

**CALHOUN COUNTY
BOARD OF COMMISSIONERS
POLICY STATEMENT**

SUBJECT: Vehicle Use Policy	DATE APPROVED: 6/16/16	EFFECTIVE: Immediately	POLICY NO. 415
		REPLACES: 415 Adopted 11/16/06	

STATEMENT OF PURPOSE: Calhoun County places a high value on safety and acknowledges that the safe operation of motor vehicles by County employees is essential. Calhoun County operates a fleet of vehicles and equipment, including automobiles, pick-up trucks, plow trucks, SUVs, vans, ORVs, ATVs, boats, and other vehicles. County vehicles are available for official County business by authorized County employees. The proper utilization of County vehicles minimizes County transportation costs, liability, and helps ensure the safeguarding of County personnel and resources. This policy seeks to provide for the safe operation of motor vehicles, as well as their appropriate stewardship.

RESPONSIBILITY: This policy is authorized by the Calhoun County Board of Commissioners and the Office of the County Administrator/Controller will be responsible for the implementation of administrative terms or procedures for the enforcement of this policy.

POLICY: Calhoun County employees may be authorized to operate County vehicles for the purpose of conducting County business, provided they are at least 18 years old, have a valid driver's license for the vehicle being driven, and an acceptable driving record. Unacceptable criteria for a driver's motor vehicle record are attached as Appendix A. The employee must also have experience and/or training to drive the type of vehicle being used and should reasonably be expected to operate the vehicle in a safe and prudent manner.

County employees who are authorized to operate County vehicles for the purpose of conducting County business must operate the vehicle in compliance with this policy in addition to all local, state and federal laws. Individual departments may impose additional standards, restrictions, or driver education or training requirements.

Authorization for Vehicle Use

County owned vehicles shall be used only for official County business by authorized County officials and employees. As a condition to receive such authorization, employees must possess a valid driver's license and the correct license/endorsement for the type of vehicle being driven. In addition, the employee must have a signed Vehicle Use Agreement on file in the Human Resources Department. The Vehicle Use Agreement Form is attached as Appendix B.

Vehicle Assignments

The number of vehicles shall be assigned to departments either through the normal budgetary process or as assigned by the County Administrator/Controller. Vehicles assigned to the various

departments shall be under the control of the department head, elected, and appointed officials, and it is their responsibility to ensure compliance with this policy.

Vehicle Utilization

Vehicles shall be used for official County business only. While a County vehicle is in the possession of an authorized driver, that individual is fully responsible for the safety of the vehicle, including the safety of the passengers. All operators and passengers of County vehicles shall wear seatbelts. Departments transporting infants and children shall properly use the correct child safety seat for the age and size of the child.

The principle driver of the vehicle shall be responsible to assure the vehicle is kept clean and properly serviced. Drivers should report any vehicle malfunctions to their supervisor for corrective action. Tobacco or other smoking related products, including cigarettes, vaporized products, and/or chewing tobacco shall not be used in any County owned vehicle.

Drivers who are authorized to operate County vehicles are required to access the fleet fueling contracts approved by the Board of Commissioners when refueling. The Department heads, elected or appointed official should contact the Administrative Services Department in order to receive fleet fueling information and program setup for drivers.

The authorized driver is required to obey all state and federal traffic laws pertaining to the safe operation of a vehicle. Unless otherwise determined by law, the driver is personally liable for any traffic or parking violations received in the operation of the County vehicle.

County Owned/Leased Vehicles for Personal Use

Only personnel approved by the County Administrator/Controller shall be allowed to take County owned/leased vehicles home at the end of their normal work shifts. In such case, the vehicle shall be used only for official County business and not for the transportation of family, friends, etc., unless specifically approved otherwise by the County Administrator/Controller. Department heads, elected and appointed officials will be required to provide a list of those employees in their departments who are authorized to take vehicles home at the end of their normal work shifts to the County Administrator/Controller on an annual basis.

According to the Internal Revenue Service guidelines; if an employer provides an employee with a vehicle that is available to the employee for personal use, the value of the personal use must generally be included in the employee's income and wages (IRS Code § 61; Treas. Reg. § 1.61-21). An employee's personal use of a County vehicle is considered a taxable noncash fringe benefit by the IRS and thus is subject to employment taxes and must be reported on the employee's Form W-2, Wage and Tax Statement.

Clearly marked public safety vehicles and unmarked vehicles used by law enforcement officers (if the use is officially authorized by the Office of the Sheriff), are considered qualified, non-personal use of vehicles by the IRS and are excluded from this requirement. The Office of the Sheriff has the authority to designate vehicles and enforcement officers for this purpose and approval of the County Administrator/Controller is not required under this policy. The Office of the Sheriff is requested to report annually to the County Administrator/Controller a list of those officers authorized by the Sheriff to take County vehicles home.

Parking and Official Work Stations

With the exception of enforcement officers and those employees or positions authorized by the County Administrator/Controller to take vehicles home, all other vehicles shall be parked in designated County parking areas at the end of the work day or work assignment. Departments shall establish reasonable rules and regulations regarding the designation of official work stations provided that the entire Battle Creek area shall be designated as one official work station, the Marshall area shall be designated as one official work station, and the Albion area shall be designated as one official work station for the purposes of establishing a point of origin for each work day.

Impaired Driving

No employee shall operate a County vehicle when that employee's ability to operate such a vehicle is impaired. No alcoholic beverages, illegal drugs, controlled substances or prescription drugs, or over the counter medications that could impair someone's driving ability are to be used or consumed by the driver of County owned, leased, or rented vehicles, including personal vehicles while being used on County business. In addition, no driver shall operate a County owned vehicle when his/her ability to drive has been impaired by illness, fatigue, and/or injury. Any violation of this section shall be promptly reported to the County Administrator/Controller and may result in suspension of use of County owned vehicles and/or possible termination. The suspended use may not be restored except by written approval of the County Administrator/Controller.

Personal Vehicle Use For County Business

When an employee uses a personal vehicle for County business, the employee must have a valid driver's license, as well as personal auto insurance that is the primary insurer for liability. Calhoun County insurance acts as secondary insurer for excess liability up to the County's policy limit of liability per occurrence. The County does not provide any protection for physical damage losses to vehicles not owned by the County. If an employee is involved in an accident with their own vehicle, the County will not pay their deductible or any portion of the collision or comprehensive vehicle loss. Employees using a personal vehicle for County business must also have a completed Vehicle Use Agreement on file in the HR Department, which is attached as Appendix B.

Cell Phone and Other Electronic Device Usage

The use of cell phones and/or other electronic devices while driving should be kept to a minimum. Drivers need to be aware when use of the cell phone is creating a distraction from safe driving and adjust usage accordingly, including pulling off the road to continue/finish the conversation if needed. Whenever possible, drivers should complete calls while the vehicle is parked and/or use the phones in a "hands free" mode via a headset or speaker. While driving, attention to the road and safety should always take precedence over conducting business over the phone. In accordance with Michigan law, texting while driving a County owned vehicle, or a personal vehicle while on County business, is not allowed at any time.

Reporting of Accidents

All accidents, regardless of degree of damage or fault of operator, involving County owned vehicles, shall be reported immediately to the nearest police agency and shall be reported as soon as possible to the County Administrator/Controller's office. A copy of the accident report and an insurance claim/incident report shall be transmitted by the driver of the vehicle to the County Administrator/Controller's office, as well as to the department head, elected or appointed official for which the employee is employed. Failure to report any accident within 14 calendar days may result in suspension of use of County owned vehicles and/or termination of employment. The County Administrator /Controller's office is charged by the Board of Commissioners to maintain a record of all County vehicles. Within this charge, the County Administrator/Controller's office is responsible for coordinating repairs of such vehicles involved in any accident.

Vehicle Marking

All County owned vehicles, except those used for law enforcement, shall be properly marked, as directed by the County Administrator / Controller's office, to identify the vehicles as belonging to Calhoun County. Exceptions may be made at time of assignment.

Enforcement and Violations

An employee that has been authorized to use a County owned/leased vehicle, or driving a personal vehicle for County business, must notify their supervisor or department head within 24-hours upon the loss of their driver's license by suspension, revocation, or suspension. Failure to comply may result in discipline up to and including dismissal. Any supervisor that knowingly fails to report the information outlined herein will be subject to appropriate disciplinary action, up to and including discharge. The County reserves the right to periodically review the driving records of employees required to drive during the course of their employment.

The County Administrator/Controller's office is authorized to prescribe such forms as necessary for carrying out the provisions of this policy including accident report forms, insurance claim/incident reports, operator authorizations, complaint forms, etc. Unless otherwise prohibited by law, the County Administrator/Controller may temporarily suspend the use of County owned vehicles by any County employee or official based upon good cause in writing to the department head, elected, or appointed official. Any violations of this policy shall be reported immediately to the County Administrator/Controller together with any recommendations to remedy violations. Any person who violates provisions of this policy may be restricted from using County owned vehicles for such time as may be stipulated by the County Administrator/Controller.

SUMMARY: The operation of County vehicles exposes the County to liability and places the security of employees at risk. The proper use of County vehicles minimizes liability and helps ensure the safety of County personnel. This policy is intended to provide for the appropriate operation of County owned vehicles.



APPENDIX A

CALHOUN COUNTY UNACCEPTABLE CRITERIA FOR DRIVING RECORD

An unacceptable motor vehicle driving record is one indication that a person may not be a safe driver. Conviction of law violations or civil infractions may serve as a basis for disqualification from employment if driving is a requirement of the applicable County position.

In determining an unacceptable motor vehicle record, the total driving record will be evaluated. The pattern and number of law violations, the seriousness of the offense(s), and the amount of time since the violation(s) will be considered. The following circumstances will be cause for automatic disqualification from pre-employment consideration if driving is a requirement of the position being sought and in the case of existing employees may result in loss of driving privileges or termination of employment.

- Suspension or revocation of driver's license or no valid driver's license record found.
- Conviction of a driving related felony.
- An at-fault accident resulting in a fatality.
- Accumulation of six or more points on the driving record within the past five years.
- Convicted of any alcohol or drug offense within the past five years.
- Convicted of driving while license was suspended or revoked within the past five years.
- Loss of driving privilege through suspension or revocation due to an unsatisfactory driving record as defined by the Michigan Department of State within the past five years even if license was since reinstated.



APPENDIX B

CALHOUN COUNTY VEHICLE USE ACKNOWLEDGEMENT & AGREEMENT

In order to operate a motor vehicle as part of your employment with Calhoun County, including both your personal vehicle for conducting County business and/or a County owned/leased vehicle, please provide your initials next to each of the items below and sign the form below.

_____ I have read, understand and agree to abide by the conditions and rules as stated in Calhoun County's Vehicle Use Policy.

_____ I hereby acknowledge and understand that if I am required to operate a personal motor vehicle to conduct County business and/or drive a County owned/leased vehicle, then I am required to possess and maintain a valid driver's license. If driving a personal vehicle, I must also possess and maintain valid insurance for that vehicle.

_____ I agree that as an operator of a County owned/leased vehicle or as an employee required to operate a personal vehicle for County business, that I am prohibited from operating when my driving ability has been impaired for any reason as indicated in the Vehicle Use Policy.

Please complete the below if you will be driving a County owned/leased vehicle:

_____ I hereby certify and affirm that I have a valid driver's license. I understand that Calhoun County may conduct inquiries at its discretion regarding my driving record. I also understand that if driving is a requirement of my position and I lose my driver's license, then my employment with the County may be terminated.

_____ I acknowledge and understand that as an operator of a County owned/leased vehicle that I may not permit other individuals, such as family members and friends, to drive the vehicle issued to me.

_____ I agree to notify my supervisor or department head immediately (within 24 hours) if I receive a ticket or citation that affects and/or restricts my right to operate a motor vehicle. I will immediately (within 24 hours) notify my supervisor or department head if I have received a citation or other infraction related to impaired driving or operating under the influence of drugs, alcohol, or other cause of impairment. I will also immediately notify my supervisor if my driver's license has been suspended or revoked for any reason.

I understand that any violations of the Vehicle Use Policy and/or the items specified above may result in my vehicle use privileges being suspended or revoked, disciplinary action(s) up to and including termination of employment, and/or legal action(s) being taken.

Employee Signature

Date

Printed Name

Department