

## **TOWN OF SHALLOTTE VEHICLE USE POLICY**

**A. SUBJECT:** Town Vehicle Assignment and Use of Town Vehicles

**B. PURPOSE:** This policy establishes procedures regarding the assignment of Town vehicles, use of Town vehicles, and business use of private vehicles. This applies to all Town employees unless otherwise noted within the policy. This policy is also prepared according to the Federal Tax Act of 1985 and North Carolina G.S. 14-247, which establish procedures regarding reporting of income and withholding of taxes.

**C. DEFINITIONS:**

Assigned Vehicle: A Town-owned automobile or truck designated for the use of an individual employee in the normal performance of his/her duties but not authorized for take-home use.

Mileage Reimbursement: A per mile rate to compensate employees for the incidental, non-routine, or extraordinary use of a privately owned vehicle for official business, based on actual logged miles.

Take-Home Vehicle: A Town-owned automobile or truck designated for the use of an individual employee in the normal performance of his/her duties including the commute from home to work.

**D. VEHICLE USES:**

1. Only Town employees or drivers on Town business and authorized by a Town Administrator and Department Head may drive or operate Town vehicles or equipment.
2. Town-owned vehicles are to be used for official business only with reasonable consideration for use for meals, while performing business on behalf of the Town. For individuals assigned vehicles for overnight use, stopping between work and home to perform some minor personal business may be acceptable but any such use should be the exception rather than the rule, and only if the stop is directly in route from work to the employee's residence.

3. Town-owned vehicles are not assigned for nor shall they be used for the convenience of the employee with regard to transportation needs or other non-business activities except as determined by the Town Administrator with concurrence of the Town Board.
4. Alcoholic beverages or any illegal drugs are not permitted in city vehicles at any time. Law enforcement personnel or lab personnel as approved by proper police authority may transport lawfully confiscated alcoholic beverages or drugs.

**E. PROCEDURES:**

**I. Take-Home Vehicles**

- a. For an employee to be authorized for the take-home use of a Town-owned vehicle, the employee must possess a valid North Carolina's driver's license, maintain a safe driving history, and meet one of the following tests:

<p>Test 1:           The employee is:</p> <ol style="list-style-type: none"> <li>(1) Subject to frequent after-hours emergency callback or other unscheduled work, and</li> <li>(2) Such unscheduled work involves the first response to a real or present threat to life or property requiring an immediate response, and</li> <li>(3) A specialized vehicle, tools, or equipment are required for the performance of emergency duties.</li> </ol>
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<p>Test 2:           The employee is:</p> <ol style="list-style-type: none"> <li>(1) Subject to frequent after-hours callback, and</li> <li>(2) Such callback arrangements are to locations other than the employee's normal duty station, and</li> <li>(4) A special vehicle, tools or equipment are required to perform after-hours assignments, and</li> <li>(4) An unacceptable delay in the response would result from the employee's return to the normal duty station to retrieve the needed equipment.</li> </ol>
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- b. Assignments are not permanent. When priorities or circumstances have changed, vehicles should be reassigned. All take home vehicle assignments must be reviewed and evaluated by the Department Heads and Town Administrator annually beginning July 1<sup>st</sup>. The following conditions should be considered:
  - Requirements of the job.
  - Productivity.
  - Availability of Town vehicles.
  - Cost to the Town.
- c. No personal use of take-home vehicles is permitted. For the purposes of this policy, the daily commute to and from the employee's work location and normal meal periods within

on-duty hours are considered official use.

- d. No passengers may be transported in take-home vehicles except as required for official duties or as approved by the Town Administrator.
- e. Except as approved by the Town Administrator, take-home vehicles may not be used for commuting travel outside the city limits. Exceptions are when employees are commuting to a scheduled event or training. This must be approved by the Department Head. Multiple employees attending the same event, using a town vehicle, will share a ride in one vehicle unless prior approval by the Town Administrator.
- f. Employees permitted to take a vehicle home (commute) from their workstation may do so for job-related reasons and not as a compensatory measure.
- g. Vehicles so assigned are not intended to be perceived as personal property or interpreted as a salary supplement or fringe benefit. The commuting costs of the use of a Town vehicle may be a taxable fringe benefit cost to an employee. Any vehicle not specifically designated as exempt under the 1985 Tax Act (Attachment I), may result in a taxable fringe benefit to the employee.
- h. The Town Administrator or designee is responsible to compute the commuting cost of any non-exempt vehicle taken home by an employee and reporting this taxable benefit on the employees form W-2 at the end of each calendar year. The Town will only deduct FICA taxes on the cost of this benefit. No Federal or State Income taxes will be deducted by the Town, the payment of these taxes will be the responsibility of the employee, when his or her personal income tax return is filed. The gross cost of this benefit is not subject to state retirement deductions.

## 2. Revocation of Take-Home Authorization

- a. For Failure to comply with the provisions of this policy or when violating the city travel policy.
- b. For a change in job assignment, duties or responsibilities such that a take home vehicle is no longer justified.
- c. In the event that the employee has had two (2) accidents in a Town vehicle within an eighteen-month period and found to be at fault.
- d. If the employee fails to maintain a valid driver's license
- e. When placed on workman's compensation, or when under medical care in which driving is not permitted.
- f. If the employee has violated the Town's drug/alcohol policy.
- g. As a result of disciplinary action.
- h. When it is in the best interest of the Town as determined by the Town Administrator.

## II. Mileage Reimbursement;

The Department Head and/or Town Administrator may authorize mileage reimbursement for an employee who must utilize his/her personal vehicle to conduct Town business and who receives no other form of allowance, except as otherwise provided within this policy.

- a. Claims for mileage reimbursement shall be made in accordance with current Travel Expense Reimbursement procedures.
  - b. The standard rate of mileage reimbursement shall be in accordance with the Town's mileage reimbursement rate.
- III. Additions to this policy – Specialty vehicles such as those that are operated for emergency response and/or weight can be subject to additional responsibilities and restrictions that are documented in the departments SOPs.

**F. DRIVER RESPONSIBILITIES / REQUIREMENTS:**

- a. Each driver of any Town owned vehicle must have a valid North Carolina drivers/operator's license. Should an employee who drives a Town owned vehicle be involved in an incident, on or off the job, where their license is suspended or revoked, the employee is obligated to inform their immediate supervisor and the Town Administrator within 24 hours of the incident. Failure to inform the Town of a suspended or revoked license may result in immediate dismissal.
- b. Town employees, who drive vehicles weighing more than 26,000 pounds or a vehicle carrying sixteen (16) or more passengers, must have a valid Commercial Class B license with a passenger endorsement. Town employees who drive vehicles with a trailer must have a valid Commercial Class A license if required by law.
- c. All drivers identified as having a safety sensitive position, based on their job descriptions, are required to undergo post-accident drug testing, which may include but not limit other drug testing implemented by the Town.
- d. Employees authorized to drive or assigned a Town owned vehicle are subject to an annual review of their motor vehicle driving record with the State of North Carolina. Those employees found to be of a high risk or who have failed to report violations and/or accidents to the Town will have their vehicle privileges revoked, thus; resulting in dismissal for employees in positions where vehicular transportation is deemed an essential job function. ALL drivers charged with any offense that results in immediate suspension or revocation of the license must immediately notify his/her supervisor/Department Head and may not operate any Town vehicle or use a personal vehicle on Town business.
- e. Employees are responsible for any vehicle or equipment assigned to them such as reporting unsafe operations or working conditions via a "Vehicle Repair Request" form available in each department or from Administration (see sample form attached).
- f. Employees shall allow sufficient time to reach destinations without violating speed limits or traffic laws. Employees must know and abide by all driving laws in all areas where they operate Town vehicles and shall drive defensively at all times.
- g. It is mandatory that all occupants of a Town vehicle, use seat belts at all times, without exception. The driver of the vehicle is responsible for enforcing belt usage by all occupants

and shall report any failure to comply with employee's supervisor.

- h. The Town will not pay traffic tickets or parking fines of employees driving Town owned vehicles, nor will the Town pay if the employee is authorized to use their personal vehicle on Town business. Employees found guilty of moving violations may be subject to disciplinary action.
- i. An employee receiving a moving violation while driving a Town vehicle has an obligation to immediately inform their Department Head. The Department Head will notify Human Resources.
- j. The use of tobacco products are not permitted in Town Vehicles.
- k. Use of electronic devices – Employees shall refrain from operating hand held cellular telephones or any other device that may cause vehicle operator distraction while operating a Town vehicle.
- l. New Hires – As a condition of employment and in order to be eligible for hire to a position in which driving is an essential job function, a MVR must be ordered and reviewed before a final offer of employment is made.

**G. MAINTENANCE OF VEHICLES:**

- a. Employees with assigned Town-owned vehicles are responsible for regular inspections of their vehicles. Scheduling of routine maintenance and repairs is the responsibility of the employee to whom the vehicle is assigned.
- b. Individual departments are responsible for monthly inspections of unassigned vehicles and scheduling of routine maintenance and repairs.
- c. An authorized dealer must perform warranted repairs. Other repairs will be done by mechanics authorized by the Town.
- d. No alterations may be made to Town-owned vehicles without prior written approval by the Town Administrator.
- e. No bumper stickers, other than Town approved stickers, may be placed on the vehicles.
- f. Each department is responsible for maintaining accurate and complete maintenance history files for each assigned vehicle. It is the responsibility of the employee with assigned vehicles and the department for unassigned vehicles to provide the Finance Department with receipts for maintenance.

**I. ACCIDENT PROCEDURES:**

Regardless of the situation, the following procedure **MUST** be followed in the event of an accident while in a Town owned vehicle:

- 1. Immediate notification of the proper law enforcement agency for accident

investigation and report. Employee should take pictures of the accident site to document the type and extent of damage to all vehicles involved, as may be possible and prudent.

2. Immediate notification of the employee's supervisor or department head.
3. Prepare a Town Vehicle Accident report (see sample form attached). This report along with one copy of the law enforcement report should be submitted to the Town Administrator.
4. If necessary, an injury report must be completed and submitted to the Town Administrator soon as possible in order to file a workers' compensation claim within 24 hours of the accident.
5. Securing accident repair estimates and approval of actual repair work is the responsibility of the employee's department with assistance from the Town Administrator.
6. Post-Accident Substance Abuse Testing  
In accordance with the Town's Substance Abuse Policy, an employee who is involved in an accident or incident, in which there is, or reasonably could have been personal injury or property damage will be considered for testing. Not every incident or injury may result in a test. Reasonable determination that action or inaction of the employee contributed to the incident or accident shall be made prior to a request for testing.

#### **J. SAFETY STANDARDS:**

1. Before operating the vehicle, perform a general, visual inspection to identify any potential safety defects or problems with mechanical or operating conditions. The vehicle should not be operated if a significant operating, mechanical, or safety problem exists. Any problems encountered during operation of the vehicle should be reported to his/her supervisor as soon as possible.
2. Before operating a vehicle, it is the driver's responsibility to determine when he or she is unfit to operate the vehicle due to fatigue, illness, taking prescription medications, etc. The vehicle should not be operated if the physical condition of the driver might cause or contribute to an accident.
3. Drivers should manage their driving environment to minimize distractions that can have impact on their ability to safely operate the vehicle (i.e. eating, consuming beverages, talking to passengers, cell phone use, etc.)
4. It is the responsibility of the driver to determine when conditions make driving unsafe. When driving conditions are determined to be unsafe, it is the driver's responsibility to either identify alternative routes where the risk of accident or injury is within acceptable parameters, or, alternatively, to advise his or her supervisor or Department Head of the unsafe conditions.
5. At all times while operating a vehicle, the driver must use defensive driving principles. Defensive driving requires that each driver make allowances for driving habits of others by stopping, slowing, or yielding to avoid an accident.
6. Be courteous to other motorists and pedestrians at all times
7. Vehicles that are specialty to a certain department must comply with the safety standard operating procedures that are specific to that department.

**Town of Shallotte**  
**Vehicle Accident Report**

Complete only those sections that apply to you. Report should be completed and turned in same day as accident.

**EMPLOYEE: Complete and turn in to supervisor immediately.**

1. Name: \_\_\_\_\_ Department \_\_\_\_\_

2. Date & Time of Accident: \_\_\_\_\_

3. Vehicle #: \_\_\_\_\_

4. Location of Accident (Street, City): \_\_\_\_\_

5. Number of Persons Injured and Extent of Injury: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

6. Description of accident (State in detail what occurred just before, and at the time of the accident):

\_\_\_\_\_

\_\_\_\_\_

7. Describe any unsafe conditions (faulty brakes, lights, etc.) that contributed to the accident:

\_\_\_\_\_

\_\_\_\_\_

Print Name: \_\_\_\_\_

I certify that to the best of my knowledge the information stated above is truthful.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

**SUPERVISOR: Complete and turn in to Human Resources and the Town Administrator. Attach a copy of Police Report and/or EMS Report if called.**

Current Status of Injured: \_\_\_\_\_

Extent of damage to vehicle(s) or property: \_\_\_\_\_

Action taken to prevent future accidents: \_\_\_\_\_

Disciplinary Action (if any): \_\_\_\_\_

\_\_\_\_\_  
Town Administrator

\_\_\_\_\_  
Date