanical difficulty shall be reported to the Department Head by telephone at the earliest possible time. The Department Head will coordinate the appropriate actions required and will instruct the employee accordingly. When such difficulties occur after normal business hours, the employee shall exercise his/her best judgment and report the information to the Department Head early on the next business day.

E. VEHICLE ACCIDENT PROCEDURES

1. All accidents and property damage to vehicles must be reported immediately.
2. Protect the scene of the accident. Do not move the involved vehicle or disturb the scene until told to do so by law enforcement authority.

3. Notify the appropriate law enforcement authority and request an ambulance, as necessary. If there is no immediate access to a telephone, sk the appropriate dispatcher to make this call.
4. Do not make any statements to anyone except the supervisor and the law enforcement authority on the scent.
5. If the vehicle is disabled, contact the Department Head for instructions.
6. Employees with a Commercial Driver's License are subject to alcohol and drug testing in accordance with "Alcohol & Drug Testing for Commercial Motor Vehicle Drivers."
7. Other employees, including but not limited to public safety employees such as firefighters, law enforcement officers, and emergency services personnel, may be subject to alcohol and drug testing in accordance with pertinent federal, state, or County regulations.
8. Failure to report damage or accident involving County vehicles in accordance with this policy may be subject to disciplinary action up to and including termination.

F. CLAIMS MANAGEMENT PROCEDURES

1. The Claims Department at Tennessee Risk Management Trust has primary responsibility for management and settlement of all vehicle accident claims, with assistance as necessary from the County Attorney's office. The complete cooperation of all County employees is expected.
2. Any driver involved in an accident must complete the appropriate accident report as soon as the accident is cleared. If the driver is injured and unable to complete the necessary report, the report must be completed by the supervisor. This report should be received in the Claims Department within 24 hours of the accident. The driver must complete a report as soon as physically able to do so.
3. The Claims Department must be given verbal notice of the accident as soon as it is cleared, or if it occurred after hours, before 9:00 a.m. on the next business day.
4. Repairs to County vehicles will not be authorized nor will payment be made to any vendor for any such vehicle repairs until the Claims Department has been notified of the damages as required herein and has authorized repairs to be made.
5. Any driver who has been involved in an accident is prohibited from making a statement to the other parties involved or any representative of the other parties involved without the express permission of the Claims Department and/or the County Attorney's office.
6. In accordance with On-the-Job Injury Policy, Bedford County will subrogate any job injury claim in which a third party was responsible (such as a vehicle accident).

EXHIBIT A

As stated in Section C(4), Bedford County recognizes that there are some County employees that are "on call" 24/7 routinely. Such employees have special training, and the vehicles they drive are equipped with specialized emergency or technical treatment used to treat and protect the citizens of our County.

It is understood that County employees who drive such vehicles must have access to their vehicles. As such, said employees may use County vehicles to attend to personal obligations that might involve the transportation of non-county personnel for non-county purposes (i.e. transportation of a child to school). Such use vehicles as listed in this Exhibit is permitted under the following preconditions:

1. The County employee that drives said vehicle must carry full coverage automobile insurance with liability limits of not less than \$100,000 per occurrence and \$300,000 in the aggregate.
2. The aforementioned insurance must have a rider that covers non-county personnel riding in a county-owned vehicle. Each office holder or department head shall forward a list of authorized drivers of county-owned vehicles.
3. On the County employee's personal automobile coverage, the County must be named as an additional insured.
4. The County employee must provide proof of insurance on an annual basis with Bedford County, Tennessee named as an additional insured. Each office holder or department head shall report such insurance information to the County Mayor. The County Mayor will make a report regarding such insurance information to the Financial Management Committee each October. Any notices regarding insurance coverage shall be forwarded to the County Mayor's office.

The County employee in question will be required to enter into an agreement as to the requirements of this exhibit. The positions and vehicles to which this exception is applicable are as follows:

1. Sheriff's Department
 - a. Administrative – Six (6)
 - b. Detective – Four (4)
 - c. Road Deputy – Twenty-one (21)
 - d. K-9 Unit – One (1)
 - e. School Resource Officer – Six (6)
 - f. Court Officer – One (1)
 - g. Juvenile Transport – Two (2)
 - h. Jail Transport – Two (2)
 - i. Workhouse Transport – One (1)
 - j. Maintenance – Two (2)

2. Emergency Medical Service
 - a. Two (2) Vehicles
3. Fire Department
 - a. Administrative – Two (2)
 - b. Pickup Trucks – Five (5)
4. Highway Department
 - a. Administrative – Three (3)
 - b. Pickup Trucks – Five (5)
5. Emergency Management Agency
 - a. Administrative – Four (4)
6. Board of Education Maintenance Department
 - a. Eighteen (18) Vehicles
7. Board of Education Transportation Department
 - a. Service Trucks – Four (4)
 - b. Automobiles – Two (2)

AGREEMENT

I, _____, as an employee of Bedford County, Tennessee, agree and understand that my employment requires that I am, at times, "on call" twenty-four (24) hours a day, seven (7) days a week. Part of my employment with Bedford County requires that I drive vehicles owned by Bedford County which are equipped with specialized emergency or technical treatment used to treat and protect the citizens of our County (hereinafter called "county-owned vehicle").

As part of my employment with Bedford County, I must at times have immediate access to the county-owned vehicle in order to perform the duties of my job. Consequent to and to facilitate that immediate access to the county-owned vehicle, I understand and acknowledge that I may use the county-owned vehicle to attend to personal obligations that might involve the transportation of non-county personnel for non-county purposes (i.e. transportation of a child to school). I understand that my use of the county-owned vehicle is permitted under the following preconditions:

1. I understand and acknowledge that I must carry full coverage personal automobile insurance with liability limits of not less than \$100,000 per occurrence and \$300,000 in the aggregate.
2. I understand and acknowledge that the full coverage personal automobile insurance which I carry must have a rider that covers non-county personnel riding in a county-owned vehicle.
3. I understand and acknowledge that Bedford County, Tennessee must be named as an additional insured on the full coverage personal automobile insurance coverage which I carry.
4. I understand and acknowledge that I must provide to Bedford County on an annual basis proof of the required full coverage personal automobile insurance which names Bedford County, Tennessee as an additional insured.
5. I understand and acknowledge that my failure to carry the requisite full coverage personal automobile insurance with Bedford County, Tennessee named as an additional insured as provided above will prevent my use of the county-owned vehicle.

Name: _____

Department: _____

Date: _____

