

# City of Visalia Vehicle Policy

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To establish rules and regulations for all City of Visalia employees using a motor vehicle on official City business.

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### **III. Policy**

#### **A. Policy Modification & Maintenance**

This policy may be amended at the direction of the City Manager. Amendments shall become effective immediately upon approval of the amendment unless otherwise noted.

This policy, in its most current adopted form with all appropriate amendments and attachments, shall be included in the City of Visalia Personnel Policy Guidelines.

Situations will occur in which strict application of this policy may be either operationally or economically inefficient or inappropriate. The City Manager and Department Heads shall exercise discretion in taking exception to this policy, but shall have the ability to do so as they deem appropriate.

#### **B. Scope of Policy**

All vehicles, whether owned by the City of Visalia, a rental car agency or a City of Visalia employee, used for City business shall be subject to this policy.

#### **C. General Provisions**

The following provisions shall apply to use of any motor vehicle for City business:

- a. The City shall maintain safe, reliable and economical transportation as required for City employees to conduct City business.
- b. No City employee, under any circumstances will operate a City vehicle on a public roadway without being in possession of a valid California Driver's License. It shall be the Department Head's responsibility to verify the current status of the California Driver's License on each potential driver of a City vehicle.
- c. City vehicles shall only be used for City-related business unless otherwise authorized by the City Manager or Department Head.
- d. Each City employee who is assigned a City vehicle is responsible for that vehicle being maintained in a clean condition and ensure that routine maintenance and safety checks on that vehicle are conducted in a timely fashion.
- e. City owned and privately owned vehicles used for City business shall be operated in a manner consistent with all safety and legal requirements of the City of Visalia and the State of California.
- f. The driver of a motor vehicle used on City business should verify that the vehicle is in good operating condition before embarking on a trip.
- g. Costs of repairing damage to City vehicles resulting from willful misconduct or gross negligence by the employee having custody of the vehicle at the time of the damage may be recoverable from the employee at the option of the City.
- h. Damage sustained to a personal vehicle while being used for City business shall be the responsibility of the employee/owner.

- i. Any citation or arrests while operating a City vehicle or a personal vehicle on City business are the personal responsibility of the employee. The employee will not attend court appearances, traffic school or resulting DMV appointments on City time for such citations and arrests and must arrange such appearances by taking appropriate time off. Any judgment of acquittal or guilt sentence handed down by the court will be satisfied by the employee alone. All fines and court costs, to include subpoena of witnesses and/or attorney fees, if any, are also at the sole cost of the employee, unless it is the direct result of negligence by the City in furnishing a vehicle designed for, but not properly equipped or negligently maintained for, use of a public roadway.
- j. Any City employee who receives a citation while operating a City vehicle or a personal vehicle while on City business shall report same incident immediately to their supervisor. The supervisor shall give written notification to the Department Head with a copy to the Risk Management Division.
- k. The operator of any vehicle used on City business shall ensure that seat belts are available for and used by all passengers in the vehicle.
- l. Employees shall not, under any circumstances, operate a City vehicle or a personal vehicle on City business when any physical or mental impairment causes the employee to be unable to drive safely.
- m. Department Heads will take the appropriate steps to have take-home vehicle privileges suspended from any employee that has been off work or on light duty for a period of time longer than two weeks.
- n. Employees shall not smoke cigars, cigarettes or use any other tobacco product while operating a City vehicle.
- o. Required regular use of private vehicles shall be included in job descriptions by the Personnel Divisions.

**D. Assignment of City Vehicles**

1. Request for Assignment of City Vehicle

Department Heads shall complete a City Vehicle Assignment Request for (see Exhibit A) and forward copies as shown on the form. New permanent vehicle assignments – assignment of a new vehicle made to individuals who have not previously been assigned a City vehicle – shall be made through the City’s annual Capital Improvement Program process for acquiring additional vehicles.

2. Criteria for Permanent Day Use Assignment

Criteria for permanent day use assignment of a City vehicle to an individual should include:

- a. Duties requiring frequent daily travel between crews, job sites and offices.
- b. Need for frequent use of special tools or equipment.
- c. Need for permanently assigned material.

- d. Vehicle use required for more than one-half of the employee's daily work assignment.
  - e. Job utilization for an average of 650 miles per month or more.
3. Criteria for Permanent Around-the-Clock Assignment

Criteria for permanent around-the-clock (take home) assignment of a City vehicle to an individual shall include:

- a. The employee must and consistently does, respond to after-hours emergencies one or more times per week, using a specially-equipped vehicle.
  - b. The employee provides off-duty field supervision or attends off-duty business-related meetings on the City's behalf three or more times per weeks.
  - c. The employee is required to begin work at a location other than the permanent work station more than 50% of the annual working days.
  - d. Inadequate parking space at City facility.
  - e. Police Officers participating in the Department's take-home vehicle program. (Copy of program guidelines attached.)
  - f. Special circumstances determined by the Department Head which require an employee to be on call and respond after hours.
4. Geographic Boundary for Permanent Around-the-Clock Assignment

- a. Effective January 1, 2005, permanent around-the-clock assignment of a City vehicle provided that assignment may be made only to employees who reside within the Visalia squared off or fully justified urban area boundary.
- b. Anyone with continuous permanent around-the-clock assignment of a City vehicle prior to January 1, 1987, who has lived in the same location outside of that boundary since that time, shall be exempt or grandfathered in until such time as they change residence.
- c. Effective January 1, 2005, in order to establish a uniform boundary line for the maximum distance assigned vehicles can be driven home, the following boundaries have been established:

Northern boundary line - Ave 328

Southern boundary line – Ave 256

Eastern boundary line – Road 160

Western boundary line – Road 64

These boundaries were established by squaring off or fully justifying the existing outer boundaries of the City's urban boundary line. If the urban boundary lines are extended further outward in the future, as the city grows, this will automatically expand and reestablish the corresponding vehicle take home boundary lines as well.

Each Department Head has the authority to grant permission to allow city vehicles to be driven to an employee's residence outside the take-home vehicle boundary lines, but special written justification must be submitted to the City Manager to justify these rare occasions.

5. How to Request Permission to Take Home Your Assigned Vehicle on a Daily or Semi-Regular Basis

Fill out the City form entitled "Authorization to Take a City Vehicle Home," and submit the completed form to the Fleet Manager. Add any comments to this form that are appropriate to be considered in this decision.

The completed form will be distributed to the employee's immediate supervisor after the comments and information added to the form are verified.

After the approval or disapproval of the supervisor, the form will be routed to Department Head, and the request will receive its final approval or disapproval.

There is no appeal to this process.

The completed form will then be filed in the Fleet Manager's vehicle file and copies of the finalized form returned to the Department Head and the employee. Each time an employee changes assignments, a new authorization to take a city vehicle home form must be resubmitted for review through the above protocol.

6. Internal Revenue Service Requirements

The IRS requires that any employee who uses a City vehicle around the clock will pay taxes on the personal use of the take-home vehicle. The exceptions to this rule are:

- a. The employee shall maintain a log of personal use, including to and from work.
- b. The log will be completed and sent to payroll on a monthly basis.
- c. Annually, payroll will calculate the vehicle's lease value and charge the personal usage percentage of the vehicle's lease value plus a per mile gasoline charge to the employee as taxable income. This amount will be added to the employee's W-2.

Some public safety vehicles may be exempt from IRS regulations.

7. City Pool Vehicles

At the discretion of the City Manager and the Community Development/Public Works Director, a small motor pool of City vehicles may be maintained by the Fleet Manager for temporary use. Use of pool vehicles shall be subject to the following provisions:

- a. A request for extended use of a pool car (five working days or longer) must be approved by the Fleet Manager.
- b. Use of a pool vehicle may be granted to an employee with Department Head approval, on a one-day basis, when the employee is on emergency call, must attend a business-related activity after regular working hours or begin work at a location other than the permanent work station.

8. Appropriate Usage of City Vehicles

Use of a City vehicle by any City employee shall be subject to the following:

City owned vehicle shall not be used to transport any passengers other than authorized City employees on official City business or persons directly related to the official City business being conducted (i.e. speakers, consultants, contractors, other conference attendees, etc.) with the following exceptions:

- ◆ Incidental transporting of children to and from child care or school while driving to and from the workplace;
- ◆ Transportation of person or persons in the event of an accident or other emergency;
- ◆ Incidental transporting of others in public safety vehicle while responding to an incident from off-duty status.

Exceptions to these usage criteria may be granted by the Department Head or City Manager as appropriate and required.

9. Reporting Requirements for Personal Use of City Vehicle

Any personal use of a City take-home vehicle shall be reported. For each such use, the operator shall document the date driven, destination from and to and total miles for the trip. This reporting shall satisfy the requirements of the IRS. Again, certain public safety vehicles may be exempt from this requirement.

**E. Use & Reimbursement of Personal Vehicles**

1. Criteria for Use of Personal Vehicles

Authorization to use a personal vehicle for conducting City business may be granted when it is in the best interest of the City. Personal vehicle use may be recommended by the Fleet Manager with the concurrence by the Department Head, when fleet cost records indicate that the replacement or the continued usage of certain vehicles is not cost effective in comparison with established vehicle allowances or when usage of a vehicle is required to perform job assignments but such usage does not meet the criteria for assignment of a City vehicle. Personal vehicle use may be rescinded when usage of the personal vehicle for City business exceeds 650 miles per month for a one-year period. A City vehicle may then be provided with the concurrence of the Department Head. Usage patterns shall be re-examined when an incumbent leaves to develop a recommendation for a vehicle assignment by the Fleet Manager to the Department Head.

2. Usage of Personal Vehicles

- a. All City employees utilizing a personal vehicle for City business shall be familiar with and shall comply with the provisions listed under GENERAL PROVISIONS and with all other requirements of this policy.
- b. Employees utilizing a personal vehicle for City business shall maintain the vehicle in a clean and safe operating condition.
- c. Registration and insurance requirements for personal vehicles used for City business shall be the sole responsibility of the owner and operator. Any personal vehicle used by a City employee for the City business shall have current vehicle registration.

3. City Radio Equipment in Personal Vehicles

Employees required to use a City radio shall have one furnished and installed at City expense. The Department Head shall have discretion for selection, installation and updating of the radio equipment. Documentation shall be sent to the Finance Division, the Fleet Manager and Personnel Division so as to provide for the return of the equipment to the City should the employee leave the City's employment.

4. Reimbursement for Use of Personal Vehicle

Reimbursement for the use of personal vehicles for City business shall be provided in accordance with the following categories.

a. Employee Mileage Reimbursement

Employees who must operate their personal vehicle while performing City business shall be reimbursed for such use at the current rate established by the Internal Revenue Services (IRS).

b. Existing "Category B" Recipients

Employees who received “Category B” monthly vehicle allowances under the previous Vehicle Policy shall be allowed to continue to receive this compensation until they change positions with the City, they leave the City’s employ or their monthly mileage falls below 100 miles.

5. Reporting Requirements for Mileage Reimbursement

Employee receiving reimbursement for mileage driven on City business shall submit a Request for Check form and a completed Monthly Business Travel Log to the Finance Division with their payroll sheets so that the reimbursement can be placed on their payroll check. No reimbursement shall be made without submittal of the log. The Monthly Travel Log shall include the date driven, destination from and to, reason for the trip and total miles driven for each trip.

An employee who pays for fuel with a City credit card while operating their personal vehicle on City business shall deduct that amount from their reimbursement request.

6. Internal Revenue Service Reporting Requirements

Any employee who receives a monthly vehicle allowance, as well as employees who are reimbursed for use of their personal vehicles for City business, will have that amount added to their W2 Form. In the case of mileage reimbursements, this is required as the present reimbursement rate is more than the amount allowed by the IRS. The IRS will accept the Monthly Business Travel Log as adequate accounting. Employees may wish to keep additional cost receipts for fuel, oil, parts and maintenance should expenses exceed reimbursement and the amount of business mileage is adequate to amount to a legitimate business expense.

7. Incidental Expenses

Employees shall be reimbursed for parking, toll fees and similar incidental expenses incurred while traveling on City business. This shall be in addition to any mileage reimbursement or monthly vehicle allowances.

8. Exceptions Due to Compensation Agreements

The City Manager shall be provided transportation or vehicle allowance as negotiated and approved in contractual agreement with the City Council.

**F. Collision Reporting Requirements**

1. Reporting Requirements

The driver involved in an accident with a City vehicle must complete a City of Visalia Accident/Incident Report Form. The driver must also notify their supervisor immediately. The police should be called to the scene and a police report taken when damage to another vehicle, damage to the City vehicle, private or City property is damaged or injury is involved.

If the traffic collision involving a City vehicle occurs in a jurisdiction outside the City of Visalia which refuses to take an accident report, a counter traffic collision report should be obtained at the earliest convenience at the Visalia Police Department.

The supervisor should forward the vehicle accident report to Risk Management with 24 hours of the occurrence. If substantial damage or injury occurs, Risk Management should be contacted immediately.

Risk Management will provide copies of accident reports to Personnel for follow-up with the Department Head. Personnel will assist the departments to assure that any discipline or remedial action taken as a result of the accident is consistent with City policy. It will be the department's responsibility to process any personnel action. Copies of disciplinary documents shall be forwarded to Personnel for filing in the employee's personnel file.

2. Traffic Vehicle Collision Review Committee

A City-wide Traffic Vehicle Collision Review Committee will review each vehicle collision where significant vehicle damage/private property damage or injury has occurred. The Committee will be comprised of one member each representing Personnel, Risk Management, Police, Public Works/Fleet and Safety Committee.

The Committee will meet once a month to review collisions that have occurred during that period. The Committee may also call a special meeting should the need arise. Each traffic collision that falls into this category will be reviewed independently as requested. All relevant information should be made available to the Committee as requested. It is the intent of the Committee to identify preventative measures to control traffic collisions and improve levels of safety. It is not the charge of the Committee to act as the disciplinary body. The Committee will make recommendations to affected departments as applicable.

Vehicle traffic collisions that fall into the category of non-injury with minor vehicle or property damage should be reviewed on an inter-department basis. The intent of this level of review is to identify preventative measures to control collisions and improve levels of safety.

**G. License & Insurance Requirements**

1. License Requirements

Any City employee operating a motor vehicle on City business shall have in their possession a valid California Driver's License of the proper class for the vehicle being operated as required and defined by the California Vehicle Code.

2. Insurance Requirements

Any City employee operating a private vehicle for City business must present proof of minimum insurance as required by the State of California annually to the City of Visalia. Reimbursement of expenses, as provided for in this policy, may be withheld if an employee fails to provide initial or annual proof of insurance.

**H. Use of Rental Vehicles**

1. Use of Rental Vehicles

Whenever possible and absent compelling reasons for doing otherwise, employees shall use the most economical and appropriate mode of transportation available when conducting City business. Employees needing to travel out of town for City business shall evaluate the total cost of alternative modes of transportation and choose the one that is the most efficient, effective and appropriate. All other things being equal, the alternative with the lowest cost shall be chosen.

## **How to Request Permission to Take Home Your Assigned Vehicle on a Daily or Semi-Regular Basis**

Fill out the City form entitled “Authorization to Take a City Vehicle Home,” and submit the completed form to the up through your department’s train of command. Add any comments to this form that are appropriate to be considered in this decision.

The completed form will be distributed to the employee’s immediate supervisor after the comments and information added to the form are verified.

After the approval or disapproval of the supervisor, the form will be routed to the Department Head, and the request will receive its final approval or disapproval.

There is no appeal to this process.

The completed form will then be filed in the Fleet Manager’s vehicle file and copies of the finalized form returned to the Department Head and the employee. Each time an employee changes assignments, a new authorization to take a city vehicle home form must be resubmitted for review through the above protocol.

Employees who live outside the vehicle take-home policy boundary line and who are not granted permission to take their City vehicle home, will not have a personalized vehicle and will drive a line vehicle on a daily basis unless otherwise authorized by their Department Head.



### Request for Authorization to Take City Vehicle Home

Vehicle # \_\_\_\_\_

Date \_\_\_\_\_

Name \_\_\_\_\_

Dept. \_\_\_\_\_

Home Address \_\_\_\_\_

Check the boxes that apply:

- I currently reside within the fully justified Visalia urban boundaries and request permission to take my assigned vehicle home.
- I currently live outside the fully justified Visalia urban boundaries and request permission take my assigned vehicle home.

Distance outside urban boundaries (\_\_\_\_\_miles)

***Justification to take vehicle home:***

- On-call
- On-call Supervisor
- Other \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(If more space is needed, use back form)

I have read and understand the City's Take Home Vehicle Policy and hereby request that I be allowed to take my assigned vehicle home. I further understand that if I move from my current residence or change assignments within the City, that I must complete another Authorization to Take City Vehicle Home form. I further understand that the City may choose, at any time, to rescind my use of the take home vehicle pursuant to City Policy.

Employee: \_\_\_\_\_

Supervisor \_\_\_\_\_

Departmental Approval:

Approved

Denied

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Department Head

\_\_\_\_\_  
Date

*Return completed form to Fleet Manager*