

## **ARTICLE 14.7 VEHICLE USE POLICY**

### **Section 14.701, Definitions**

**Assigned Vehicle:** Any motor vehicle designated for the use of an individual employee in the normal performance of his/her duties but not authorized for take-home use.

**Authorized Driver:** A County employee who meets the eligibility criteria to drive a County vehicle as set forth in the *Policies and Procedures for Drivers of County Vehicles*, and has certified an understanding of the rules by signing the Acknowledgement Statement.

**County Administrator:** The person whom is responsible for the implementation of all policies set by the Allegany County Commissioners of Cumberland, MD.

**County Risk Manager:** The person whom is responsible for overseeing vehicle record keeping, maintenance, driver management, insurance and safety.

**County Management:** Top-Level, Middle-Level and Lower-Level Management.

**County Vehicle:** Any motor vehicle titled, rented or leased by the Allegany County Commissioners.

**Commute Miles:** Distance traveled between driver's home and the driver's assigned office location.

**Commute Charge:** A bi-weekly charge assessed to non-exempt authorized drivers for commuting privileges.

**Law Enforcement Officer:** A person who in an official capacity is authorized by law to make arrests.

**Mobile Communication Devices:** A mobile communications device is a mobile telephone, Laptop, wireless personal digital assistant, iPad, or a device combining two or more of these functions.

**Pool Vehicle:** Any County motor vehicle that is not assigned to an individual.

**Take-Home Vehicle:** A County motor vehicle designated for the use of an individual employee in the normal performance of his/her duties including the commute between home and work as defined by IRS Qualified Non-Personal Use Vehicles:

(<https://dbm.maryland.gov/Documents/VehicleFringe/2024-Attachment5.pdf>).

## **Section 14.702, Introduction**

- a. Scope: These policies and procedures apply to all County-owned or leased motor vehicles used for official County business. Unless otherwise provided, all requests, reports and forms required by these policies are to be submitted to the County Risk Manager.

To the extent any County department has policies which address any component of this Driver's Policy, to the extent possible, both policies shall apply. If they cover the same subject matter, the policy which imposes a higher or more stringent standard shall apply. These policies are subject to periodic revision and the most current version's context shall apply.

- b. Exceptions: Exceptions to any of the provisions of the Vehicle Use Policy require written authorization from the County Administrator.
- c. Failure to Comply with Policies and Procedures: Failure to comply with these policies and procedures may subject an employee to disciplinary action, including termination.

## **Section 14.703, Driver and Eligibility Usage of County Vehicles**

Only authorized drivers are eligible to drive a County vehicle. The ability to drive a County vehicle is contingent upon compliance with the Vehicle Use Policy.

Prior to driving a County vehicle, the driver shall sign a **Vehicle Use Policy Acknowledgement Statement**. A copy of the signed Acknowledgement Statement shall be retained by the County Risk Manager and Human Resources. Drivers who do not sign the Acknowledgement Statement are NOT authorized to drive County vehicles.

- a. Driver Eligibility: In order to be eligible to drive a County vehicle a driver must have a valid license to drive in any state or the District of Columbia, an appropriate class of license for the vehicle driven and have five (5) or fewer points on his/her current driving record.

*Eligibility shall be immediately suspended for a driver who, while driving a county vehicle, is charged with any motor vehicle violation for which a penalty of incarceration is possible.* Motor vehicle citations for these violations will indicate that the violation is a "Must Appear" violation and that the driver must appear when notified by the Court. Eligibility shall remain suspended until the County Administrator has reviewed the occurrence, and a decision regarding further action is made.

Employees who are notified of the loss, suspension or revocation of their license to drive in any state or the District of Columbia shall notify their immediate supervisor and Human Resources no later than the next business day. They shall also provide County

management with such information as is requested pertaining to the loss, suspension or revocation.

Employees who are charged with alcohol or drug-related offenses or other driving offenses punishable by incarceration shall notify their department supervisor and Human Resources no later than the next business day and shall promptly inform them of the trial dates and case outcomes.

*Loss, suspension or revocation of an employee's driver's license, who is required to drive as a part of their job duties, could result in termination.*

**The County will not, under any circumstances, permit ignition interlock devices to be installed in its vehicles.**

- b. Driver Record Review: The driving record of each authorized driver will be reviewed by the County when the driver signs the Acknowledgement Statement and when information is received pertaining to an authorized driver's accumulation of points from the MVA's Motor Vehicle Records (MVRs), otherwise affecting driver eligibility. These records are subject to random review as well by the County.

Drivers with out-of-state driver's licenses must provide a certified copy of their driver record to the County when they sign the Acknowledgement Statement, and upon request thereafter. Drivers with out-of-state driver's licenses must notify their immediate supervisor in the event they accumulate more than five (5) points on their driving record. This notification must occur within ten (10) days of the points being assessed.

- c. Permissible Use of County Vehicles: County vehicles are to be used to conduct official County business. Whenever possible, trips should be planned to coincide with other authorized driver travel requirements so that vehicles are used efficiently and economically.
  - i. Other than Police vehicles, County vehicles shall not be used for personal reasons, including transporting friends or members of the family (ex. transporting children to and from school).
  - ii. Passengers in County vehicles are limited to persons being transported in connection with County business. *Transporting employees to or from work is prohibited.*
  - iii. **There shall be no smoking (including e-cigarettes and similar products) in County vehicles and equipment.**

d. Take-Home Vehicle:

- i. A Vehicle Mileage Log shall be maintained in each take home County vehicle and be turned into the County Risk Manager on a quarterly basis.
- ii. All take-home drivers must complete a Vehicle Mileage Log, indicating all destinations and commute mileage. The County is required to maintain these logs for audit purposes.
- iii. All commuting miles will be considered a fringe benefit and will be regarded as taxable income.

e. Safety: All drivers shall operate County vehicles in compliance with the Motor Vehicle Laws of the jurisdiction in which the vehicle is being driven and in a manner that reflects concern for safety and courtesy towards the public.

- i. An authorized driver shall operate a County vehicle in accordance with any license requirements or restrictions, such as corrective lenses, daytime only, etc.
- ii. The driver of a County vehicle shall take every precaution to ensure the safety of passengers. No person may ride in a County vehicle unless properly restrained by a seat belt. **It shall be the driver's responsibility to ensure that all passengers are properly restrained.**
- iii. All traffic and parking laws are to be obeyed. Posted speed limits are not to be exceeded, nor is the vehicle to be operated above safe driving speeds for road conditions. All traffic and parking violations and fines, including any late fees or penalties, are the responsibility of the driver involved. Failure to promptly pay a violation or fine may result in disciplinary action.
- iv. Employees driving County vehicles are required to comply with all state and local laws regarding the use of a mobile communication devices while driving. If a mobile communication device must be used by an employee while driving a County vehicle, a hands-free device must be used. Drivers are encouraged to keep mobile communication device use to a minimum. Whenever possible, employees should not make or receive calls while driving, they should find a safe place to stop to make and receive such calls or text messages. Only in the case of an emergency is the use of a hand-held mobile communications device without a hands-free device permitted.
- v. The driver of a County vehicle shall take every precaution to ensure the safety of the vehicle and its contents. The driver shall lock the vehicle and take the keys.
- vi. Authorized drivers of County vehicles are personally responsible for vehicles operated by them. If a County vehicle is damaged as a result of misuse or gross negligence, the operator of the vehicle may be required to make restitution to the County. If a County vehicle is damaged beyond

repair as a result of misuse or gross negligence the operator of the vehicle may be required to make restitution of the difference between the amount obtained as salvage value and the amount of the then current wholesale value of the vehicle as reported in the *National Auto Research Black Book Used Car Market Guide, MD Edition*.

f. Moving Violation Reporting

An authorized driver, charged with a moving violation or a must appear violation while driving a County vehicle shall notify their department supervisor and the County Risk Manager immediately, and in no case later than the following business day. *Failure to report the receipt of a moving violation or a must appear violation in a timely manner may result in disciplinary action, including termination.*

g. Accident Guidelines and Reporting

If there is an accident involving a County vehicle, the Allegany County Accident Checklist shall be followed. A copy of these guidelines will be kept with the vehicle's registration.

Authorized drivers should familiarize themselves with the Allegany County Accident Reporting Guidelines, which are to be provided to the driver along with a copy of the Vehicle Use Policy. In the event there is an accident involving a County vehicle the Guidelines shall be followed.

An authorized driver, who is involved in an accident while driving a County vehicle, shall report the accident to their immediate supervisor and the County Risk Manager immediately, even if no other vehicle is involved or there are no apparent injuries or damages.

#### **Section 14.704, Vehicle Modification**

Modifications to County vehicles for personal reasons are prohibited. **Bumper stickers and non-county approved decals are prohibited to be placed on any vehicle or equipment.**

#### **Section 14.705, Maintenance and Repairs**

**Driver's Responsibility:** Authorized drivers who are assigned a take-home or pool vehicle are responsible for assuring that their assigned vehicle is properly maintained and clean. Authorized drivers of these pool vehicles are responsible for reporting observed mechanical problems to their immediate supervisor.