

**MENDOCINO COUNTY AIR QUALITY MANAGEMENT DISTRICT
ADMINISTRATIVE POLICY # 2**

PURCHASING AND OPERATION OF DISTRICT VEHICLES

Adopted:
September 14, 2010

Adopted by:
The Mendocino County Air Quality Management District Board

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1.0 USE OF DISTRICT-OWNED VEHICLES

1.1 Purpose and Intent.

The District Board has approved the purchase of motor vehicles for the use of District employees whose duties require frequent trips on District business, it being the judgment of the Board that the purchase and use of such vehicles is in the public interest. This Chapter is enacted pursuant to Government Code Section 25305 and its purpose is to govern the responsibilities and rules for the use of District-owned and leased vehicles (hereinafter "District vehicles") and privately owned vehicles used for District business. This Chapter applies to District employees, including the Air Pollution Control Officer (APCO) and volunteers.

1.2 Purchasing of Vehicles

The District Board shall determine the number and type of vehicles to be purchased by the District. As an Air Quality agency the District should always purchase alternative fuel or hybrid vehicles when such models are available and suitable for the intended purpose.

1.3 Identification of District Vehicles

District vehicles shall be prominently marked with either the District's official seal or other identifying signage unless the APCO determines such markings would interfere with the District's ability to conduct its regulatory activities safely and effectively.

1.4 Applicability

The APCO is responsible for enforcing this Chapter within the District.

1.5 Limitations on Use of District Vehicles.

- (A) District vehicles shall be operated in accordance with established State and local laws and the established policies of the District, in a safe and courteous manner.
- (B) Use of District vehicles for any purpose other than District business is prohibited.
- (C) Transportation in a District vehicle of members of any driver's family or of any other person not connected with District business is prohibited, except for members of families and/or professional colleagues accompanying employees on officially authorized trips, at no expense to the District. A family member may accompany the driver only with the prior written authorization of the APCO.

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- (D)** District vehicles may not be used outside an employee’s regular working hours or officially assigned duties except as permitted in this policy
- (E)** District vehicles may not be used to travel to and from an employee’s home except as permitted in this policy.
- (F)** District vehicles may not be used for transportation to home, restaurants, or stores, except to attend a business meeting or conduct official business, unless the destination is en route to an assigned work location. Incidental use during out-of-town meetings or conferences is allowed.
- (G)** To ensure that insurance and license requirements are met, no individual shall be authorized to operate a District vehicle or a privately owned vehicle on District business without prior approval from the APCO and the Mendocino County Risk Manager.
- (H)** It is the responsibility of the APCO to maintain a current and accurate list of authorized drivers (hereinafter “drivers”).
- (I)** It shall be the responsibility of the APCO to immediately inform Mendocino County Risk Management of any change in the status of a driver’s license that may adversely affect the driver’s driving privilege.
- (J)** Upon request the APCO shall provide the Mendocino County Risk manager with an updated and accurate list of drivers. This list shall include such information deemed necessary, including but not limited to the following:

 - (1)** The name of the driver;
 - (2)** The driver’s California driver’s license number; and
 - (3)** The driver’s office or primary work location, and telephone number.
- (K)** The Mendocino County Auditor will deny mileage reimbursement of any claims filed by an unauthorized driver or a driver whose driving privileges have been suspended.
- (L)** It is the responsibility of the APCO to ensure that written verification of insurance for use of privately owned vehicles on District business is current and on file in the District in advance of such use.
- (M)** District employees shall note the vehicle identification number, date, miles driven or hours used, destination(s), and driver name and presence of any passengers for each daily use of a District vehicle. This information shall be compiled by the District monthly. Monthly reports will kept at the District office for a minimum of 3 years. These records may be stored electronically.

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- (N) The District may also use electronic vehicle tracking devices to monitor the use of District vehicles.

1.6 Driver Responsibilities

- (A) Each driver shall drive responsibly, anticipate emergency situations and make every effort to avoid collisions. All drivers operating a vehicle on District business represent the District and shall always project a professional and responsible image to the public.
- (B) Each driver is expected to be knowledgeable of, and follow, all applicable Federal, State, and local traffic laws.
- (C) Each driver operating vehicles or equipment on District business must have a valid State of California driver's license for the vehicle being driven..
- (D) Each driver shall immediately inform the APCO in the event his or her driver's license is suspended, revoked or is otherwise restricted in a way that impacts the driver's ability to perform his or her job.
- (E) Each driver, prior to operating a private vehicle on District business, shall provide proof of insurance for the vehicle to the APCO. Drivers shall immediately notify the APCO in the event of a change in the status of said vehicle insurance.
- (F) Each driver shall comply with the District's procedure for tracking and accounting for the daily use of District vehicles assigned to the department.
- (G) Seat belts shall be used at all times by the driver and all passengers in a District vehicle (CVC Sections 27315(d)(1) and (e)).
- (H) Children shall not be transported in District vehicles without the prior approval of the APCO. All children riding in a District vehicle shall be properly seat belted. Child safety seats shall be used as required by the California Vehicle Code (CVC Sections 27360 through 27364).
- (I) Drivers shall be familiar with the manner of operation of vehicles that they operate on County business. If a driver is unsure of the operation of a District vehicle, he or she should check the owner's manual in the glove box of the car or contact their supervisor for assistance.
- (J) Drivers shall remain attentive to driving at all times. Use of cellular phones, eating or drinking, dealing with passengers or other distractions while the vehicle is moving should be avoided. Whenever possible, drivers should pull off the road and stop when having to deal with distractions in the vehicle.

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- (K) Smoking is prohibited in all District vehicles.
- (L) Consumption of alcohol, drugs, including prescription medication, or other intoxicants that may interfere with the safe operation of District vehicles and equipment is strictly prohibited.
- (M) No District vehicle shall be operated when in a known dangerous or defective condition.
- (N) When a District vehicle is found to be in a dangerous or defective condition, it shall be immediately removed from service and reported to the APCO.
- (O) Drivers shall conduct a visual inspection of the District or any other vehicle provided by the District (pool or rental vehicles) for damage prior to use. Any damage or safety problems observed shall be reported to the APCO immediately upon discovery.
- (P) All District vehicles shall be legally and safely parked and locked when unattended.
- (Q) Any driver who receives a traffic citation other than for illegal parking while operating a District vehicle shall report such citation to the APCO. All traffic or parking citations are the sole responsibility of the driver.

1.7 Use of District Vehicles Outside Regular Working Hours Without Prior Authorization

- (A) A District vehicle may only be used outside an employee's regular working hours without prior authorization when the employee is either returning from an officially authorized trip after regular working hours or leaving before regular working hours.
- (B) A District vehicle may be parked at the employee's home for travel to or from a pre-authorized meeting or event when such home garaging is deemed necessary or expedient for such travel.

1.8 Authorization for Work-to-Home/Home-to-Work Use of a District Vehicle.

- (A) Upon the recommendation of the APCO the District Board may approve an list of employees authorized to use a District vehicle for work-to-home/home-to-work use, when such use is determined to be in the best interests of the District . "In the best interests of the District" is defined as "those vehicle assignments that are cost-effective to the District, enhance service to the public and better provide for public safety, and can stand the test of public scrutiny."

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- (B) A Request for Authorization for each employee recommended for to use a District vehicle for work-to-home/home-to-work shall be filed with the Board annually. The Request for Authorization shall include the following information:
- (1) The name of the employee;
 - (2) Verification that the employee is authorized to operate a District vehicle, pursuant to this policy;
 - (3) The location where the vehicle will be parked, if other than at the employee's home address on record with Human Resources;
 - (4) The employee's classification or position; and
 - (4) The estimated frequency, reason, and a complete, detailed justification and/or description for which such use is requested.
- (C) Examples of acceptable reasons or circumstances include:
- (1) The employee is on call and is required to respond directly to a site other **than the employee's normal place of employment.**
 - (2) The APCO certifies in writing that recurring, daily or continual work-to-home/home-to-work use by the identified employee is necessary for the safe and/or efficient conduct of District business.
- (D) The APCO shall transmit the requests to the District Board via an updated list of "Personnel Authorized to Use District vehicles for Work-To-Home/Home-To-Work," with his or her recommendations. The APCO shall ensure that the requests transmitted to the Board have been edited to remove information that might compromise the safety or privacy of District employees.
- (E) The APCO is expected to keep the list current and update the Board when changes occur.
- (F) No employee who receives a vehicle allowance shall be authorized for work-to-home/home-to-work use of a District vehicle.
- (G) Employees permitted to take District vehicles home for work-to-home/home-to-work may be subject to IRS-taxable fringe benefit laws.
- (H) Employees who temporarily reside at a location other than their home address of record shall notify the APCO of the location where their assigned District vehicle will be parked prior to parking at that location.

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1.9 Vehicle Collisions, Incidents or Damage

- (A) It is the responsibility of the driver of a District vehicle 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.
- (B) All collisions or vehicle damage in a District vehicle or a privately owned vehicle being used on District business, regardless of severity, shall be reported immediately to the APCO, to the appropriate law enforcement agency (request an official collision report from the responding officer), and the Mendocino County Risk Manager. Vehicle collisions involving extensive property damage, personal injury or loss of life, must also be reported to the DMV within ten (10) days of the incident. It is the driver's responsibility to report the incident to the DMV.
- (C) Drivers involved in any collision or incident in a District vehicle, or a privately owned vehicle being used on District business, shall make a complete report of such collision or incident to the Mendocino County Risk Manager within one (1) business day. If the driver is unable to make the report because of injury or other incapacity, the appropriate supervisor or manager shall submit a report.
- (D) Collision/incident reports shall contain information on other vehicles, drivers, property involved, witnesses, weather conditions, road conditions, and any other pertinent information regarding such collision.

1.10 State of Emergency

When the County has declared a state of emergency, and an employee, at the determination of the APCO, is likely to be required to respond directly to a site other than the employee's normal place of employment, the APCO may authorize District vehicle use outside regular working hours and/or work-to-home/home-to-work use for the employee without prior approval of the Board.

1.11 Night and Weekend Storage

- (A) Except as permitted under the preceding sections, all District vehicles shall be stored nights and weekends inside the locked fenced area of the District's parking lot.
- (B) All District vehicles shall be locked and keys shall not be left in cars when unattended.

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1.12 Penalties

Failure to comply with this policy may result in disciplinary action, up to and including termination. It is at the discretion of the appointing authority to take appropriate corrective action.

2.0 USE OF PRIVATELY-OWNED VEHICLES FOR DISTRICT BUSINESS

2.1 Authorization for Use of Privately Owned Vehicles

Drivers should use District vehicles when they are available. The District is an enforcement agency and the use of a private vehicle for regulatory enforcement carries certain risks. Private vehicles may be used if the trip does not involve a likelihood of enforcement action or a suitable District vehicle is not available.

2.2 Limitations on Use of Privately Owned Vehicles

A “privately owned vehicle” is herein defined as an automobile, truck, or van. Motorcycles, mopeds, motorized scooters, or similar vehicles may not be used to conduct District business.

- (A) Seat belts shall be used at all times by the driver and all passengers in a privately owned vehicle while on District business. (CVC 27315(d)(1), (e))
- (B) Children are not to be transported in private vehicles on District business without prior written approval of the APCO. All children riding in a privately owned vehicle on District business shall be properly seat belted. Child safety seats shall be used as required by the California Vehicle Code. (CVC 27360 through 27364)
- (C) Consumption of alcohol, drugs (prescription or illicit) or other intoxicants that may interfere with the safe operation of privately owned vehicles on District business is strictly prohibited.
- (D) A privately owned vehicle shall not be used for District business in a known dangerous or defective condition.

2.3 Driver Responsibilities

Any driver who receives a traffic citation while on District business, shall report such citation to the APCO. All traffic or parking citations are the sole responsibility of the driver.

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- (A) Privately owned vehicles shall be adequately insured. The liability insurance on any private vehicle used in District business must conform to the minimum requirements set forth in the financial responsibility section of the California Vehicle Code. (CVC 16020)
- (B) Privately owned vehicles shall be in sound mechanical condition adequate for providing required transportation in a safe manner.
- (C) The cost of damage and/or wear and tear to a privately owned vehicle used for District business is the responsibility of the owner of the vehicle.
- (D) Drivers not in compliance with these minimum standards shall not be authorized to drive their privately owned vehicles on District business.

2.4 Vehicle Collisions, Incidents, or Damages

If a driver is involved in a collision or incident in a privately owned vehicle while on authorized District business, the driver's automobile insurance is primary to any other coverage.

- (A) When a driver is involved in a vehicle collision in his/her personal vehicle and it is determined by the appropriate law enforcement agency that the driver is not at fault, the District will reimburse any insurance deductible expense up to a maximum of \$500.

2.5 Reimbursement for Use of Privately Owned Vehicles

When District employees use a privately owned vehicle on District business, they shall be reimbursed for mileage at the current published IRS reimbursement rate. Claims for mileage reimbursement shall be submitted on claim forms and processed in accordance with the Mendocino County Auditor's procedures.