

VEHICLE USE POLICY



EFFECTIVE DATE
08/02/2023

I. PURPOSE

This Policy outlines the use of vehicles to conduct business for the City of Chubbuck. For the purpose of this policy, a vehicle is defined as any vehicle or equipment that requires a driver's license in the State of Idaho. This policy applies to vehicles operated by employees or temporary agency workers to conduct business for the City. Operators may be assigned a specific vehicle or may use fleet vehicles. The vehicle may be owned by the City or leased. If authorized, a personal vehicle may also be used to conduct City business.

It is the policy of the City of Chubbuck to provide a safe working environment that protects our employees and our citizens from injury and property loss. Operators of vehicles in the conduct of City business are expected to always drive safely, legally and courteously, remembering that they are directly responsible for maintaining both City assets and the public trust. Vehicle operators must maintain vehicles in a safe operating condition at all times.

Only persons authorized by a supervisor, manager, department head, the Mayor or a Council Member may operate a City vehicle. Vehicle operators will be monitored with due diligence by managers and supervisors to ensure proper care and operation of the City vehicles. The department head is responsible for full implementation and compliance with this policy.

II. PERSONAL USE AND PASSENGERS

It is the general policy of the City of Chubbuck that vehicles owned or leased by the City are only to be used for City business. Personal use of City vehicles is not allowed except as authorized by the department head for commuting or de minimus personal use such as a stop for personal errands on the way between business usage and the employee's home. Exceptions may be authorized by the department head for assigned vehicles and vehicles used for on-call duties.

Personal use of a vehicle is defined as all use that is not City business. Personal use of City vehicles beyond commuting or de minimus use is only allowed if authorized by the department head and a specific vehicle is assigned to the employee or if the employee is authorized to use a fleet vehicle to meet on-call responsibilities. Any other personal use of City vehicles must be unusual and infrequent and must be authorized in advance by the department head. Any deviations from the personal use restrictions in this policy must be immediately reported (within one business day) to the department head.

Marked patrol vehicles cannot be used for non-City business in any case beyond de minimus use, but assigned police officers can drive to and from the officer's personal residence and such use is not considered personal commuting as long as the officer remains on duty any time the police vehicle is in operation. This also applies to police officers assigned to unmarked City vehicles. However, any police officers residing more than 30 driving miles one-way from their assigned office are not eligible to drive their assigned police cars to and from their residence.

Non-City employees may ride in a City leased or owned vehicle only for business purposes. Personal passengers are not allowed in any City vehicle except that formal ride-along programs are allowed and personal passengers are allowed in vehicles assigned to on-call personnel and when City vehicles are used for out of town travel. Any other allowance of personal passengers in City vehicles should be unusual, infrequent events and requires pre-approval by the department head. Any deviations from the personal passenger restrictions in this policy must be immediately reported (within one business day) to the department head.

III. TAXABLE PERSONAL USE

When personal use of City vehicles is authorized, such use is a taxable benefit and must be included in the employee's taxable compensation.

For vehicles where personal use is limited to commuting or de minimus personal use, the employee will be taxed according to the IRS Commuting Rule. The taxable value of each one-way commute is \$1.50 or as updated by the IRS. The employee must complete a Commuting Vehicle Personal Usage Report on a monthly basis and submit it to his or her supervisor for approval and delivery to Payroll for processing.

For vehicles where personal use is authorized beyond commuting or de minimus personal use, the employee will be taxed according to actual personal mileage. The IRS cents-per-mile method or annual lease value rule will be applied as applicable to determine the amount reportable as income to the employee. The employee must complete an Extended Personal Use of City Vehicle Report on a monthly basis and submit it to his or her supervisor for approval and delivery to Payroll for processing.

IV. AUTHORIZED DRIVERS

Only persons authorized by a supervisor, manager, department head, the Mayor or a Council Member may operate a City vehicle. Vehicles assigned to employees to be taken home shall not be operated by a driver other than the assigned employee. Exceptions must be specifically approved. For example, if authorized, a non-City employee may operate an assigned or fleet City vehicle while accompanying a person authorized to use the vehicle for out of town travel to conduct City business.

Any person assigned or permitted to operate a vehicle to conduct City business shall be responsible for the following:

- 1) Possessing a valid driver's license.
- 2) Proper and safe operation of the vehicle.
- 3) Maintaining the vehicle in safe operating condition.
- 4) Participating in vehicle safety and defensive driving training as required by the City of Chubbuck.

In addition to the requirements noted above, any person operating a personal vehicle to conduct City business shall also be required to:

- 1) Maintain auto liability insurance with minimum state limits.
- 2) Provide current proof of liability insurance to the City Clerk.

Should an operator's driver's license expire, be revoked or suspended, the operator shall immediately notify a City supervisor, manager or department head. At the time of suspension, the operator's City of Chubbuck vehicle use privileges will be suspended until the operator's driver's license has been fully restored and validated.

Operating vehicles over 26,000 gross vehicle weight or buses and vans over fifteen (15) passengers requires a commercial driver's license (CDL), with the exception of public safety personnel pursuant to Code of Federal Regulations, Title 49, Chapter III, Subchapter B, Part 390.3(f)(5).

V. PERSONAL VEHICLES

The City provides vehicles for City business. However, employees may use personal vehicles for City business if such use is approved by the Department Head and the conditions below are met.

- 1) Possessing a valid driver's license.
- 2) Proper and safe operation of the vehicle.
- 3) Maintaining the vehicle in safe operating condition.
- 4) Participating in vehicle safety and defensive driving training as required by the City of Chubbuck.
- 5) Maintaining auto liability insurance with minimum state limits.
- 6) Providing proof of a valid driver's license and current liability insurance to the City Clerk.

Employees using personal vehicles are required to disclose business use of their personal vehicle to their personal insurance provider which may increase the cost to the employee for personal insurance. Accidents involving a personal vehicle being used for City business must be reported to the City and the employee's personal insurance provider. The accident may result in a loss of discounts and increased premiums to the employee for their personal insurance. The City will not participate in the increased cost for personal insurance premiums due to business use of a personal vehicle. The City will also not participate in the cost of any maintenance for personal vehicles.

The employee's personal insurance is expected to be primary in the event of a claim. The City will however, participate in the claims process for damages during business use of personal vehicles to property, bodily injury or other losses not covered by the employee's personal insurance policy.

Use of a personal vehicle when a City vehicle is available will reduce the mileage reimbursement to the employee as defined in the Travel Policy.

VI. DRIVER EVALUATION

Employees will be evaluated and authorized based upon their driving ability. To evaluate employees as drivers, management may:

- 1) Review past driving performance and work experience through reference checks with previous employers.
- 2) Review the employee's Driver's License Record (DLR).
- 3) Ensure the employee has a valid driver's license.
- 4) Ensure the employee is qualified to operate the type of vehicle he/she will be driving.

More stringent driver evaluation requirements may be applied by individual departments.

VII. SEATBELT USE

Except as authorized herein, all drivers and passengers are required to utilize seatbelts as mandated by law. Exception: Sworn law enforcement officers may dispense with wearing safety restraints in specific tactical situations or when it reasonably appears that, due to unusual circumstances, wearing a seatbelt would hinder rather than increase safety (Idaho Code 49-673(2)(b)).

VIII. MOBILE COMMUNICATION DEVICE, CELL PHONE AND COMPUTER USE

The driver of a City vehicle, or any other vehicle being used for City business, is prohibited from using a mobile communication device, cell phone or computer of any type while the vehicle is in motion. All employees are urged to minimize all unnecessary distractions, including voice operated hands-free communication devices while the vehicle is in motion. Drivers must be safely parked before using phone or mobile computer equipment. A mobile communication device is defined as "a text messaging device or a wireless two-way communication device

designed to receive and transmit voice or text communication". Exception: Sworn law enforcement officers may use mobile communication devices in specific tactical situations.

IX. SMOKING PROHIBITED IN VEHICLES

Smoking is expressly prohibited in all City of Chubbuck vehicles.

X. IMPAIRED DRIVING

The driver must not operate a vehicle when his/her ability to do so is impaired or influenced by: alcohol, illegal drugs or other illegal substances, prescribed or over the counter medication; or illness, fatigue or injury.

The employee driver is obligated to report to his/her supervisor any reason that may affect his/her ability to drive safely.

XI. PROOF OF INSURANCE

Persons operating a vehicle to conduct City business must make sure that proof of current insurance is in the vehicle. Vehicle operators must report missing proof of insurance to his or her supervisor or the individual who authorized use the vehicle. Each department head will establish a system to ensure proof of insurance is updated.

XII. ACCIDENT REPORTING

- A. In the event of an accident, the driver shall, when possible, first check on the safety and welfare of all persons involved and seek immediate medical attention should it be required for themselves or others. If possible, move the vehicle to a safe location out of the way of traffic.
- B. Drivers shall notify their supervisor as soon as possible of the accident and report the extent of the injuries and property damage involved.
- C. Drivers shall always have a police officer investigate any accident when a City-owned vehicle is involved in a traffic collision upon a roadway or highway wherein any damage or injury results. This will help ensure that the City of Chubbuck is protected from unwarranted claims.
- D. A general information report may be taken in lieu of a police report at the direction of a supervisor when the collision occurs on private property unless there is a death or serious injury to any person involved in which case the accident must be reported to the police.
- E. Drivers shall cooperate fully with the ICRIMP Claims Department in the handling of the claim. Do not discuss fault with, or sign anything from anyone except for a police officer, a representative from ICRIMP, or an authorized representative of the City of Chubbuck.

XIII. TRAFFIC VIOLATIONS

All fines and other criminal penalties due to violations of the law by the driver are the personal responsibility of the driver of any City vehicle or personal vehicle used for City business. These costs are not reimbursable by the City of Chubbuck and must be paid promptly by the driver.

XIV. VEHICLE MAINTENANCE AND REPAIR

If the City vehicle is in need of repairs, the vehicle should be taken to the City Equipment Maintenance Facility for repair. Prior to proceeding with major repairs or major maintenance

needs, the driver must advise his or her supervisor, manager or department head and proceed as instructed.

XV. VEHICLE ASSIGNMENT AGREEMENT

City employees who are assigned a specific City Vehicle, must sign the attached Vehicle Assignment Agreement. Each Department head is responsible for ensuring that each employee assigned a specific City Vehicle has a signed copy in their personnel file.

VEHICLE ASSIGNMENT AGREEMENT

The undersigned hereby acknowledges assignment of a specific agency-owned or agency insured vehicle. I understand that this vehicle is to be regularly maintained and serviced according to the service schedule outlined in the owner's manual.

Further, it is agreed this vehicle will be operated in a safe manner and in compliance with the City of Chubbuck Vehicle Use Policy. I agree to be responsible for all traffic and parking violations that occur while the vehicle is assigned to me.

I understand articles of this agreement apply regardless of who is operating this vehicle.

I agree to promptly report all accidents or incidents resulting in injury or damage to the vehicle or other property, no matter how slight.

I understand I am required to maintain a valid driver's license. Further, I herewith grant the City of Chubbuck the right to investigate my driver's license record at any time. My current driver's license is issued from the State of _____ and is license number _____.

I understand the operation of this vehicle in a safe operating condition is my responsibility. If this vehicle becomes unsafe, it is my responsibility to notify my superiors immediately.

I understand that personal use of this vehicle is subject to taxation and I agree to report personal use as required in the City of Chubbuck Vehicle Use Policy.

I have read and agree to the provisions of this vehicle assignment agreement and the requirements of the City of Chubbuck Vehicle Use Policy.

I have addressed any concerns or questions regarding this policy with my supervisor, department head or human resources representative. I understand that it is my responsibility to remain familiar with this policy and that violations of this policy may be cause for termination of employment.

_____ Print Full Name

_____ Signature

_____ Date

City of Chubbuck			
Employer Provided Vehicle - Limited Use			
Personal Usage Report			
Use this form only for vehicles limited to commuting /de minimus personal use			
		Month:	
		Vehicle:	
Employee Name:		Department:	
	Personal Commute Count - One way		
<u>Date</u>			
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
30			
31			
		0	
IRS Approved Commuting Rate		\$1.50	
Value of Use		\$0.00	

City of Chubbuck			
Employer Provided Vehicle - Extended Personal Use			
Personal Usage Report			
Use this form only for vehicles authorized for extended personal use			
		Month:	
		Vehicle:	
Employee Name:		Department:	
<u>Date</u>	Enter Personal Miles	Business Miles	Enter Total Miles
1		0	
2		0	
3		0	
4		0	
5		0	
6		0	
7		0	
8		0	
9		0	
10		0	
11		0	
12		0	
13		0	
14		0	
15		0	
16		0	
17		0	
18		0	
19		0	
20		0	
21		0	
22		0	
23		0	
24		0	
25		0	
26		0	
27		0	
28		0	
29		0	
30		0	
31		0	
	0	0	0
Percent Personal Use	#DIV/0!		

ADOPTED by the City Council on the 2nd day of August 2023.

Mayor: Signed copy available from the City Clerk Date: _____

Attest: _____ Date: _____
City Clerk