



## POLICY AND PROCEDURE

SUBJECT: MOTOR VEHICLE POLICY

DATE: OCTOBER 7, 2015

NUMBER: FN-14-001 REV

### POLICY STATEMENT

- A. Establish standards for all vehicles owned by the City to ensure that safe, reliable and cost efficient vehicular resources are available to City employees;
- B. Establish standards governing the system of vehicle assignment, utilization and operation;
- C. Maximize the efficient and effective use of the City's fleet in support of organizational goals and program objectives;
- D. Control the use of City owned and/or leased vehicles
- E. Control the use of personally owned and/or leased motor vehicles in the conduct of City business; and
- F. Limit liability to the City; and hold employees accountable for any violations of Policy or safety standards.

### PURPOSE OF THE POLICY

The intent of the Motor Vehicle Policy is to ensure that all individuals utilizing City vehicles and/or personnel or leased vehicles in the performance of official City business, operates said vehicle in a safe and reliable manner and that vehicle usage is consistent with and meets organizational goals and program objectives; and to ensure that proper protocol is adhered to for personally owned vehicles when conducting City business.

### SCOPE OF APPLICABILITY

This Policy applies to all employees and others who operate City owned and/or leased motor vehicles including special use motor vehicles such as construction and excavation equipment designed to operate primarily off-road but driven on public roads to a job site.

Where appropriate, this policy applies to employees and others who operate personally owned and/or leased motor vehicles while performing official City business.



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### DEFINITIONS

For the purposes of this Policy, the following definitions apply:

- A. City Administration - City Manager, Mayor and City Council.
- B. City Manager/Department Director – City Manager, Department Director or designee.
- C. Commuting - Use of a City-owned vehicle by an employee for travel between home and office while not in Travel Status.
- D. Employee - Any individual authorized to operate a City-owned vehicle on behalf of the City of Riviera Beach, i.e. part-time, hourly, full-time employees and any individual under contract to perform services.
- E. Fleet Manager - Public Works Director for the City of Riviera Beach.
- F. Fleet Vehicle – A motor vehicle owned by the City.
- G. Individual Permanent Assignment - Assignment of a vehicle to a department and used routinely by one individual.
- H. Office - The facility where the employee routinely reports for duty.
- I. Official business or business of the City or services - Any activity carried out by an employee in the performance of City business.
- J. Personal Vehicle - any privately owned and/or leased motor vehicle.
- K. Pool Vehicle - Any Vehicle assigned to a department for shared use by department employees.
- L. Short Term Rental Vehicles – Authorized rental of a motor vehicle for a period less than thirty (30) days.
- M. Special purpose vehicle - A vehicle designed to accomplish specific tasks and is not used for general purposes.
- N. Take Home Vehicle – A City vehicle of which is authorized to be stored overnight at an employee's residence and otherwise used by the employee to commute to and from home.
- O. Temporary Assignment - Assignment of a vehicle for specific agency functions, involving a duration of less than one year.
- P. Travel Status - Employees are considered to be in travel status whenever they are required to be away from their normal duty station in the performance of their job.
- Q. Vehicle - Any City-owned and/or leased motor vehicle registered with Palm Beach County that includes but is not limited to sedans, station wagons, minivans, pickup trucks, sport utility vehicles, or vans used primarily for the transportation of the operator and no more than 15 passengers.



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### RESPONSIBILITIES

- A. City Administration is responsible for developing policies and procedures for purchase, use, storage, maintenance and repair, and disposal of City-owned Vehicles. In addition, the City Manager is responsible for authorizing assignments of Vehicles.
- B. The Fleet Manager is responsible for the management of the centralized fleet and for administering, monitoring, and enforcing all policies and procedures concerning Vehicle assignment, utilization, maintenance, repair, and replacement.
- C. Department Directors are responsible for monitoring and enforcing, within their department, all policies and procedures governing the assignment, use, maintenance and repair of Vehicles.
- D. Vehicle operators are responsible for reviewing and conforming to all policies and procedures pertaining to the use, maintenance and operation of a Vehicle.

### ASSIGNMENT OF FLEET VEHICLES

- A. Assignment Criteria: Individual Permanent Assignments and department Pool Vehicle assignments will be approved only on the basis of one of the following:
  1. The Vehicle is to be driven not less than 5,000 miles per year for Official business;
  2. The Vehicle is assigned to a department as a Pool Vehicle and utilization is expected to meet criteria (1) above.
  3. The Vehicle is assigned to a department as a Pool Vehicle and the department justifies its necessity despite not meeting criteria (1) above.
  4. The Vehicle is assigned to a law enforcement officer;
  5. The Vehicle is assigned to an employee whose job duties require the constant use or continuous availability of specialized equipment, which cannot feasibly or economically be either transferred between Vehicles or carried in personal vehicles. Such equipment may include medical supplies, a monitoring or testing apparatus or other supplies, equipment or material necessary to perform the department's mission or function;
  6. The Vehicle is a Special Purpose Vehicle which is necessary to perform the department's mission or function; and
  7. An employee, on 24-hour call, who can document a time critical necessity to respond to emergencies on a regular or continuing basis where the emergency response is normally to a location other than the employee's office.
- B. Request for Assignment: Requests by departments for Individual Permanent Assignments or for a department Pool Vehicle are to be submitted to Fleet Manager on the "Vehicle Assignment" form after completion of the application, the application should be signed by the principal operator (if an individual assignment) and the department head. The



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request for assignment should be submitted at least 90 days prior to the need for vehicle, when feasible.

Vehicles may be temporarily assigned to employees for Official business or while permanently assigned Vehicles are being repaired. Vehicles for Temporary Assignment will be centrally housed by the Fleet Manager, assigned for a specific purpose and returned to Fleet Manager at the end of the assignment. Requests for Temporary Assignment shall be made as far in advance as is reasonably possible.

- C. Removal or Recall of Fleet Vehicles from Department: Vehicles assignments may be rescinded if any of the following occur and are not rectified after proper notice:
1. The Vehicle is not driven 5,000 miles per year, and is not exempt from the minimum mileage requirement.
  2. Vehicle abuse occurs, which includes but is not limited to, the improper care and maintenance of the Vehicle, operating the Vehicle without servicing, and damage to the Vehicle caused by willful disregard or improper use.
  3. If the operator of a Vehicle is delinquent in the payment of parking tickets, fines or citations on more than two occasions in a six-month period.
- D. Denial and Appeal Procedure: Should a request for an Individual Permanent or department Pool Vehicle Assignment be denied, the requesting department head may appeal the denial through the City Manager within ten (10) days of the denial.
- E. Disposing Vehicle: When a Vehicle's useful life is over, the vehicle should be sold either through public bids or auction. The City may also use a proactive, known in the fleet industry as "cannibalization" which involves salvaging useable parts for use in existing vehicles.

### STANDARDS AND PROCEDURES

- A. General
1. Operators shall use Vehicles for Official business only. Employees guilty of misuse are subject to disciplinary action by their department and may lose their privilege to operate a Vehicle. Commuting privileges approved by the City Manager are not considered Official business. An employee with an Individual Permanent Assignment Vehicle may drive the Vehicle to and from his/her home when authorized in accordance with Taxation on City Vehicle Policy.
  2. Temporary and department Pool Vehicle Assignment Vehicles may not be driven to an employee's home unless the Vehicle is provided as a short-term replacement for a Take-home Vehicle or unless otherwise authorized in accordance with this Policy.



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3. Any abusive, reckless or negligent act while operating any Vehicle or personal vehicle while on Official business may result in a suspension or termination of an employee's driving privileges and may be grounds for further disciplinary action.
4. Employees shall obey all City, County, State, and Federal laws while operating any motor vehicle. All violations and fines shall be the responsibility of the driver, but must be reported to the Fleet Manager. Abuse of motor vehicle laws and ordinances may result in denial of the use of a Vehicle.
5. Operators should practice defensive driving by anticipating and observing the actions of other drivers and controlling a Vehicle in a manner so as to avoid accidents. Drivers should, when operating a Vehicle be aware that averting your eyes from the road may cause an accident. Use "best judgment" when changing climate control settings, using the radio, or accessing other settings on the vehicle's dashboard. All operators should perform a walk around visual inspection of their Vehicle prior to moving.
6. Transporting non-employees for other than Official business must be approved in advance by the City Manager.
7. When cargo, materials or tools are being transported, the driver is responsible for assuring that all items are properly secured to prevent them from shifting or falling from the motor vehicle or trailer and from being stolen.
8. No person shall be allowed to ride on a running board, fender, hood, tailgate, bed or other location on a Vehicle not designed or approved by the Vehicle manufacturer for passengers.
9. The operator shall not operate any Vehicle when the normal field of vision is obstructed in any way.
10. The operator shall not operate any Vehicle while texting and the operator shall talk on a radio or cell phone only for City business and only when it is safe to do so and in accordance with state law. Hands free usage is preferred.
11. A qualified operator must be positioned at the Vehicle's controls any time it is running. No Vehicle, except those responding to emergency situations, shall be left unattended without first stopping the motor, locking the ignition, removing the key, setting the parking brake and locking the doors or otherwise securing the Vehicle to prevent theft, vandalism or unintentional movement.
12. The City shall not be responsible for any personal property left in Vehicles or property left in personal vehicles when used in the performance of Official business.
13. Any person who operates a Vehicle shall be required to complete a defensive driving course and/or refresher courses as prescribed by the Risk Management Division.



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14. The possession of firearms and weapons, concealed or otherwise, is prohibited in Vehicles except by sworn law enforcement officers.
  15. Under no circumstances may a City employee operate a Vehicle while under the influence of intoxicating beverages, drugs or substances, or transport (except in the performance of law enforcement duties) these items.
  16. The use of any tobacco product (smoking or smokeless) is prohibited in any Vehicle. The driver's attention should always be on the safe operation of the vehicle. Distractions such as eating or drinking should be refrained from while the vehicle is in motion.
  17. Spouses and children are permitted to accompany City employees on trips in Vehicles when sufficient space is available and when all travel is strictly for Official business.
  18. Only City employees may operate City vehicles. Volunteers and individuals in a community Service program shall not drive City vehicles nor conduct City business in their own vehicles.
- B. Vehicle Operation
1. Vehicle Care
    - a. An employee who operates a Vehicle is responsible for the proper care of that Vehicle. Vehicle shall be kept free of litter and debris.
    - b. Fluid levels including brake, transmission, engine oil, and coolant shall be maintained. Missed service appointments may lead to loss of Vehicle assignment.
    - c. Any defects that will affect safe operation of the Vehicle shall be reported promptly to the operator's supervisor and Fleet Manager. No employee shall operate a Vehicle that is in an unsafe condition.
    - d. Any Vehicle damage beyond normal wear and tear must be documented and reported to the operator's supervisor, Risk Manager (in the event of an accident – (See “3. Accident Reporting Requirements” below) and the Fleet Manager within twenty-four (24) hours of occurrence. Employees shall follow the established chain of command in reporting on such matters.
  2. Driver License
    - a. A valid Florida driver license must be in the employee's possession at all times while operating a Vehicle. In the case of commercially rated motor vehicles, the proper Florida commercial driver license for the motor vehicle's weight and class must be valid and in the operator's possession.



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- b. Commercial operators must notify in writing the Human Resources Director and the Department Director no later than the end of the next business day of a conviction for any traffic violation (except parking). This is true no matter where or what type of Vehicle is driven. Employees shall follow the established chain of command in reporting on such matters.
  - c. An employee who operates a Vehicle must notify the Human Resources Director and the Department Director no later than the end of the next business day when an issued license has been suspended, revoked or canceled, or if for any other reason the employee is disqualified from driving. Employees shall follow the established chain of command in reporting such matters.
  - d. An employee who may operate a Vehicle on Official business shall provide a photocopy of their current Florida driver license to the Human Resources Department for their personnel file.
3. Accident Reporting Requirements
- a. Any accident involving a Vehicle or personal vehicle used in the performance of Official business shall be reported as follows:
    1. Summon medical care for any injured parties.
    2. Notify appropriate law enforcement authorities.
    3. Immediately notify immediate supervisor from the scene of the accident.
    4. Make no statement to anyone other than to law enforcement personnel.
    5. Refrain from admitting liability.
    6. Make no statement about payment of damage.
    7. Take pictures of the accident scene.
  - b. The supervisor shall immediately notify the Risk Management Division, initiate departmental investigation of the accident or act at the direction of the Risk Management Division and complete all required City reports and recommend any follow-up preventive actions to the City's safety officer.
  - c. Failure to report as set forth above may result in disciplinary action up to and including termination of employment.
  - d. A drug and alcohol test shall be required in accordance with Personnel Policies.
  - e. When an operator on Official business is determined to be at fault in a motor vehicle accident, the supervisor shall recommend disciplinary action subject to review and approval by the Department Director in consultation with the Human Resources Director or designee.



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4. Use of Safety Restraints
  - a. All Vehicles must be equipped with seat belts and all occupants of Vehicles must properly wear seat belts any time the Vehicle is in motion.
  - b. The operator of construction, excavation and other off-road equipment shall use the occupant restraint system any time the Vehicle is in operation.
  - c. Employees are prohibited from removing, deactivating, modifying or otherwise defeating any occupant restraint system installed by the manufacturer unless approved or instructed by the manufacturer.
5. Parked Motor Vehicles
  - a. Any Vehicle left unattended shall be legally parked in a Fleet Manager designated parking space.
  - b. Vehicles responding to emergency situations or those parked on job sites shall be parked with due regard to safety and security considerations.
  - c. When it is necessary to leave a Vehicle at a job site overnight, the operator shall ensure the Vehicle is parked and secured in an area which provides reasonable security.
  - d. Vehicles shall not be left on non-residential streets or highways overnight unless it is necessary due to mechanical failure or emergency. When a Vehicle is parked on a municipal street, it shall be the responsibility of the driver or the driver's department to pay all parking fees and any parking fines or other fines assessed against the vehicle. The assigned driver shall be responsible for any towing fees resulting from improper parking.
6. Trailers and Towing
  - a. An operator whose Vehicle is towing a trailer, dolly, or other equipment shall assure that the trailer weight does not exceed the rated capacity of the Vehicle or trailer hitch, that the trailer is coupled properly to the hitch and that the safety chains are properly fastened.
  - b. The operator shall ensure that the trailer or other towed equipment is supplied with proper and functioning lights including brake lights, turn signals and running lights.
  - c. Any Vehicle having a load which extends more than four (4) feet beyond the rear of the Vehicle shall have the end of the load marked with a red flag. The red flag must be at least twelve (12) inches square.
8. Insurance Requirements for Personal Vehicles
  - a. The City's self-insurance program does not provide coverage for employees while operating personal vehicles to conduct Official business. Employees who are authorized to utilize a personal vehicle for Official





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business will maintain motor vehicle liability insurance consistent with Florida minimums.

- b. The self-insurance program will not provide coverage for damage to an employee's personal vehicle. An employee who uses a personal vehicle in the performance of Official business should confirm with their personal insurance carrier that their personal auto insurance policy provides coverage for this use.
  - c. An employee who receives a monthly motor vehicle allowance will maintain liability coverage in an amount not less than \$100,000 per occurrence/\$300,000 annual aggregate.
8. Toll Charges: All toll charges incurred will be paid by the employee and the employee may be reimbursed by his/her department.
  9. Parking Citations: Parking citations are the responsibility of the assigned driver or the driver's department at the time of issue. Excessive unpaid parking citations received by the same driver may constitute vehicle abuse.
  10. The City shall not be responsible for the cost of duplicate keys other than those that are issued when the car is assigned. Also, the City shall not be responsible for the cost associated with locking a key in a vehicle.

### AUTHORIZATION

The assignment of a Vehicle shall be by justification as indicated on a completed justification form submitted by the Department Director and approved by the City Manager.

#### A. Assignments

1. Pool Vehicles: Where dictated by need a department/division may be assigned Pool Vehicles. Such Vehicles are requested by the Department Director and approved by the City Manager on a Vehicle Assignment Form (Attachment 1). Employees may use Pool Vehicles as approved by the Department Director. Pool Vehicles are intended for shared use by department employees and shall not be exclusively assigned.

### REIMBURSEMENT FOR USE OF PERSONAL VEHICLE

- A. Each employee who is required to use their personal vehicle in the performance of City business shall be reimbursed for such usage at the prevailing mileage rate in accordance with the Travel Policy.
- B. An employee may be awarded a monthly motor vehicle allowance as approved by the City Council. Such employee shall report mileage as requested by the Director to support the requirements of Florida Statute 112.061. Employees who receive a monthly allowance may not receive reimbursement for in-county travel but may be reimbursed for



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out-of-county travel.

- C. Elected officials and others who have car allowances do not need to report mileage if the entire amount of the car allowance is taxed. However, the car allowance contemplates and is designed to cover mileage, proper insurance, and maintenance on vehicles for in-county driving and travel within 50 miles of City Hall.

### APPROPRIATE USE OF CITY VEHICLE

- A. A Vehicle shall be used only for travel while in the performance of Official business or services. Infrequent limited personal use of Vehicles may be permitted when such use is incidental to the conduct of Official business, such as:
1. Stopping at a restaurant or fast food establishment for the purpose of eating during the designated meal period when the meal period coincides with Official business travel requiring a Vehicle, when working in a remote area and a Vehicle is the only transportation available to reach a food establishment, or when attending City-approved meetings, conferences, presentations or functions. The food establishment must be on the normal route to the work location or in close proximity to the work location.
  2. Stopping at a convenience store, gas station or fast food establishment for the purpose of buying a refreshment during an Official business work break period or for using restroom facilities if such stop is in concert with official duties requiring travel in a Vehicle and does not deviate from the normal route of travel.
- B. At no time will a Vehicle be parked at an adult entertainment establishment or an establishment whose primary business is the sale of alcoholic beverages.
- C. A Take-home Vehicle shall not be used to replace an employee's personal vehicle for leisure-time use. Stopping at places of business while using a Vehicle to accomplish personal chores is permitted if:
1. Such stop at a place of business is en route; and
  2. Such stop at a place of business is not a bar, tavern, liquor store, saloon or adult entertainment establishment.

### SHORT TERM RENTAL VEHICLES


- A. If a department finds it necessary to rent a short term vehicle, rentals shall be submitted and approved on either a Travel Request or by a written request to the City Manager. The department should purchase the rental insurance policy offered by the rental agency.



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1. Short term rental vehicles must be rented under the name of The City of Riviera Beach. The rental agency may require the driver's name to be on the rental agreement. In this case, after your name, write "for City of Riviera Beach".
  2. Prior to leaving the rental agency, a physical inspection of the rental vehicle should be made, noting any defects on the rental agreement and confirmed by the rental agency. A final inspection should be conducted upon return of the rental vehicle. Charges made by the rental agency for pre-existing damage that was not noted by The City of Riviera Beach authorized driver renting the vehicle will be the responsibility of the driver.
- B. The City carries full automobile liability insurance coverage including for rented cars. It is not necessary to specifically schedule short term rentals with the insurance carrier to qualify for this coverage. The City insurance is only available on vehicles used for approved City functions/business. Some credit card companies also provide vehicle insurance coverage when renting a vehicle and paying with the credit card. However, the insurance coverage is only effective when the cardholder is driving the vehicle.
1. For international rentals, purchasing the rental insurance policy offered by the rental agency is required.
  2. All incidents involving rental vehicles should be reported promptly to the rental agency and to Risk Management.
- C. Safety and Personal Responsibility.
1. No personal or City issued radios, stereo, or other devices utilizing earphones shall be worn or operated by any driver while driving. The use or operation of other personal or City issued electronic device, such as media player, iPods, Blackberries, or other devices used for texting, etc. while driving is prohibited. Fire and Law Enforcement officers are allowed to utilize electronic devices while driving when usage is within course and scope of an official emergency response or communication, if the device is essential for the nature of the emergency response and another employee is not available to utilize the device. Non-emergency usage of electronic devices while driving is prohibited.
  2. An employee who is using prescription or non-prescription medication or substances having side effects that may hinder or impair safe driving shall not drive on City business.
  3. Personal Liability – The employee shall be personally responsible for any and all injury, death, and/or property damage alleged to have been caused by that employee arising out of or connected with any unauthorized use of a City vehicle. An employee may be held personally liable for damage(s) to a City vehicle and may be required to make full restitution to the City for repair costs in case of sole negligence or intentional conduct of the employee or vehicle abuse. Each department shall set up

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criteria and procedures for reimbursement that shall be approved by Risk Management and Legal Department.

Departmental Sponsor: Finance

Policy Review Date: October 2017

References:

Departments Affected: All

Approved by:

