

MENDOCINO COUNTY POLICY #26	OPERATION OF <u>VEHICLES ON COUNTY BUSINESS</u> <u>VEHICLES (VEHICLE FLEET)</u>
ADOPTED: May 18, 1993	ADOPTED BY: Resolution #93-074
AMENDED: February 26, 2002	AMENDED BY: Resolution #02-036
AMENDED: October 25, 2005	AMENDED BY: Resolution #05-190
AMENDED: February 9, 2010	SUPERSEDED BY MINUTE ORDER – Effective February 9, 2010
<u>AMENDED:</u>	<u>AMENDED BY:</u>

1. Fleet Management and Administration

1.1 Purpose

1.1.1 The Mendocino County Board of Supervisors has ~~established a Vehicle Use Ordinance (adopted Mendocino County Code (“MCC”) Chapter 3.12–The County Vehicle Policy)~~, which is incorporated herein by this reference. This Policy No. 26 further augments MCC Chapter 3.12 and defines the responsibilities and management of the vehicle fleet for officers and County employees during the conduct of official business.

~~1.2 Use of County Owned Vehicles~~

~~1.2.1 County Ordinance 3.12 is hereby incorporated by reference in its entirety and is controlling as to the use of County owned vehicles.~~

~~1.2.2 Vehicles shall only be used for official County business. All County owned and privately owned vehicles being operated for County business shall be operated in accordance with all safety and legal requirements of the County, State, and any other jurisdiction in which they are operated.~~

~~1.3.1.2~~ Policy Administration and Oversight

~~1.3.1~~

~~1.2.1~~ The GSA Director/Chief Executive Officer (CEO) or designee shall be responsible for ensuring uniform application and interpretation of policy. The GSA Director, in consultation with the CEO, considersThe CEO or designee shall consider proposed exceptions to the policy for maximum benefit to the County.

~~1.4.1.3~~ Central Fleet Management

~~1.3.1~~

~~1.3.1~~ It is the policy of the County to provide for central management of its fleet of vehicles and motorized equipment, including purchases, ownership, maintenance, repair, replacement, and disposal. Departments and offices are responsible for scheduling routine maintenance and repairs. Records of any repairs, maintenance, or modifications to a vehicle shall be provided to the Facilities and Fleet Division for retention. See also Section 1.6 below for additional vehicle data monitoring requirements.

~~1.3.2~~ ~~1.4.2~~ The management of vehicles added to the fleet (as approved by the CEO and the Board of Supervisors) shall be under the direction of the GSA Director/CEO or designee, unless otherwise specified, pursuant to legal or funding mandates.

1.5.1.4 Additions to the Fleet

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1.4.1 Additions to the fleet are to be requested by County departments in the budgetary process so long-term funding will be available for future replacement of the unit. Units are initially funded in the requesting department's operating budget request.

~~1.5.2 If the vehicle is allocated as a department assigned vehicle, the Vehicle Replacement Fund will fund subsequent replacement. If the vehicle is assigned as a department owned vehicle, the specific department's operating budget will fund subsequent replacement.~~

1.6.1.5 Vehicle Allocation

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1.5.1 The Board of Supervisors is responsible for adopting a Resolution annually concerning the number of vehicles allocated to departments, types of vehicle assignments, additions to the fleet and authorization of routine overnight custody of vehicles to employees.

~~1.6.2 The Board of Supervisors has delegated hereby delegates the responsibility to monitor and control the number of vehicles allocated to departments to the General Services Agency.~~

~~1.5.2 1.6.3 The Board Facilities & Fleet Division of Supervisors directs that vehicle the Executive Office ("Facilities & Fleet Division").~~

1.5.3 Vehicle assignments shall be based upon actual, demonstrated and compelling need in the conduct of official County business (pursuant to MCC Chapter 3.12).

1.6 Vehicle Mendocino County Code Data Reporting

1.6.1 The County may install devices that provide advanced vehicle tracking on County vehicles to provide data on employee vehicle driving, including, but not limited to vehicle health assessments, real time collision detection, location monitoring and vehicle speed information. Such devices may also provide real time in vehicle driver coaching for County vehicles.

1.6.2 Vehicle usage data will be compiled by the Facilities & Fleet Division and provided to Department Heads and Elected Officials on a routine basis or upon written request. This data may be used for, but not limited to, tracking vehicles, instructional opportunities, and disciplinary action.

1.6.3 Certain offices and departments as provided in MCC Section 3.12) — .030 are exempted from vehicle data reporting as provided by that Section and shall be subject to separate vehicle tracking procedures or systems.

2. Standards for Driving on County Business

2.1 All County-owned and privately owned vehicles being operated for County business shall be operated in accordance with all safety and legal requirements of the County, State, and any other jurisdiction in which they are operated.

2.2 Safety

~~2.2.1~~ ~~Seat belts shall be used at all times by the driver and all passengers in a privately owned vehicle while on County business. (CVC 27315(d)(1), (e)).~~

~~2.2.2~~ ~~All children riding in a privately owned vehicle on County business shall be properly seat belted. Child safety seats shall be used as required by the California Vehicle Code. (CVC 27360 through 27364)~~

2. Fleet Financing

2.1 Internal Service Fund

~~2.1.1~~ ~~The Facilities & Fleet Division shall use an internal service fund for management of vehicle operations and replacement.~~

~~2.1.2~~ ~~Long Term Fund for Replacement: The internal service fund for vehicle replacement shall contain adequate surplus with consideration for its liability to departmental vehicle users.~~

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~~2.2.13~~ ~~Consumption of alcohol, drugs or other intoxicants are strictly prohibited when operating a vehicle on County business.~~

~~2.2.24~~ ~~Privately owned vehicles shall be in sound mechanical condition adequate for providing required transportation in a safe manner.~~

~~2.2.35~~ ~~California Vehicle Code Section 23123 prohibits all drivers from using a handheld wireless telephone while operating a motor vehicle, unless using a hands-free device.~~

2.3 Incident Reporting

~~2.3.1~~ ~~Any driver who receives a traffic citation, other than for illegal parking while operating a vehicle on County business, shall report such citation to his/her department head or elected official. All traffic or parking citations are the sole responsibility of the driver.~~

~~2.3.2~~ ~~Any driver who is in a vehicle accident while conducting County business shall report the incident to his/her department head or elected official.~~

2.2 Vehicle Cost Recovery

~~2.2.1~~ ~~The vehicle charging structure is intended to recover maintenance and operating costs and capital needed for vehicle replacement.~~

~~2.2.2~~ ~~Departments are required to budget for expenses and monthly billings that are charged to generate the revenues required. County departments are charged replacement rate and a variable operational rate.~~

~~2.2.3~~ ~~Other charges for services may be assessed for any vehicle as direct charges. These include replacement of lost, stolen, or commercial fuel credit cards, damage to fuel station or other equipment, replacement of lost or stolen keys, accidents, abuse, and misuse on the part of the driver/operator.~~

~~2.2.4 Equipment that is added to vehicles and increases its capitalized cost such as light bars, two-way radios, cabs, etc. are budgeted by County departments. A replacement schedule is also developed for this equipment so that it is replaced in a timely manner.~~

~~2.2.5 There shall be an incremental replacement reserve determined as the cost of a new unit in the class of vehicle for inclusion in the replacement charge for all vehicles to cover cost increases and inflation. This shall be done on an annual basis in the development of rates and charges.~~

~~2.2.6 Totaled or Wrecked Vehicles: County owned vehicles are self insured by the County. The County shall create a physical damage insurance account to finance the replacement or repair of wrecked vehicles. Repair or replacement of a damaged vehicle is charged back to the Department via their allocated insurance premiums.~~

~~2.2.7 Surplus Vehicle revenues shall be used to offset and fund replacement of the fleet.~~

3. Use of Privately Owned Vehicles on County Business

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3.1 Definition and Use

~~3.1.1 Drivers are encouraged to should use County vehicles when they are available. Factors to be considered when deciding between the appropriate use of a County vehicle versus a privately owned vehicle include availability of County vehicles, cost of a County vehicle versus mileage reimbursement, the appropriateness of the vehicle for the required use and best use of drivers' time, and operational efficiency. Departments are responsible for determining which option best meets the needs of the County.~~

~~3.1.2 3.2~~ A "privately owned vehicle" is herein defined as an automobile, truck, or van. Motorcycles, mopeds, motorized scooters, or similar vehicles may not be used to conduct County business.

~~3.3 Seat belts shall be used at all times by the driver and all passengers in a privately owned vehicle while on County business. (CVC 27315(d)(1), (e))~~

~~3.4 All children riding in a privately owned vehicle on County business shall be properly seat belted. Child safety seats shall be used as required by the California Vehicle Code. (CVC 27360 through 27364)~~

~~3.5 Consumption of alcohol, drugs or other intoxicants are strictly prohibited when operating a vehicle on County business.~~

~~3.1.3 3.6~~ A privately owned vehicle while being used for County business shall not be operated while in a known dangerous or defective condition.

~~3.1.4 Privately owned vehicles shall be in sound mechanical condition adequate for providing required transportation in a safe manner and be meet all legal requirements to be operated on public roads.~~

~~3.7 Any driver who receives a traffic citation, other than for illegal parking while operating a privately owned vehicle on County business, shall report such citation to his/her department head. All traffic or parking citations are the sole responsibility of the driver.~~

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3.1.5 Drivers not in compliance with these minimum standards shall not be authorized to drive their privately owned vehicles on County business.

3.2 Insurance

3.2.1 Privately owned vehicles shall be adequately insured. The liability insurance on any private vehicle used in County business must conform to the minimum requirements set forth in the financial responsibility section ~~(16020)~~ of the California Vehicle Code- (Section 16020). Proof of insurance shall be provided by the employee upon the request of the Department Head when use of privately owned vehicles is occurring.

~~3.9 Privately owned vehicles shall be in sound mechanical condition adequate for providing required transportation in a safe manner.~~

3.2.2 ~~3.10~~ The cost of damage and/or wear and tear to a privately owned vehicle used on County business is the responsibility of the owner of the vehicle.

~~3.11 Drivers not in compliance with these minimum standards shall not be authorized to drive their privately owned vehicles on County business.~~

3.2.3 ~~3.12~~ If a driver is involved in a collision or incident in a privately owned vehicle while on authorized County business, the driver's automobile insurance is primary to any other coverage.

3.2.4 ~~3.13~~ When a driver is required to use his/her personal vehicle and is involved in a vehicle ~~collision~~ collision in his/her personal vehicle while conducting County business and it is determined by the appropriate law enforcement agency that ~~the driver is not at fault~~, the County will reimburse any insurance deductible expense up to a maximum of \$5001,000.

~~3.14~~

3.3 Reimbursement

3.3.1 When County employees use a privately owned vehicle on County business, they shall be reimbursed at the current published IRS reimbursement rate. Claims for mileage reimbursement shall be submitted on County claim forms and processed in accordance with the County Auditor's procedures. (Refer to Mendocino County Policy No. 18, "Travel and Meal Policy".)

4. County Departments: Program & Responsibility

4.14. Department Head and Officer Responsibilities

Each County Department Head and Officer is responsible for the following:

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4.1 Adhering to policies, procedures, and programs pertinent to the utilization of vehicles in the conduct of official business.

4.2 ~~4.1.2~~ Enforcing the General Services Agency Facilities & Fleet Division rules and regulations with regard to the operation of vehicles as set out by County policies, procedures and programs enacted by the Board of Supervisors and the CEO.

- ~~4.3~~ ~~4.1.3~~ Ensuring that departmental employees maintain the proper operator license and comply with all Federal, State and local laws relating to the operation of motor vehicles.
- ~~4.4~~ ~~4.1.4~~ Providing the ~~General Services Agency copies of~~ Facilities & Fleet Division employee drivers license information pursuant to ~~Mendocino County Code Section~~ MCC Chapter 3.12.
- ~~4.5~~ ~~4.1.5~~ Ensuring that all employees comply with County insurance requirements for using privately-owned vehicles in the conduct of official business (~~refer to see~~ section 3.82.1 above).
- ~~4.6~~ ~~4.1.6~~ Assign the authority to operate a vehicle on County business, outside the County limits, or for intermittent overnight custody.
- ~~4.7~~ ~~4.1.7~~ Comply with County rules and regulations relative to the care and maintenance of vehicles.
- ~~4.8~~ ~~4.1.8~~ Ensure that employees report vehicle accidents to both local law enforcement and County officials.
- ~~4.9~~ ~~4.1.9~~ Ensure that employees report mileage and costs to appropriate officials.
- ~~4.10~~ ~~4.1.10~~ Take disciplinary action, including suspension or dismissal in accordance with MOU's, against employees who misuse County vehicles.

~~5.~~ Hands-Free Devices

~~5.1~~ Effective July 1, 2008, California Vehicle Code (VC) § 23123 prohibits all drivers from using a handheld wireless telephone while operating a motor vehicle, unless using a hands-free device.

~~6.5.~~ Vehicle Identification

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~~5.1~~ All County-owned and operated vehicles shall have the placement of the County 'seal/logo' on all County-owned vehicles. -Departments must submit requests for unmarked vehicles (without the County seal/logo affixed) and provide adequate justification for each unmarked vehicle request. -An example of a justifiable unmarked vehicle request would be to ensure the protection of employee safety by providing identity discretion for Sheriff's, Child Support Services, and/or District Attorney investigative vehicles, etc.

~~5.2~~ ~~6.2~~ Unless otherwise approved by the ~~GSA Director~~ CEO or designee, all County vehicles shall be identified by a vehicle number affixed to the left rear bumper. -A County seal shall be affixed to the driver and passenger doors of all vehicles.

~~4.6.~~ Vehicle Disposal

~~4.6.1~~ The Facilities & Fleet Division is responsible for disposing of surplus vehicles promptly after replacement for the most attractive price available via County auction or sealed bid, with the approval of the ~~County GSA Director~~ Purchasing Agent or designee. Targeted replacement guidelines are included in the ~~Budget~~ budget process each year.