

CITY OF GLEN COVE

Vehicle Use & Procedure Policy

Scope: All City Personnel Excluding Those Covered by Police Department and/or Harbor Patrol Vehicle Use Policies

Purpose: To establish guidelines for the operation of City of Glen Cove motor vehicles by City employees and to assure the vehicles are operated in a safe, appropriate manner for the benefit of City residents.

Municipal Vehicles

It is the policy of the City of Glen Cove to authorize the utilization of vehicles for use by certain officials and designated personnel in the performance of their employment responsibilities, either during the work shift or on a twenty-four (24) hour on-call basis. City vehicles are to be assigned solely to assist City personnel in the performance of their City responsibilities.

Expense Reimbursement

It is the policy of the City of Glen Cove to reimburse personnel for expenses they incur as a result of personal vehicle use, as set forth in Section J. Receipts and an Expense Reimbursement Control Form must be submitted in order for personnel to be reimbursed for such expenses. Expense reimbursement is for travel outside the City of Glen Cove. Personnel will not be reimbursed for use of personal vehicles within the City without advance approval from the Department Head or as specifically authorized by a collective bargaining agreement.

Criteria

City Vehicles may be issued only to personnel who travel between sites on a regular basis as part of their job function or, when approved by the Mayor, for 24-hour use.

PROCEDURE

A. Garaging of Vehicles

All municipal vehicles, except those authorized for twenty-four (24) hour use, shall be garaged at the end of each day in assigned municipal parking lots. No vehicles, except those authorized for twenty-four (24) hour use, are to be driven home at the end of the workday.

B. Assignment of Municipal Vehicles

- 1) Department heads shall be responsible for the assignment of municipal vehicles based upon an employee's job responsibilities. Department Heads should assign such vehicles in a manner consistent with departmental workload and personnel function.
- 2) Assigned drivers must report any vehicle accident to their supervisor or department head immediately and provide the City Clerk with a police accident report within thirty days of the accident.
- 3) Assigned drivers must provide their driver licenses, to be entered into the DMV's License Event Notification System (LENS), and their Motor Vehicle Records, including any moving violations within the prior three years and any license suspensions or revocations.
- 4) Department Heads are responsible for assuring that vehicles are properly maintained and routinely washed.
- 5) Department Heads are responsible to the Mayor for a full accounting of all municipal vehicle usage. The assignment of vehicles may be rescinded at the Mayor's sole and absolute discretion.
- 6) All original titles for City vehicles be held by the City Clerk.

C. Assignment of Municipal Vehicles for 24-Hour Use (Vehicle Approved for Commuting Purposes)

1) The assignment of vehicles for twenty-four (24) hour use will be made by the Mayor and will only be considered for personnel who require a vehicle for the ordinary and necessary discharge of their job functions every day, throughout the day. Employees assigned a vehicle for 24-hour use will necessarily utilize such vehicle for commuting to and from their homes. Criteria to be used in determining eligibility for 24-hour vehicle use, include:

- officially designated on-call status;
- requirement for frequent emergency availability; and
- emergency or other equipment contained in the vehicle (communication devices alone do not qualify); and

- other such criteria as the Mayor find appropriate.

Such assignment may be rescinded by the Mayor at the Mayor's sole and absolute discretion.

- 2) When commuting, the assigned vehicle use is limited to direct travel to and from the employee's residence and workplace. The vehicle shall not be utilized for travel outside a direct commuting route, for personal reasons or for any commercial use.
- 3) Personnel who are assigned vehicles for 24-hour use shall maintain a weekly mileage log detailing miles traveled, broken out by date and purpose (e.g. commuting, inter-site travel, etc.), to be submitted to their immediate supervisor or department head each month.
- 4) GPS or other position tracking devices may be installed in any municipal vehicles and may be used to verify monthly mileage logs and the work-related nature of vehicle use.
- 5) Whenever a person assigned a vehicle for 24-hour service, no longer has such assignment, the authorization for 24-hour use shall be re-evaluated.
- 6) Personnel assigned municipal vehicles for 24-hour use will be given a copy of this policy and will be required to sign a confirmation of receipt and an agreement of compliance.
- 7) Personnel authorized to commute in a City vehicle may be subject to imputed income regulations as set forth by the Internal Revenue Service, which considers a certain portion of the vehicle use (namely commuting to and from work) to be income for the purposes of income taxation. The Finance Department shall be responsible for determining any taxable benefit for all personnel assigned City vehicles for 24 hour use, based on documentation provided by the various department heads, to include schedules of affected employees and their mandatory weekly mileage logs prepared pursuant to Paragraph C(3).

D. Operation and Maintenance of Vehicles

All personnel are required to adhere to the following minimum rules of operation of municipal vehicles:

- 1) Rules of the Road: All traffic, driving and road regulations are to be strictly observed, excepting emergency, construction and sanitation vehicles as required in the performance of their duties.

- 2) Use of Safety Restraints: Seat belts, shoulder harness, and other restraints shall be worn at all times vehicle is in motion, by driver and all passengers.
- 3) Passengers must remain safely seated inside a vehicle while in operation, with the exception of passengers of vehicles designed to carry passengers externally, in which case passengers must follow all safety recommendations of the vehicle manufacturer. In no case shall drivers permit passengers to ride externally while a vehicle is in operating in reverse.
- 4) Cell phone use during the operation of a City vehicle, unless in accordance with New York State Vehicle and Traffic Law requirements, is strictly prohibited. While operating municipal vehicles, employees' communications shall be limited to work-related communications and personal cases of emergency.
- 5) Texting while operating a City vehicle is strictly prohibited and cause for disciplinary action including dismissal.
- 6) Use of Controlled Substances: Use of alcohol, drugs, or prescription medications which violates the New York State Vehicle and Traffic Law is strictly prohibited and cause for disciplinary action including dismissal.
- 7) Use of any tobacco products is forbidden in City vehicles.
- 8) The transportation of firearms, weapons or explosives is forbidden in any City vehicle unless such items are directly related to the job function of the driver.
- 9) The Department of Public Works is responsible for ensuring the performance of vehicle maintenance.
- 10) All vehicles must be locked when not occupied and in use.
- 11) No signage other than as approved by the Mayor and relating to vehicle purpose, or as mandated by regulation, may be affixed to the vehicle. Bumper stickers are strictly prohibited.
- 12) Gasoline is supplied exclusively through the City facility for City-owned vehicles except authorized long-distance travel or authorized local travel when the City facility is closed.
- 13) City vehicles may be operated only by the City personnel assigned such vehicles. Operation by other than the assigned personnel may be cause for disciplinary action or dismissal.

E. Emergency Medical Response Vehicles

All EMS vehicles, equipment, and assigned technicians will be in compliance with Article 30 NYS Code, Parts 800.23 and 800.26. The responsibility for assuring such compliance resides with the Department Head.

F. Fire Chief Vehicles

Authorized Operators: The City Fire Chief shall be the principal operator of the Chief's vehicle. The Chief may authorize another active member of the Fire Department, the EMS or other fire departments to use said vehicle solely in furtherance of firematic/EMS duties and support thereof. Any operator of this vehicle must be an active member in good standing of the Fire Department or EMS, hold a valid and current operator's license issued by the New York State Department of Motor Vehicles and be fully familiar with and capable of the operation of any equipment affixed to the vehicle (radios, 4-wheel drive, snow plow, etc.).

During times of more than 24-hours absence from the City, the Chief may designate a Fire Department/ EMS Officer to assume his duties during such absence, including authorizing use of the Chief's vehicle. In the case where no person is designated to fill in during the Chief's absence, the vehicle should be parked at the main fire/EMS station at 8 – 10 Glen Cove Ave., Glen Cove, NY.

Authorized Passengers: Any current member of the Fire Department/EMS, City personnel, and those members of outside fire/EMS agencies assisting the Fire Department/EMS may ride in the Chief's vehicle during emergencies or firematic/EMS duties and support as needed. Courtesy rides may be given to victims of incidents where there is no other way of transport. Distance to be dropped off will be at the discretion of the Chief.

Invited family members (to include the Chief's wife, husband, significant other and/or children) may ride in the Chief's vehicle with the Chief. However, arrangements shall be made in advance for the transportation of any non-fire/EMS passengers if at any time the Chief must respond to an emergency.

G. General Vehicle Use Regulations

Municipal vehicles may only be used for legitimate municipal business.

- 1) Municipal vehicles shall not be used to transport any individual who is not directly or indirectly related to municipal business. Passengers shall be limited to City employees and individuals who are directly associated with City work activity (committee members, consultants, contractors, etc.) Family members and friends shall not be transported in City vehicles except as permitted under paragraph F

herein. Picking up or dropping off family and friends at school, work, etc. is prohibited.

- 2) Personnel who operate municipal vehicles shall have a valid New York State motor vehicle operator's license of the class required for the specific vehicle being operated.
- 3) Vehicles should contain only those items for which the vehicle is designed. The City shall not be liable for the loss or damage of any personal property transported in the vehicle.
- 4) Personnel are expected to keep municipal vehicles clean, and to report to their supervisor any malfunction or damage.
- 5) Personnel who are assigned vehicles on a 24-hour basis are expected to park such vehicles in safe locations and lock them.
- 6) All personnel are expected to operate vehicles in a safe, courteous, and legal fashion as representatives of the City of Glen Cove.
- 7) Personnel who incur parking or other non-moving violation fines in municipal vehicles will be personally responsible for their payment unless the payment of such fines by the City is approved by the Mayor. Moving violation tickets are the responsibility of the cited individual, including red light camera and school bus camera violations.
- 8) Personnel who are issued citations for any offense while using a municipal vehicle must notify their supervisor immediately when practicable, but in no case more than twenty-four (24) hours later. Failure to provide such notice will be grounds for disciplinary action. The City reserves the right to require completion of a safe driving course by any personnel authorized, or prospectively authorized, to use a municipal vehicle at any time during employment.
- 9) Any personnel assigned a municipal vehicle who is arrested for or charged with a motor vehicle offense for which the punishment includes suspension or revocation of the motor vehicle license, whether or not such charge involves the use of a municipal vehicle, shall notify his/her supervisor immediately when practicable, but in no case later than twenty-four (24) hours. Conviction for such an offense may be grounds for loss of municipal vehicle privileges and/or further disciplinary action.
- 10) No personnel may use a municipal vehicle for travel more than 20 miles from the City of Glen Cove or for out of state use without advance approval of the Mayor. Department Heads may establish such procedures to monitor and record such use as they deem appropriate.

H. Reporting of Accidents

Whenever a municipal vehicle is involved in an accident, or subject to damage, or in the event a personal vehicle is damaged during an approved, work-related trip, the personnel operating the vehicle is required to immediately notify his/her immediate supervisor or department head. The employee shall be responsible for obtaining a police accident report and filing it with the City Clerk if the accident took place outside Glen Cove City limits.

I. Registering and Insuring a Vehicle

The Finance Department and Department of Public Works shall coordinate all municipal vehicle insurance, trade-ins, and auctions. Vehicle registrations are to be coordinated by the respective Departments.

J. Expense Reimbursement – Personal Vehicles

- 1) Expense reimbursement is intended for work-related travel outside the City of Glen Cove. Personnel will not be reimbursed for the use of a personal automobile within the City without advance approval of the Mayor or unless specifically authorized by a collective bargaining agreement.
- 2) When personnel are authorized to use a personal automobile for work-related travel, they shall be reimbursed at a rate established by the IRS standard mileage rate in effect on the date of travel. In addition to the mileage rate, the City will reimburse personnel authorized to travel outside the City, driving personal or municipal vehicles, for tolls and reasonable parking expenses evidenced by written receipts. . Personnel will not be reimbursed for tolls which they would normally pay during their normal commute to and from work. In order to be reimbursed for personal automobile use, personnel shall complete the Travel Expense Form. This form should be submitted to the Department Head for approval prior to submission to the Controller for payment.
- 3) Personnel who are authorized to use personal vehicles for work related travel are required to show proof to their Department Head auto liability insurance coverage of:
 - Bodily Injury: \$100,000/\$300,000 (per person/per accident)
 - Property Damage: \$50,000

K. Special Circumstances

This policy is intended to provide a basic framework governing the use of personal and municipal vehicles in the City of Glen Cove, and, as such, cannot contain procedures governing every situation that might arise. Personnel seeking clarification of or exemption from the provisions of this policy should contact the

Mayor who will provide such clarification and may authorize exceptions to the policy under mitigating circumstances.

L. Sanctions

Failure to comply with any provisions of this policy may result in disciplinary action up to and including removal of City vehicle privileges, suspension, and/or termination from City service. All costs incurred by the City as a result of a violation of this policy are to be reimbursed by the personnel responsible for such violation.

M. Non-supersedure of Existing Agreements

Notwithstanding any provision herein, this policy shall not supersede the terms of the Collective Bargaining Agreement between the City and the CSEA.

N. Acknowledgment

Within 90 days of the adoption or any subsequent amendment of this policy, and during the hiring of new employees, all covered employees will be provided and must acknowledge receipt of a complete copy of this policy.

Acknowledgment of Receipt

I hereby acknowledge receipt of a complete copy of the City of Glen Cove Municipal Vehicle Use Policy adopted by the City Council on [DATE]. I hereby agree not to operate any municipal vehicle for personal use and to abide by the provisions of this policy:

Read, signed and agreed to:

(Print Personnel Name)

(Personnel Signature)

(Date)

(Mayor's Signature)

(Date)