RESOLUTION NO. 2015-81

ADOPT POLICY ON CITY VEHICLE USE

WHEREAS, recognizes that certain employees are required to use City-owned vehicles to carry out their duties; and

WHEREAS, there is a need to adopt a city-owned vehicle use policy for its employees; and

WHEREAS, this policy will implement a system to track the use of a take-home city vehicle per IRS rules.

NOW, THEREFORE, BE IT RESOLVED, by the governing body, the City Commission of the City of Lovington, New Mexico that a Vehicle Use Policy is approved and adopted by the City Commission and attached hereto for reference.

APPROVED THIS 14TH DAY OF SEPTEMBER, 2015.

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ATTEST: SCOTTY GANDY, MAYOR

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CAROL ANN HOGUE, CITY CLERK

City Vehicle Use

Certain employees are required to use City-owned vehicles to carry out their duties. Any employee who operates a City vehicle must follow these rules:

1. Employee must possess a valid operator's license for the class of vehicle being driven.

2. Employee using the vehicle must be conducting City business.

3. Assignment of a specific City vehicle is neither a privilege nor a right of any City employee and shall be based on service delivery requirements.

4. Take-home City vehicle assignments must be reviewed and approved based on established and documented performance measures clearly indicating the public benefits derived from any authorized take-home assignments.

5. Employee must receive prior approval from Division Supervisor and City Manager before driving vehicle for personal use.

6. Transportation of non-city employees will require prior approval from the Division Supervisor and City Manager.

7. Employee is responsible for checking the vehicle at the beginning of each workday to assure that the vehicle is in good mechanical condition and properly equipped.

8. The driver of the City vehicle is responsible for the condition of the vehicle.

9. Employee(s) must wear seat belt(s) at all times while vehicle is in motion. The driver shall instruct any passenger to fasten seat belt before vehicle is in motion.

10. Employee must operate the vehicle in a safe manner conforming to traffic laws and road conditions.

11. All drivers and passengers shall comply with all applicable state and local traffic laws. The driver shall be personally liable for any criminal or civil penalty incurred.

12. Use of any tobacco or nicotine-containing product is prohibited in all City vehicles. Use of or transporting alcohol is prohibited in all City vehicles.

13. Employee shall not leave keys in vehicles for any reason. The only exception to this is ambulances and fire apparatus parked within the truck bays.

14. Vehicles will not be left running and unattended unless it is being used for a specific work task (i.e. K-9 unit, running work lights at a job site, etc.)

15. The use of cell phones while driving the vehicle is prohibited unless a hands free device is being used.

16. Flammables such as gasoline must be stored in approved containers for transportation.

17. All accidents must be reported immediately.

18. Any employee who has an automobile accident caused by the employee must submit to a drug screen within two (2) hours of accident. In the event the employee is injured and medical attention is required, the drug screen shall be administered at the hospital or urgent care.

    Any violation of the rules listed above may result in disciplinary action up to and including termination.

Personal Use of Automobiles

1. Use of City vehicles for personal travel is not permitted unless the employee has the approval of the Division Supervisor and City Manager

2. Personal use of City vehicles is limited to commuting to and from the employee's workplace. The value of the commute will be $1.50 per one-way trip, $3.00 round-trip. If more than one employee commutes in the same vehicle, the $1.50 is applied to each employee. Any changes to the value of the commute, per IRS code, will be applied.

    a. The IRS allows for certain vehicles to be exempted from fringe benefit compensation consideration. That is, their use is deemed to be exclusively for City business purposes. The following types of "Qualified Non Personal Use" vehicles represent vehicles from a portion of the IRS list that may currently be in use by the City:

        i. Clearly marked police and fire vehicles – A police or fire vehicle is a vehicle, owned or leased by the City, that is required to be used for commuting by a police officer or firefighter who, when not on a regular shift, is on call at all times.

        ii. Unmarked vehicles used by law enforcement officers – use must be officially authorized, the vehicle must be owned or leased by the City, and the law enforcement officers must be full time employees of the City.

        iii. Large cargo capacity vehicle – any vehicle designed to carry cargo with a loaded gross vehicle weight over 14,000 pounds.

b. Employees who drive City vehicles to commute must complete the time sheets indicating the number of days that they are using the automobile.

c. Only employees who are on call, or generally called out, are authorized to take home City vehicles. The employee must live within twenty (20) miles of the city limits.