

Appendix H: Buncombe County Vehicle Usage Policy

Section 1. Purpose

This policy establishes uniform vehicle use practices and requirements for County employees of all departments, as well as partners and affiliated agencies that operate motor vehicles to conduct County business including but not limited to use vehicles owned by the County, vehicles leased or rented by the County, or an employee's personal vehicle or otherwise within the possession and control of the County, to ensure safe driving and efficient use of public property. For purposes of this policy, County "department" shall include the Sheriff's Office and Register of Deeds. The following provisions shall apply unless in conflict with or exempt by State or federal statute.

Section 2. Overview

County employees in various departments may be required to use/operate a motor vehicle to conduct business on behalf of the County. The purpose of this policy is to ensure that County employees are properly licensed to operate said motor vehicle and that the vehicles are used in a safe and efficient manner.

Section 3. Use of Vehicles

All employees from every department in the County must be properly licensed to operate a motor vehicle to use a motor vehicle to conduct business on behalf of the County. "Conducting business" shall mean any time an employee using a motor vehicle to perform a job function, at the direction of his or her Supervisor or travel for the County.

Section 4. Driver's Responsibilities

- A. While on County business, employees shall operate all vehicles in a safe and courteous manner. Employees shall not exceed the speed limit and shall obey all traffic laws.
- B. Violations, citations, fines, and other actions taken by any enforcement agency against any employee while operating a motor vehicle for County business shall be the responsibility of the employee and may be cause for disciplinary action by the County.
- C. All employees are subject to random reviews of their Motor Vehicle Record (MVR) by the Safety Officer. Upon request, all employees must provide a copy of their current license to the safety officer.
- D. Every employee is required to notify his or her Department Director within one business day of any change in the employee's driver's status this includes but is not limited to civil revocations for impaired driving, suspensions and revocations. Failure to notify one's Department Director of said change shall result in discipline up to and including termination.
- E. No vehicle used for County business shall be driven if the driver has consumed or is under the influence of alcohol or any controlled substance.
- F. The use of tobacco in any form is prohibited in County-owned vehicles.

G. Possession, transportation or consumption of alcohol or illegal drugs by anyone in the vehicle is prohibited. Law enforcement personnel may transport lawfully confiscated items as required and within the scope and course of their official duties.

H. Distracted Driving

Buncombe County has a vital interest in maintaining a safe, healthy and efficient working environment for its employees. This includes a safe and appropriate environment while traveling on County business. Distracted driving is a serious safety risk, not only to the driver, but also to other occupants in the vehicle, other vehicles on the road and pedestrians. In order to reduce the risks associated with distracted driving, certain conduct is prohibited while driving a County-owned motor vehicle or while driving a personal vehicle while on County business, including:

- i. Use of cell phone or other mobile device to text or email while operating a vehicle;
- ii. Operating laptops, tablets, portable media devices, and GPS devices; and
- iii. Reading maps or any type of document, printed or electronic.

Drivers must pull over safely to the side of the road or another safe location before checking messages, returning calls, text messaging, emailing, reading maps for directions, or programming/resetting GPS devices.

Section 5. Use of County Vehicles

- A. County vehicles are assigned to one or more employees for their primary use for County business and obligations. At the end of the workday, all County vehicles are to be parked in their assigned parking area unless specifically otherwise authorized by the respective Department Director.
- B. Employees driving County vehicles must be at least twenty-one years of age.
- C. Employees assigned County-owned vehicles are to take proper care of the interior and exterior appearance and servicing of County-owned vehicles at the scheduled times and/or every 4,000 miles. Failure to do so may result in disciplinary action. Upholding the maintenance requirement is the responsibility of the Department Director.
- D. The vehicle operator of is responsible for routinely checking for proper oil level, water and antifreeze levels, wear on belts, and adequate inflation of tires by reviewing the vehicle manual. The Garage Supervisor will provide training as needed.
- E. When fueling vehicles, the grade of fuel used shall be consistent with the lowest grade as stated in the operator's manual. Exceptions shall only be granted by the expressed written consent of the Department Director.

Section 6. Private Use

- A. General Statutes §14-247, Private Use of Publicly Owned Vehicles, provides:

"It shall be unlawful for any officer, agent or employee of the State of North Carolina, or... County ... to use for any private purpose whatsoever any motor vehicle of any type or description whatsoever belonging to the ...County It is not a private purpose to drive a permanently assigned state-owned motor vehicle between one's official work station and one's home as provided in G.S. 143-341(8)i7a."

- B. Personal use is prohibited. County vehicles are to be used for official County business only and shall not be used for the convenience of the employee with regard to transportation needs or other non-business activities.
- C. The County acknowledges that its employees may need at times, to keep personal items and information stored in or on County Owned Property. However, due to security and accountability concerns, all employees can have no expectation of privacy for personal items/information stored on or in Publicly Owned Vehicles and Publicly Owned Vehicles are subject to inspection at any time without any prior notice. This includes the installation of a GPS device to track the whereabouts of the Publicly Owned Vehicles.
- D. County vehicles may be used to travel to a nearby restaurant for lunch where the cost-benefit in travel time to the work quarters for a personal vehicle would not be in the best interest of the County.
- E. Each Department Director will provide the General Services Department a list of County vehicles assigned for overnight use. The list must include the vehicle number, driver's name, and driver's license number.
- F. Department Directors shall immediately notify the General Services Department of any driver changes to assigned vehicles. Failure to provide driver changes may result in revocation of an assigned vehicle.

Section 7. Commuting

- A. Consistent with policies and procedures for State-owned take-home vehicles, employees assigned County-owned take-home vehicles shall reimburse the County for using these vehicles for commuting to and from work. This rate shall be set at \$3 per day, which also satisfies Internal Revenue Service (IRS) fringe benefit requirements. As a result, no additional attributed income is added to the employee's gross income for taxation purposes.
- B. Reimbursement shall be made by payroll deduction and based upon average annual usage. The bi-weekly deduction is calculated as follows:

365 Average number of days per year

(104) Less average number of Saturdays and Sundays per year

(11) Less average number of Holidays per year

(23) Less average number of PTO/Annual Leave days per year 227 Average number of days vehicle will be used to commute X \$ 3.00 Per day rate= \$ 681.00 Total annual charge for commuting 26 Pay periods per year\$ 26.20 Payroll deduction per pay period

- C. Certain vehicles are excluded from the commuting reimbursement requirement. These exceptions are consistent with those as outlined in IRS Publication 15-B, Employer's Tax Guide to Fringe Benefits. They include most all Sheriff's Office vehicles, the Fire Marshal's vehicle, certain other public safety vehicles, any vehicle designed to carry cargo with a loaded gross vehicle weight over 14,000 pounds, dump trucks (including garbage trucks), flatbed trucks and "qualified specialized utility trucks" which is defined as any truck (not including a van or pick-up truck) specifically designed and used to carry heavy tools, equipment, or parts, if shelves, racks or other permanent interior construction have been installed to carry and store such items. A pick-up truck with only a toolbox attached is therefore not exempt.
- D. If more than one employee is required to commute in the same County owned or leased vehicle for an official government purpose, each employee will be charged the \$3.00 per day commuting charge, based upon IRS requirements.

Section 8. Overnight Assignment (Take-home Vehicle)

- A. Authorized employees may be assigned a take-home vehicle when the best interest of the public is served by providing County employees with safe, dependable transportation for extensive travel during or after working hours, for after-hours response to emergency requests for service, or for an approved, official purpose.
- B. Authorization for use of County vehicles overnight may be granted by the Department Director to specified employees based on the following criteria:
 - 1. Employees whose regular duties require frequent use of a County vehicle overnight and whose responsibilities involve emergency response, afterhours response, evening and weekend duties, public meetings, or other business activities.
 - 2. Employees assigned to stand-by duty who are subject to call or who respond to service requests.
 - 3. Employees on temporary overnight assignment by the Department Director for emergencies or an approved, official purpose.
 - 4. Employees expected to respond when called after hours, unless specifically excused due to authorized leave.

Section 9. Violations

Violations of this policy are considered unacceptable personal conduct and/or misuse of County property. Employees violating the terms and conditions of this policy or misusing or abusing County-owned vehicles may be subject to appropriate disciplinary action, up to and including dismissal.

Section 10. Vehicle Need

- A. County Department's must justify to the satisfaction of the County Manager, or his/her designee, the need for a County-owned vehicle based on whether a vehicle will be used a minimum of 9,900 miles per year. The cost-benefit of paying an employee mileage for use of the personal vehicle versus use of a County-owned vehicle must be documented before a

County-owned vehicle is considered. Evaluation of the ongoing need for County-owned vehicles assigned to a department will be made on an annual basis before bidding new County vehicles.

- B. The County Board of Commissioner's must approve all new vehicle purchases and requests for a vehicle from the surplus list when that vehicle increases the fleet assigned to a department.
- C. Public Safety and special use vehicles required for a specific job function will be considered based on need, usage, and cost-benefits over the life of the vehicle versus mileage limitations.
- D. Each Department Director shall send the County Manager, or his/her designee, a written request for a vehicle to be classified as "special use." If the request is granted, the vehicle shall be coded as "special use" in the vehicle maintenance program.
- E. The County Manager, or his/her designee, may, at the request of the General Services Department, remove or recall any County-vehicle from a department for one of the following:
 - 1. The vehicle does not meet the minimum mileage requirement, excluding "special use" vehicles.
 - 2. Vehicle abuse, which includes but is not limited to, inadequate care or maintenance and damage to a vehicle caused by disregard or improper use.
 - 3. The termination of an employee or position with an assigned vehicle that will not be replaced within a reasonable time period.
- F. Department Directors may submit a written request to the County Manager, or his/her designee, justifying retention of a vehicle removed or recalled because of underutilization.
- G. A Department shall turn in the old vehicle before receiving a replacement vehicle to prevent unnecessary growth of the fleet. Any exception to this requires approval of the Board of County Commissioners.
- H. Department Directors shall complete a vehicle change form in the General Services Department for such action as purchase, sale, disposal, or transfer of vehicle.

Section 11. Department Directors' Responsibilities

It is the responsibility of the Department Director to administer this County Vehicle Usage Policy properly in regards to all County vehicles in his or her department.

Section 12. Exemptions

Sheriff's Office, Emergency Medical Services Department, and Emergency Management Department personnel operating County vehicles are exempt from this policy only to the extent that they are operating within the scope and course of their official duties and such operation is not in violation of North Carolina General Statutes.