

**ADDENDUM C VEHICLE
OPERATIONS POLICY**

VEHICLE OPERATIONS POLICY (from the Shasta County Personnel Rules, Chapter 33)

SECTION 33.1. PURPOSE. Vehicle accidents pose a significant threat to public and personal safety. They also constitute a significant liability risk to the County. The safe, responsible, and efficient use of vehicles is vital to the operation of County government. In recognition of these considerations, this policy has been developed listing the requirements and procedures for the responsible operation of County-owned, privately-owned, and rental vehicles by County employees and non-employees during the conduct of County business.

SECTION 33.2. DEFINITIONS.

- A. Accident: A sudden and unexpected event resulting in damage to a vehicle or injury to another, including employees.

- B. Authorized Volunteer: Any volunteer providing service to Shasta County who has been registered with Risk Management and been authorized by the Department Head, or his/her designee, to volunteer to drive a County Vehicle, Rental Vehicle, or a private vehicle on County business. Only volunteers who are registered with Risk Management may drive on County business.

- C. County Vehicle: All vehicles, no matter the funding source utilized to procure the vehicle, for which the County, and its dependent special districts (i.e., County Service Areas- CSA's), holds the vehicle title.

- D. DMV: California Department of Motor Vehicles.

- E. Moving Violation: Any violation of the Vehicle Code occurring while the vehicle is in motion, including but not limited to speeding, driving on the shoulder of the road, improper turning, failure to stop at a stop signal, etc.

- F. Ordinary Wear and Tear: The normal deterioration of a vehicle and its equipment caused by ordinary, reasonable, and proper use of the vehicle over its normal life.

- G. Private vehicle or Privately-owned vehicle: Any vehicle that does not meet the definition of a County Vehicle or Rental Vehicle.

- H. Rental Vehicle: Any vehicle rented through a County authorized agency as approved by the Department Head or his/her designee, (See Administrative Policy 8-103, Paragraph B14).

SECTION 33.3. POLICY.

- A. County Vehicles and Rental Vehicles shall only be used for official County business. (Official County business may include incidental personal travel within the route of County business if approved by Department Head or his/her designee.) County Vehicles, Rental Vehicles, and privately-owned vehicles being operated for County business shall be operated in accordance with the California Vehicle Code.

- B. In order to be authorized to operate a County Vehicle, Rental Vehicle, or privately-

owned vehicle on County business, the driver, whether a County employee or an authorized volunteer, must possess a valid California Driver's License and meet the driver criteria outlined in Section 33.6 of the Personnel Rules.

SECTION 33.4. APPLICANT QUALIFICATIONS. Either prior to or after being selected by Shasta County for a position which involves the operation of a vehicle on County business, an applicant shall be subject to a Motor Vehicle Record (MVR) review. Such a review will be undertaken to determine if the individual's driving record meets the driving qualifications of this policy as specified below. Applicants or probationary employees who are required to operate a vehicle on County business who do not meet the requirements of this policy may be disqualified for a position requiring the operation of a vehicle on County business.

SECTION 33.5. COUNTY EMPLOYEE & VOLUNTEER DRIVER QUALIFICATIONS.

- A. County employees and authorized volunteers who operate vehicles on County business shall maintain a driver record without major traffic violations or accidents pursuant to the criteria listed in Section 33.6. of this policy.
- B. The driving record of all County employees and authorized volunteers who operate County Vehicles, rental vehicles, or private vehicles on County business will be reviewed at least annually through the DMV Pull Program as further described in Section 33.13 of this Policy.
- C. When the MVR received from the DMV indicates an employee or authorized volunteer is approaching noncompliance with this policy, the department for whom the employee or authorized volunteer provides services may be notified to inform the employee or authorized volunteer of the actions which could be taken if the employee or authorized volunteer fails to meet the standards contained in this Policy.
- D. County employees and authorized volunteers who operate vehicles on County business, whose driving records do not meet the qualifications specified in this policy, may be subject to review by the Department of Support Services and representatives from the department for whom the employees or volunteers are providing services to determine fitness to continue to drive a vehicle on County business. Nothing in this chapter shall limit a Department Head, or his/her designee's ability to take disciplinary action or other action as appropriate.
- E. Nothing in this chapter shall limit the applicability of other County rules. Any regular County employee subject to any disciplinary action resulting from decisions made pursuant to this chapter shall be entitled to all applicable due process rights afforded under these Personnel Rules or applicable MOU.

SECTION 33.6. DRIVING RECORD CRITERIA.

- A. Convictions Related to the Operation of a Vehicle
 - 1. No convictions shall be allowed in the previous consecutive thirty-six (36) months for:

- a. Driving while intoxicated or under the influence of drugs;
- b. Failure to stop and report when involved in an accident (hit and run);
- c. Manslaughter, homicide, or assault arising out of the operation of a motor vehicle;
- d. Any conviction resulting in suspension or revocation of an operator's license; or
- e. Reckless driving, evading an officer, engaging in a speed contest on a public street, or driving a motor vehicle at an excessive rate of speed where injury to persons or damage to property results from that excessive speed.

2. No more than two convictions shall be allowed in any consecutive twelve (12) months for any other moving traffic violation (excluding equipment violations).

B. Accidents

1. Moving Violation. Each accident involving an employee while operating any vehicle while on County business which results in damage to property, including his/her own vehicle, or bodily injury shall be considered a moving violation.

2. Exceptions. Accidents shall not be considered a moving violation under B.1. above if the employee can demonstrate that the accident occurred under the following circumstances:

- a. Where the employee has been convicted of a moving violation described in A.2. above;
- b. The automobile was lawfully parked;
- c. The automobile was struck by another vehicle;
 - (1) The employee was reimbursed by or on behalf of a person responsible for the accident or has a judgment against such person; or
 - (2) The DMV Pull Report shows the employee was not at fault.
- d. The operator of the other vehicle involved in such accident was convicted of a moving traffic violation;
- e. His/her automobile was damaged by a hit and run driver;
- f. The accident involved damage by contact with animals or fowl;
- g. The accident involved damage caused by flying gravel, missiles, or falling objects; or

- h. The accident occurred while a peace officer was attempting to make an arrest or capture a fleeing suspect within a written departmental policy.

SECTION 33.7. VEHICLE MAINTENANCE REQUIREMENT. Administrative Policy 8-103, Fleet Management Program, provides specific requirements and guidelines for the maintenance of the County Fleet vehicles.

SECTION 33.8. TAKE-HOME VEHICLES.

A. An employee may take home a County Vehicle or Rental Vehicle under either of the following circumstances.

1. The employee, with the advance approval of the employee's Department Head, or his/her designee, or Department Head, or his/her designee's designee, uses a County Vehicle or Rental Vehicle to commute to and/or from work on infrequent, occasional situations, which at no time exceed one day per month; or

2. The take home of a County Vehicle or Rental Vehicle meets the following requirements:

a. The County Vehicle or Rental Vehicle is provided to the employee by the employee's Department Head, or his/her designee, (or Department Head, or his/her designee's designee), with the approval of the CEO, or his/her designee, for use in connection with official County business and is used for official County business;

b. The Department Head, or his/her designee, (or Department Head, or his/her designee's) requires the employee to commute to and/or from work in a County vehicle or Rental Vehicle for bona fide County business reasons;

c. The County Vehicle or Rental Vehicle may not be used for personal purposes, other than for commuting to and/or from work or de minimus personal use (such as a stop for a personal errand on the way between a business delivery and the employee's home);

d. Except for personal de minimus use, the employee does not use the County Vehicle or Rental Vehicle for any purpose other than commuting to and/or from work.

B. The CEO, or his/her designee, shall determine after consultation with appropriate Department Head, or his/her designee, those employees that are required to take home County Vehicles or Rental Vehicles for County business purposes as described in Section 33.9(A)(2) above. Except when emergency work is required, this approval must be obtained in writing in advance from the CEO or his/her designee.

C. When an employee is required to take a County vehicle home for County business purposes as described in Section 33.9(A)(2) above, the employee may be subject to Internal Revenue Service rules concerning additional taxable compensation.

D. Additional restrictions on an employee's ability to take home County Vehicles or Rental Vehicles may be imposed at the discretion of the employee's Department Head, or his/her designee.

SECTION 33.9. PRIVATELY-OWNED VEHICLES.

A. The use of privately-owned vehicles for official County business shall be authorized when such use is determined by the Department Head, or his/her designee, to be in the best interest of the County.

B. Use of a privately-owned vehicle for official County business shall not be mandatory unless specifically stated as a condition of employment.

C. License/Insurance

1. Any employee authorized by the Department Head or his/her designee, to use a privately-owned vehicle for official County business shall have:

a. A valid California driver license.

b. Sufficient public liability and property damage insurance which meet the requirements of the financial responsibility laws of the State of California (Vehicle Code '16000-16075).

2. Unless otherwise required by law, the cost of damage and/or wear and tear to a privately-owned vehicle used on County business is the responsibility of the employee and is considered by the County in the mileage rate paid to the employee.

3. In cases where a County peace officer or firefighter (including reserve deputies and volunteer firefighters) is requested or directed to use a privately-owned vehicle for official County business, the provisions of California Insurance Code § 557.5 shall apply. To the extent any provisions of this policy are inconsistent with California Insurance Code §557.5, the provisions of California Insurance Code §557.5 shall control.

D. Mileage Claims

1. Only those miles traveled in the performance of official County business may be claimed for reimbursement.

2. Employees who do not regularly report to a specific facility and those who occasionally report to different work locations shall claim only the mileage that is greater than their normal commute to their assigned work location.

3. Employees shall not be reimbursed mileage claims for miles driven to and from an employee's home and the assigned regular work location.

E. Private Vehicle Requirements. In order to help insure that all County business is conducted in a safe and prudent manner a privately-owned vehicle, while being used for official County business, shall be considered an official County Vehicle and subject to the following rules:

1. Only conventional automobiles equipped with four or more wheels and steel or fiberglass doors shall be used. Motorcycles, mopeds, scooters, bicycles, or similar vehicles may not be used to conduct County business.
2. The vehicle shall be equipped with, and each occupant will be required to use, seat belts.
3. The vehicle shall be safe to operate and shall be currently maintained in sound mechanical condition adequate to provide transportation without unreasonable delay.

SECTION 33.10. RENTAL VEHICLES. If a County Vehicle is not available, a vehicle may be rented by an employee or authorized volunteer, with the approval of the employee or authorized volunteer's Department Head, or his/her designee, through a County authorized agency (See Administrative Policy 8-103, Paragraph B14).

SECTION 33.11. DEFENSIVE DRIVER TRAINING. All employees and authorized volunteers who are required to operate a vehicle for County business three (3) or more times per month are required to attend, on County time and at County expense, a defensive driving training in accordance with Administrative Policy 3-160, Defensive Driver Training. This training will be required once every three years.

SECTION 33.12. PULL PROGRAM. To help ensure the safety of employees and the public, the driving records of all employees with a Class A, B, or C license who operate a County Vehicle, Rental Vehicle, or a private vehicle on County business will be reviewed at least annually using the Employer Pull Notice Program. California Vehicle Code requires employers to register their employees who are required to maintain a Class A or B license with the DMV. A Class A or B driver's license is required when employees operate passenger vans with seating capacity of ten (10) or more passengers, including the driver, as well as heavy truck operators (employees operating vehicles with gross vehicle weight of 26,001 pounds or more).

SECTION 33.13. PASSENGERS.

A. Vehicles used in the course of County business shall be used to transport only those passengers who are on official County business or persons directly involved in County services (e.g., welfare recipients, prisoners, speakers, fellow conference members, other public agency employees who are ride-sharing, or a member of other non-profit organizations, etc.).

B. With the approval of the Department Head, or his/her designee, a spouse (or companion for travel security) may travel in a vehicle used in the course of County business with a County employee to local, regional, or state meetings only if no additional cost is incurred and no County employee is displaced from travel. Spouses may only operate a County Vehicle if they are also an authorized volunteer of the County. Nothing herein shall be construed to prohibit the carrying of any person or persons in case of an accident or other emergency.

SECTION 33.14. DRIVERS RESPONSIBILITIES

A. The driver of a motor vehicle used on County business must be satisfied that the vehicle is in safe operating condition. The following items are to be checked by the driver prior to the use of any vehicle: brakes, tires, lights, fuel, horn, rear-view mirrors, steering, and

windshield wipers. All mechanical defects of a County-owned vehicle shall be reported to the Fleet Management Supervisor. Mechanical defects in rental vehicles should immediately be reported to the rental agency in accordance with their policies.

B. The driver must operate the vehicle in a safe, reasonable manner consistent with the intended use of the vehicle.

C. It is the driver's responsibility to ensure that the driver and all passengers are provided with and utilize seat belts. (See H. for exceptions.)

D. Smoking in County Vehicles is prohibited. (See Administrative Manual Policy 8-103.) If utilizing a rental vehicle, in the course of County business, rental agency rules must be followed.

E. This policy shall not be construed to prohibit the use of County Vehicles by properly authorized non-employee drivers, such as authorized volunteers (as defined in Administrative Policy 3-140). Nothing herein shall prohibit the use of County Vehicles by non-employees in case of an accident or other emergency.

F. Employees and other drivers are prohibited from driving on County business while under the influence of alcohol or drugs. The Department Head, or his/her designee, shall be responsible for investigating all instances where it is alleged that a County employee, volunteer or other authorized driver has operated any County-owned vehicle, rental vehicle, or privately-owned vehicle on County business while under the influence of alcohol or drugs.

G. Vehicles are to be locked and vehicle keys removed at all times when the vehicle is unattended. (See H. for exceptions.)

H. Department operational policy may require keys to be left in a vehicle while unattended. Paragraph G. does not apply if leaving keys is within written department policy. Paragraph C. does not apply if a written law enforcement operational policy is applicable.

SECTION 33.15. ACCIDENT REPORTING. Instructions are in all County Vehicle glove boxes. Employees and authorized volunteers who are involved in a vehicle accident while driving on County business shall report the accident to Shasta County Risk Management as soon as practical, preferably within 24 hours of knowledge. A written report of the vehicle damage will be submitted within one week of the verbal report (see F.). The driver of a vehicle involved in an accident while on County-related business shall:

A. When safe to do so, help anyone who is injured and call for emergency assistance if needed.

B. Give his/her name, license number, and address to the police or to the other party to the accident.

C. Obtain the name, address, telephone number, driver's license number, insurance carrier, policy number, and vehicle license number of the other party involved in the accident. An incident (accident) form is located in the manila envelope in the vehicle glove compartment of the County Vehicle. If driving a non-County vehicle, make notes about the accident and complete and submit the incident form as soon as possible.

D. Get the names, addresses, and telephone numbers of all witnesses to the accident. Witness cards are located in the manila envelope in the vehicle glove compartment. Turn the witness information in to the employees' supervisor with the incident report as soon as possible.

E. Under all circumstances, contact the local police officials; give them details of the accident, and obtain from them any reports which must be completed. Be prepared to present the County certificate of self-insurance (on reverse side of manila jacket in the glove compartment if operating a County Vehicle) or the driver's own insurance information and registration to police if so requested. In event of an accident in a rental vehicle, provide a copy of the rental agreement. If local police officials choose not to attend to the accident, that must be documented and immediately reported to Risk Management.

F. Call Risk Management's 24-hour telephone number at 245-6010 to report his/her name, department, date, time and place of the accident as well as the name, address and telephone number of the other party involved. If it is an emergency and the employee needs to talk to someone, instructions are provided on the voice mail message for this telephone number. Employees and authorized volunteers shall not discuss the accident with the driver of any other vehicle(s) involved in the accident, or with anyone else other than the police, their supervisor, County Counsel, and the Risk Management Unit (225-5141 during business hours).

G. County Fleet Management (225-5173) should be contacted for towing services, repairs, etc., for County Vehicles. After normal business hours, the Sheriff's Office (245-6000) may also be contacted and they will contact Fleet Management personnel. The rental agency from which the Rental Vehicle was rented should be contacted for towing services, repairs, etc. for Rental Vehicles.

H. A supervisor should be contacted as soon as possible if personal injury or serious property damage is involved.

I. When possible, take or obtain photographs of the damage to show all vehicles involved and the scene of the accident to show skid marks, location of debris, and location of road signs applying to traffic at the scene. These photographs should accompany the incident report.

SECTION 33.16. VEHICLE REPAIR. Any repairs for damage to County Vehicles, other than normal wear and tear, resulting from willful abuse, misconduct, or use of the vehicle outside the course and scope of employment or County business will be at the expense of the employee or authorized volunteer. For County-owned vehicles otherwise damaged, see Administrative Manual Policies 3-150, Procedures for County Vehicle Damage Repair, and 3-105, Self-Insurance Deductibles. Repair for rental vehicles will be handled according to rental agency policy and agreement.

SECTION 33.17. TRAFFIC AND PARKING CITATIONS. Traffic citations issued to an employee or authorized volunteer while using a vehicle on County-related business, other than those citations due to equipment violations or to over-length and over-width of vehicles, are the sole responsibility of the employee or authorized volunteer. Parking citations issued while utilizing a vehicle for County-related business, are the sole responsibility of the employee or authorized volunteer who parked the vehicle. If the employee or authorized volunteer cannot be identified, then the department to which the vehicle was assigned shall be responsible.

SECTION 33.18. EQUIPMENT AND PROPERTY IN COUNTY VEHICLES. No employee or authorized volunteer shall install or cause to be installed in or on a County Vehicle any article of personal property without prior written approval of the Department Head, or his/her designee.

SECTION 33.19. COUNTY EQUIPMENT IN PRIVATELY-OWNED VEHICLES UTILIZED FOR COUNTY BUSINESS.

A. County equipment may be installed in privately-owned vehicles utilized for County business upon the written approval of the Department Head, or his/her designee, involved. Authorization shall be granted only if private vehicle use is approved. The employee or authorized volunteer (i.e., the owner of the vehicle) shall be responsible for any damage, theft, or misuse of the equipment involved.

B. If installation of County equipment in an employee's or authorized volunteer's privately-owned vehicle is necessary for the performance of the employee's or authorized volunteer's duties, the County will pay for the necessary work to restore the car to its original condition when the need for the use of the car and equipment no longer exists.

SECTION 33.20. OTHER RELATED PROCEDURES.

A. Credit Cards

1. At the request of Department Head, or his/her designee, Fleet Management credit cards may be made available to employees and authorized volunteers who use County Vehicles or authorized rented vehicles. Employees and authorized volunteers shall use credit cards only at County-authorized fueling stations. Those cards provided by Fleet Management for national gas companies (i.e., Chevron and/or Shell) are only to be used outside the County unless otherwise authorized by Fleet Management and the Department Head, or his/her designee.

2. Employees and authorized volunteers are expected to make a reasonable effort to purchase fuel and oil at the lowest available price. At the time of any purchase, the employee or authorized volunteers shall verify the County Vehicle license number on the credit card receipt before signing it. The original or tissue copy of the credit card purchase slip shall be retained with the vehicle for later submission to Fleet Management.

3. Except for use in purchasing other items that may be needed on an emergency basis to maintain the safe operation of the vehicle (i.e., tire repairs, radiator, belts, necessary hoses, etc.), credit cards shall be used only for required purchases of gasoline and oil for County Vehicles. When emergency out-of-town repairs are required, the employee or authorized volunteer should request the mechanic to place all old or damaged parts being replaced in the trunk of the vehicle so they can be returned to the Fleet Management Supervisor for inspection.

4. The purchase of non-emergency items which are not for the sole purpose of safe vehicle operation is prohibited. If an employee or authorized volunteer purchases non-emergency items with a County-issued credit card, he or she will be required to reimburse the County for those purchases.

B. Fuel and Mechanical Difficulties

1. Only regular unleaded fuel shall be purchased except for diesel vehicles.
2. Any County vehicles that experience mechanical difficulty (e.g., pinging, improper acceleration, etc.) should be reported to Fleet Management.