



## CITY OF SAN RAFAEL POLICIES AND PROCEDURES

Subject:	Vehicle Use Policy
Resolution:	N/A
Issue Date:	September 6, 2012
Revision Dates:	December 23, 2015 November 15, 2017
Current Revisions By:	Talia Smith
Approved By:	<i>[Signature]</i>

### VEHICLE USE POLICY AND PROCEDURES

**PURPOSE:** The City of San Rafael establishes this policy to define the rights and responsibilities of City employees using City or private vehicles while conducting City business, or using a City pool vehicle under the Pilot Commuter Pool Vehicle Program.

**SCOPE:** All City employees, contractors or agents who operate a City or private vehicle while conducting City business, or using a City pool vehicle under the Pilot Commuter Pool Vehicle Program.

**DEFINITIONS:** "City vehicle" shall include all automobiles, trucks, motorcycles, or any other equipment registered with the Department of Motor Vehicles and owned, leased or rented by the City. "Fleet Manager" shall be the Director of the Public Works or his/her designee.

**POLICY:**

**General Provisions**

City of San Rafael vehicles are available to City employees for the purpose of conducting official City business, or using a City pool vehicle under the Pilot Commuter Pool Vehicle Program. Operating a City vehicle for personal use is prohibited.

All non-city employee passengers in City vehicles operated by authorized City employees shall only be transported on official City business, e.g., field checking a site with a contractor, vendor or other interested party. Transporting of family, friends or other unauthorized passengers is prohibited.

**Pilot Commuter Pool Vehicle Program (6 month Pilot)**

A limited number of City pool vehicles are available on a first-come, first-served basis to City employees for the purpose of commuting to and from a San Rafael SMART station to a work location further than a mile away. The following policies apply:

- City pool vehicles must be parked at the parking lot located on 3rd & Lootens (upper level) or 5th and C Street (upper level) during the pilot.

- Vehicle key must be kept in lock box (located at the parking structure) at all times when vehicle is not in use. Any extra keys to the vehicle should be kept in the regular department location and should not be used for this program.
- The City can revoke the use of a pool car at any time and for any reason.
- Designated commuter pool vehicles shall not be taken home at any time for any reason.
- Use of pool vehicles depends on the availability of pool vehicles at the department or facility and are at the discretion of the Department Director.
- There must be a minimum of two (2) employees per work site who will regularly use the pool vehicle on any day in order to qualify for use and to reserve pool vehicles for this purpose.
- Employees using the vehicle must secure the vehicle by keeping windows up and doors locked when leaving it at the designated parking area.
- Employees may use the Emergency Ride Home (ERH) service as defined in the program rules.
- Employees using the pool vehicle for this purpose are responsible for keeping the fuel tank filled to more than a half tank at all times.
- If there is a need for accommodation to these requirements, please contact Human Resources.
- The Pilot Program will be evaluated in six (6) months to determine if it should continue, and if it requires modifications.

### **Financial Responsibility of the City and Employees**

Employees who operate City vehicles or equipment, in conformance with City and Department policies in a safe, non-negligent manner are protected by the City for personal injuries, death, property damage or repairs resulting from such vehicle operation.

Employees who operate City vehicle or equipment on official business, or use a City pool vehicle under the Pilot Commuter Pool Vehicle Program, but in a negligent manner, are protected by the City for personal injuries, death, property damage or repairs, but may be subject to action by the City to recover damages paid by the City. Employees may also be subject to disciplinary action. Employees who operate City vehicles or equipment for purposes other than official business, or for uses other than and as allowed under the Pilot Commuter Pool Vehicle Program, are not protected by the City for injuries or damages, and may be subject to disciplinary action.

City employees are discouraged from storing personal or valuable belongings in City vehicles. City employees are responsible for securing personal or valuable belongings while using a City vehicle and shall not leave belongings in plain view. The City will not take responsibility for the security of, or be liable for the cost or replacement of any employee personal property lost or stolen from a City vehicle, including loss or damage of any personal wireless communications device pursuant to the City's Wireless Communications Policy, except as may be provided in a specific Police or Fire Department policy addressing property stolen or lost from City vehicles.

### **Use of Privately Owned Vehicles for City Business**

Department Directors may authorize the use of private vehicles on a case by case basis.

Employees who use their personal vehicles for City business shall maintain full coverage automobile liability insurance and shall provide evidence of such coverage upon request. It is not necessary to name the City as an additional insured. Employees who use their personal vehicle for City business are not protected by the City as an insurer. The employee's insurance shall be deemed primary, and

the City will not become involved unless legally necessary.

City employees, except employees receiving an auto allowance, are eligible to receive reimbursement at the Internal Revenue Service mileage rate for all mileage accumulated while conducting City business. That rate shall cover all expenses related to the operation of the vehicle. Reimbursement claims shall not include mileage for transportation to and from an employee's residence. Employees shall submit monthly reimbursement requests to the Finance Department within 30 days of the end of the month in which the mileage expense was incurred. Refer to the provisions of the City's Expense and Reimbursement Policy for further details.

Employees involved in an accident while operating a private vehicle on City business shall report that accident in accordance with the same procedures covering City vehicle use.

### **Driver's License/Operation Requirements**

All operators of City or private vehicles used for City business, or using a City commuter pool vehicle, shall possess a valid California driver's license and shall abide by all Department of Motor Vehicles and State of California mandates for safe and legal motor vehicle operation. Drivers of City vehicles who have lost their driving privileges, or who have been subjected to reduced use status, shall notify their Department Director of any restriction prior to using a City or private vehicle for City business. Failure to report license loss or restriction may result in disciplinary action. The City may undertake periodic reviews to ensure compliance with this provision.

### **Fueling**

Since any City vehicle may be called upon to respond to an emergency, operators must ensure that the fuel gauge does not fall below half a tank at the end of each use. All fueling shall take place at the Public Works facility unless otherwise authorized by the Department.

The Public Works Vehicle Maintenance Division assigns a City fuel card to each vehicle requiring gasoline or diesel fuel. This card should be kept in its cardholder envelope, which is permanently attached in an appropriate place inside each vehicle, at all times. Operators of City vehicles shall use the fuel card only for the vehicle to which the card is assigned. If a fuel card is lost, damaged, or malfunctioning, it shall be reported immediately to the Fleet Maintenance Division for replacement.

If fueling is required while on City business, outside San Rafael, or using a City pool vehicle under the Pilot Commuter Pool Vehicle Program, employees may use a City credit card for fuel purchases. Under emergency conditions, the City may reimburse drivers for cash or personal credit card fuel purchases for City vehicles when the aforementioned options are not available. Refer to the City's Travel & Expense Reimbursement Policy (Resolution No. 11914) as it relates to City credit card use.

### **Idling**

Excessive vehicle idling results in unnecessary greenhouse gas emission with its resultant negative impact on human and environmental health, as well as increased costs for fuel, vehicle maintenance and repair. To mitigate these impacts, operators of City vehicles shall not permit a vehicle to idle for more than three consecutive minutes or while unattended and unlocked.

This anti-idling policy does not apply to:

- Police, Fire, ambulance, Public Works or other emergency motor vehicles in the course of providing service, including training.
- A motor vehicle that contains or has attached to it equipment requiring power from the engine to operate.
- Vehicles operated in traffic.
- Vehicles operated by the Vehicle Maintenance Division in the course of routine maintenance and repair.

### **Vehicle Markings and Logos**

All City vehicles shall be duly marked by the Fleet Maintenance Division with approved logos identifying vehicles as the property of the City of San Rafael, with additional departmental designation when applicable. The Fleet Manager shall authorize all unmarked City vehicles on a case-by-case basis.

### **Reporting Maintenance and Repair Needs**

All apparent maintenance and repair issues that come to the attention of operators of City vehicles shall be reported to the Public Works Vehicle Maintenance Division Shop/Equipment Supervisor as soon as practicable. Fire Department maintenance and repair issues shall likewise be reported to the Fire Mechanic.

### **Reporting Accidents**

Operators of City vehicles involved in an accident with a City vehicle shall report the accident to the San Rafael Police Department immediately, their respective department director and the DPW Vehicle Maintenance Division.

### **Use of City Vehicle for Personal Commute and Other Purposes**

Certain Management or Mid-Management job classifications or employees may use a City vehicle for commute purposes pursuant to the provisions of their employment Memorandum of Understanding or Resolution. Other job classifications or employees may use a City vehicle for commute purposes because they are designated by the Department Director as critical "emergency response" employees. The use of this vehicle for purposes other than transportation to and from work, or other official and authorized transportation, is prohibited.

The "emergency response employee" designation alone does not automatically preclude monetary commute value reporting to the IRS. Due to the nature of this designation, employees who commute with a City vehicle may have greater flexibility in the use of City vehicles for personal business.

Examples of authorized personal use of a City commute vehicle: medical appointments that could not reasonably be scheduled outside of normal working hours or family emergencies.

An employee designated to use a City vehicle for personal commute purposes may not transfer that designation and that vehicle to any other City employee for any reason.

Transporting relatives, children, friends or other unofficial passengers in a City commute vehicle is strictly prohibited. For Police and Fire Department employees, transporting relatives, children, friends or other unofficial passengers in a City commute vehicle is prohibited unless authorized by the Police Chief or Fire Chief.

Employees who are permitted to use a City vehicle for commute purposes may be subject to taxation under the IRS Code. In accordance with IRS regulations (Publication 15-B), the monetary commute value shall be reported as regular income on the employee's annual W-2 statement. Each department shall maintain a record of employees who have been assigned vehicles that are available to them for commute purposes. These records shall include, but not be limited to, name of employee, vehicle number, commute designation, commute distance, and frequency of emergency call-backs. This information shall be made available to the Public Works and Finance departments and maintained in sufficient detail to support accurate fringe benefit reporting.

### **General Information for City Vehicle Operation**

Vehicle operators are subject to the following regulations (except for Police Department employees where Police Department policy conflicts):

- Each driver is legally and financially responsible for all parking and moving violation citations incurred during the course of that driver's use of a City vehicle or a private vehicle operated on City business, or using a City pool vehicle under the Pilot Commuter Pool Vehicle Program.
- Operators and passengers shall wear seat belts as mandated by State law.
- Operators shall carry a valid California driver's license at all times.
- Smoking in City vehicles is prohibited.
- City vehicles shall not be operated when the driver is under the influence of drugs or alcohol.
- Use of cell phones during motor vehicle operation shall comply with all applicable State law and City of San Rafael policy.

