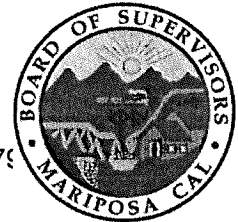




# MARIPOSA COUNTY

Human Resources/Risk Management • (209) 742-1379



## RESOLUTION - ACTION REQUESTED 2015-297

MEETING: June 23, 2015  
TO: The Board of Supervisors  
FROM: Steve Johnson, Human Resources Director - Risk Manager  
RE: Policy Regarding Use of Personal Vehicles as Part of County Business

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### RECOMMENDATION AND JUSTIFICATION:

Approve a Policy for County officers, employees, and other authorized individuals use of personal vehicles as part of County business, to be effective on the date of this approval.

The County does not have a Policy that guides County officers, employees, and other authorized individuals on use of personal vehicles that are used for County business.

In drafting this Policy, Human Resources/Risk Management staff engaged the services of labor law Attorney Patricia Eyres, through the County's insurance and loss prevention Agency, California State Association of Counties - Excess Insurance Authority (CSAC-EIA), to review a draft County Policy and make recommended corrections and changes where needed to comply with legal requirements.

In addition to Ms. Eyres, staff also engaged in a review process of this draft Policy with Neal Trost, who administers the County's General Liability Claims Review process, Charles Williams, CSAC-EIA Loss Prevention Manager, all of the County's Department Heads, bargaining unit representatives and County Supervisors Kevin Cann and John Carrier (who make up the County Board of Supervisors, Board Liaison, General Government, for Human Resources). The result is the Policy that is presented for the Board's review and approval.

This Policy contains the following significant provisions, among others:

- Responsibility: Employees are encouraged to use County vehicles when they are available. Factors to be considered when deciding between the appropriate uses of a County vehicle versus a personal vehicle include, but are not limited to: Availability of County vehicles, cost of a County vehicle versus mileage reimbursement, the appropriateness of the vehicle for the required use, the best use of employee's time and operational efficiency. Departments are responsible for determining which option best meets the needs of the County.

## Resolution - Action Requested 2015-297

- Pull Notice Program: Departments shall enroll and track employees that drive on a regular basis, three or more days a week, or more than 500 miles per month, in the Department of Motor Vehicles (DMV) "Pull Notice Program."
- Failure to comply with all provisions of this policy may result in disciplinary action up to and including termination. It is within the discretion of the Department Head to take appropriate corrective action.

If the Board of Supervisors' approve the attached Policy, staff will: 1) distribute this Policy to all County officers, employees, and other authorized individuals as specified in this policy, along with a form that will require their signature to indicate that they have received and understand the Policy, and 2) post the Policy on the Human Resources/Risk Management Department portion of the County's website.

### **BACKGROUND AND HISTORY OF BOARD ACTIONS:**

None.

### **ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

As the County does not have a Policy that guides County officers, employees, and other authorized individuals use of personal vehicles for County business, there may be uneven application of the issues addressed in the Policy, without the Policy.

### **FINANCIAL IMPACT:**

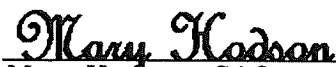
**None-the cost of Ms. Eyres' and Misters Williams and Trost's time, respectively, is included in the cost that the County pays as part of its administrative fee to CSAC-EIA, and to Freese and Gianelli, respectively.**

### **ATTACHMENTS:**

**Use of Personal Vehicle Policy Draft 5-29-15 (DOCX)**

### **CAO RECOMMENDATION**

Requested Action Recommended



Mary Hoatson, CAO

6/18/2015

**RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]**

**MOVER:** Marshall Long, District III Supervisor

**SECONDER:** Rosemarie Smallcombe, District I Supervisor

**AYES:** Smallcombe, Jones, Long, Cann, Carrier

# COUNTY OF MARIPOSA

## PERSONAL VEHICLE USE POLICY

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### **PURPOSE**

The purpose of this policy is to define the responsibilities and rules for the use of privately owned vehicles used for County business. This policy applies to County officers, employees, and other authorized individuals as specified in this policy.

An exception to this policy shall be made for the Sheriff's Department as a result of its unique law enforcement function. The Sheriff's Department will develop and enforce its own written policy, which shall guide vehicle utilization of employees of the Sheriff's Department and other County employees engaged in law enforcement activities that are under the direction of the Sheriff.

### **EMPLOYEE RESPONSIBILITIES**

**Responsible Driving:** Each County driver shall drive responsibly, anticipate emergency situations and make every effort to avoid collisions. All employees operating a vehicle on County business represent the County of Mariposa and shall always project a professional and responsible image to the public.

**Following Traffic Laws:** Employees are expected to be knowledgeable of, and follow, all applicable Federal, State and local traffic laws.

**Driver's License:** County employees operating vehicles on County business must have a valid State of California driver's license, except for new County employees, who may have an out-of-State driver's license as long as they obtain a California Driver's License within three (3) months of employment.

**Suspended, Revoked or Restricted Driver's License:** County employees who are required to have a valid California driver's license to operate vehicles or equipment on County business shall immediately inform their supervisor in the event their driver's license is suspended, revoked or is otherwise restricted in a way that impacts the employee's ability to perform their job duties that require or involve operating a motor vehicle.

### **DEPARTMENT RESPONSIBILITIES**

**Enforcement:** Department Heads are responsible for enforcing this policy within their Department.

**Defensive Driver Training Requirement:** Departments shall ensure that all employees that are required to drive personal vehicles on County business participate in a Defensive Driver Training program, such as the one offered through California State Association of Counties – Excess Insurance Authority (CSAC-EIA).

Pull Notice Program: Departments shall enroll and track employees that drive on a regular basis, three or more days a week, or more than 500 miles per month, in the Department of Motor Vehicles (DMV) "Pull Notice Program".

**VEHICLE COLLISIONS, INCIDENTS OR DAMAGE**

Safe Driving: It is the responsibility of the driver of privately owned vehicles while being used for County business to exercise reasonable care to avoid impediments or obstructions in the path of the vehicle which might cause damage to the vehicle, other vehicles or property, or injury to drivers, passengers and pedestrians.

Collision, Incident or Damage Reporting: All collisions or vehicle damage in privately owned vehicles being used on County business, regardless of severity, shall be reported immediately to the employee's supervisor, to the appropriate law enforcement agency (request an official collision report from the responding officer) and to Fleet Maintenance within 24 hours after the accident. Vehicle collisions involving extensive property damage, personal injury or loss of life, must also be reported to the Department of Motor Vehicles (DMV) within 10 days of the incident. It is the employee's responsibility to report the incident to the DMV.

Timely Reporting of Incidents: Officers and employees involved in any collision or incident in a privately owned vehicle being used on County business shall make a complete report of such collision or incident to Fleet Maintenance within one (1) business day. If the officer or employee is unable to make the report because of injury or other incapacity, the appropriate supervisor or manager shall submit a report.

Responsibility: Employees are encouraged to use County vehicles when they are available. Factors to be considered when deciding between the appropriate uses of a County vehicle versus a personal vehicle include, but are not limited to: the availability of County vehicles, cost of a County vehicle versus mileage reimbursement, the appropriateness of the vehicle for the required use, the best use of employee's time, and operational efficiency. Departments are responsible for determining which option best meets the needs of the County.

Insurance Requirements: Employees who drive a privately owned vehicle on County business must maintain automobile insurance that complies with the State of California minimum requirements for bodily injury and property damage. The employee shall ensure that their level of insurance is appropriate for use of the vehicle for business. Excessive traffic violations will be reviewed regarding continued use of County owned or rental vehicles. Claims coverage for rental vehicles that are used as part of approved County wide business will be reviewed on a case-by-case basis.

**Primary Insurance Coverage:** If an employee is involved in a collision or incident in a privately owned vehicle, while on authorized County business, the employee's automobile insurance is primary to any other coverage.

**Deductible Expense:** When an employee is involved in a vehicle collision in their personal vehicle while on County business and it is determined, by the appropriate Law Enforcement Agency, that the employee is not at fault, the County will reimburse any insurance deductible expense up to a maximum of \$500.

**Exclusive Use:** No employee shall travel on County business exclusively in a privately owned vehicle without the written approval of his/her Department Head.

**Reimbursement Claims:** When County employees use a privately owned vehicle on County business, they shall be reimbursed at the current published Internal Revenue Service (IRS) reimbursement rate. Claims for mileage reimbursement shall be submitted on County claim forms and processed in accordance with the County Auditor procedures.

**Motorcycles:** No employee shall operate a motorcycle on County business without specific authorization of the department head.

**ADVERSE ACTION**

Failure to comply with all provisions of this policy may result in disciplinary action up to and including termination. It is within the discretion of the Department Head to take appropriate corrective action.

Updated: May 2015