

City of New Haven Vehicle Use Policy

Purpose: The purpose of this policy is to define and describe the usage parameters related to the operation of City of New Haven and the New Haven Board of Education (collectively referred to as, the "City") vehicles by City employees, particularly to:

- a) Ensure the safety and wellbeing of City employees
- b) Facilitate the efficient and effective usage of City resources
- c) Minimize liability to the City
- d) Comply with Internal Revenue Service regulations
- e) Establish standard requirements and procedures for all City employees who drive a City Vehicle in the course of City business. In this Policy, the term "City Vehicle" shall be defined as any motor vehicle, including over the road equipment, owned or leased by the City of New Haven.

Issuing Authority: The Chief Administrative Officer is the issuing authority for this policy.

Enforcement Authority: Daily administration and enforcement is the responsibility of all Coordinators & Department Heads. Nothing in this policy prohibits a Department Head from requiring stricter or more extensive requirements of drivers by Department policy/procedure or as may be required by State or Federal regulations.

Policy

Section 1. General Vehicle Policy

This policy applies to all employees who operate City Vehicles of any type on either a regular or occasional basis. The City reserves the right to deny any employee the use of a City Vehicle and, in the case of losses or liability of any kind arising out of use of a City Vehicle, may choose not to indemnify any employee who fails to adhere to the policies and procedures contained in this document. Furthermore, any City employee that does not adhere to this policy and corresponding procedures may be subject to appropriate disciplinary action up to, and including, termination.

- a) In order to be authorized to operate a City Vehicle, an operator must be an employee of the City and must possess a valid State of Connecticut Driver's License. This license must be the appropriate license for the equipment to be operated.
- b) Prior to operating a City Vehicle, an employee must (i) have written authorization from his/her Department Head to operate a City Vehicle; (ii) accept and agree to this Vehicle Use Policy by signing below; and (iii) submit the signed Vehicle Use Policy to the Department Head together with a copy of his or her driver's license and, if the license is a Commercial Driver's License ("CDL"), medical card (as required by Section 1(c) below). Further, upon renewal or replacement of any Driver's License, each employee shall submit the updated Driver's License to the Department Head. An employee may be prohibited from operating a City Vehicle for failure to submit this information. The Department Head shall submit a copy of this policy signed by the driver together with a copy of both the driver's license (including any renewed or otherwise

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updated driver's license) and medical card, as applicable, to the Controller or the person designated by the Controller to handle risk management issues (the "Risk Management Coordinator") and to Human Resources. Additionally, the Department Head shall submit an annual listing of authorized drivers in his/her department to the Chief Administrative Officer and the Office of Corporation Counsel.

- c) Any employee who maintains a CDL must also maintain a current medical card in accordance with State and Federal Regulations. Any operator of a commercial type truck or truck-trailer combination in excess of 10,001 pounds must possess a medical card in accordance with State and Federal regulations. A copy of the current medical card must be submitted to their Department Head even if they do not routinely operate or are assigned to a commercial motor vehicle. Also, each time the medical card is updated (every two years or sooner based on medical examination), the employee shall submit a copy of the updated card to the Department Head and the Department Head shall submit a copy of the same to the Risk Management Coordinator and to Human Resources. The employee may be prohibited from operating a City Vehicle for failure to submit this information.

- d) In the event an employee's driver's license is suspended for any reason, that employee shall promptly notify their immediate supervisor and Department Head in writing within one working day after suspension and a copy of that notice shall be forwarded by the supervisor to the Risk Management Coordinator and Human Resources. The employee shall not operate a City Vehicle during the term of the stipulated suspension.

- e) The driver and all occupants of any City Vehicle must wear seat belts at all times the City Vehicle is in use. The driver is prohibited from using a hand held phone/device while operating a City Vehicle and if the driver uses any type of head set, at least one ear must be unblocked to hear any surrounding warning sounds.

- f) The driver of any City Vehicle shall, at all times that the driver is operating a City Vehicle, obey all traffic laws and have his/her driver's license on his/her person. It is incumbent upon all operators of City Vehicles to follow all motor vehicle laws, rules of the road, and operate the vehicle in a safe and courteous manner. The City shall periodically provide mandatory driver safety courses and all authorized drivers shall attend said safety courses as directed by the City. These courses shall provide employees with an overview of the concepts of safe driving. Authorized drivers must attend these courses when scheduled in order to have continued permission to drive.

- g) The use of alcohol, illegal drugs, or any drugs or substances that may affect the employee's ability to drive safely is prohibited.

- h) Each City Vehicle shall be operated only by an employee who has been assigned use of such City Vehicle in accordance with the procedures established by their Department Head and approved by the Chief Administrative Officer.

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- i) In the event of a City Vehicle accident, it is the driver's responsibility to immediately notify police and their immediate supervisor and ensure that a Police Accident Report is completed at the scene. The driver's immediate supervisor is to notify their Department Head, the Risk Management Coordinator and the Office of Corporation Counsel immediately. The Department Head, or a person designated by the Department Head, shall promptly complete the City's internal Motor Vehicle Accident Report Form and submit it to the Office of the Corporation Counsel. Failure to report an accident in accordance with this provision may result in immediate revocation of driving privileges. In addition, failure to report accidents in accordance with the above requirements may result in claims being charged to the Department's budget.
- j) It is the responsibility of each City employee to report any and all vehicular infractions issued against him/her while operating a City Vehicle to his/her Department Head, who will then forward copies to the Risk Manager Coordinator and Human Resources. Failure to report an infraction in accordance with this provision may result in immediate suspension or revocation of City Vehicle driving privileges. Payment of any fines or legal costs associated with vehicular infractions incurred while operating a City Vehicle shall be the sole responsibility of the driver and/or the employee assigned to the City Vehicle. Based on the severity of the vehicular infraction, the employee may be prohibited from operating a City Vehicle.
- k) The City reserves the right to verify an employee's driving record through the Department of Motor Vehicles, on a random basis. Further, the City reserves the right to evaluate such record, together with the employee's personnel files and any other applicable information, in making decisions with respect to such employee's authorization to drive a City Vehicle.
- l) Except as limitedly provided in Section 3 below, personal use of any City Vehicle is strictly prohibited.
- m) Except for City Vehicles used by Control Employees, as defined below, City Vehicles shall not be taken outside of the State of Connecticut without the express written authorization of the Department Head, Coordinator and Chief Administrative Officer.
- n) The transportation of Hazardous Materials must be in accordance with Department of Transportation regulations and approved in writing by the appropriate Department Head. Shipping through approved carriers whenever possible is recommended. If flammable liquid must be transported, it must be transported in accordance with all federal, state and local regulations.
- o) Firearms are not allowed in a City Vehicle at any time except as permitted by the City Weapons Policy.
- p) Non-employees, off duty employees, unauthorized persons and animals are not permitted in City Vehicles at any time, without the express permission of the driver's

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supervisor.

- q) Hitchhikers are prohibited in City Vehicles at any time.

Section 2. Vehicles and Equipment Pools Available for Employee Use

There are a variety of citywide and departmental vehicle and equipment pools for work-related use. Individual departments shall establish departmental procedures for access and use of the pool vehicles.

a) *Department Pool Vehicle and Daily Assignments from Department Equipment Pools:* Vehicles in this category shall be operated by the employee who has signed out the use of the vehicle. All employees should present their valid and appropriate Connecticut driver's license when picking up a pool vehicle. Vehicles shall be garaged at the work site.

b) *Downtown Car Pool:*

Vehicles in this category may be signed out at one of several Coordinators' offices. Each office will be responsible for maintaining a sign out log with the employee's name, department, time taken, time returned, starting and ending mileage and vehicle number. City pool vehicles are to be returned to the lot from which they were removed with the parking brake set and the vehicle locked. Immediately thereafter, employees shall return the pool vehicle keys to the issuing Coordinator's office and complete the car pool log by entering the starting and ending mileage from the vehicle's odometer, at the time returned. A vehicle inspection report must be returned with the vehicle keys at the end of each employee's use. The employee is to note any damage or mechanical problems. Failure of the employee to complete this form may result in the employee being held responsible for any damage discovered on the previously assigned vehicle. Coordinators will forward a copy of the form to the designated manager of the fleet in which the City Vehicle is a part. If there is an urgent problem with the vehicle, said manager must be contacted immediately. Pool vehicles must be returned to the lot with a minimum of one-half tank of fuel. Pool vehicles are to be refueled at the Public Works garage at 34 Middletown Avenue. Drivers must report to the garage office to get fuel.

c) *On-call Emergency/Overnight*

Use:

City vehicles may be assigned by Department Heads to an on call employee for overnight use for work related activities only; personal use of such vehicle remains strictly prohibited. Vehicles may only be garaged overnight at the employee's residence when the employee is officially on-call.

Section 3. Vehicle Assignments for Exclusive Use

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A Department Head, upon approval from the Chief Administrative Officer, may assign a City Vehicle to an employee for exclusive use when such employee may need to respond, at any time, to work related appointments and emergencies. These employees have 24-hour use of their assigned vehicles and may garage them at their residences overnight due to the duties of their positions. The Chief Administrative Officer shall maintain a list and review all exclusive use assignments. Any employee with an assigned exclusive use vehicle shall comply with the rules established by the United States Internal Revenue Service as follows:

- a) The Mayor and the Chief of Police (the "Control Employees") shall have unrestricted business and personal use of their City Vehicles and shall annually report to United States Internal Revenue Service, together with their tax statements, their personal use of City Vehicles as a fringe benefit. The personal use of the City Vehicle shall be calculated by using the Lease Value Method as defined in _____ which is currently: _____
- b) Non-Control Employees' personal use of City Vehicles shall be limited to roundtrip commuting between such employee's residence and place of work and for de minimis stops during such commute. Unless an Exempt Employee, as hereinafter defined, each such employee will be assessed a daily rate for his/her round trip commute per the IRS "Commuting Rule" as more particularly described in _____. Such assessment will be automatically deducted from the employee's weekly paycheck to reimburse the City for such personal use of the City Vehicle. Further, such employees shall maintain accurate records of their use of the vehicle including, at minimum, the locations travelled to and the amount of mileage used each day. Without limiting the generality of the foregoing, any personal use (as limited herein) shall be recorded and maintained by such employee. The City reserves the right to audit such records at any time at the City's sole discretion.
- c) Exempt Employees: Public Safety Officers who drive City Vehicles that are clearly and conspicuously marked by the City and Law Enforcement Officers in unmarked vehicles (collectively, the "Exempt Employees") are not required to reimburse the City for any personal use of a City Vehicle, however, such employee's personal use of the vehicle shall be limited by Section 3(b) above. The term "Public Safety Officer" is defined as an individual serving a public agency in an official capacity, with or without compensation, as a Law Enforcement Officer, a firefighter, a chaplain, or as a member of a rescue squad or ambulance crew. The term "Law Enforcement Officer" is defined as a person that: (a) is a full time employee of a governmental unit that is responsible for preventing or investigating crimes involving injury to persons or property (including catching or detaining persons for these crimes); (b) is authorized by law to carry firearms, execute search warrants, and to make arrests; and (c) regularly carries firearms, except when it is not possible to do so because of the requirements of undercover work.

Section 4. Outside Contractor Use of City Vehicles

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Any contractor and their employees who are authorized to use a City Vehicle must fully comply with the "City of New Haven – Vehicle Use Policy". Such authorization for use of City Vehicles must be documented in the contract between such contractor and the City.

Section 5. Acknowledgement of Policy

The signature of an employee below is an acknowledgement of receipt of this policy by the employee and is a certification by the employee that he/she will, comply with all of the provisions herein.

Issuing Authority: _____

Effective Date: _____

Employee Acknowledgment & Signature: _____

Print Name: _____

Previously Revised: 8/98 4/00 12/09

A copy of this policy is available for review at the Department of Human Resources, and on the City's computer network at N:\POLICIES or on the City's website at:
www.cityofnewhaven.com/HumanResources/Policies.asp