

TOWN OF SANDWICH
VEHICLE USE POLICY
(Policy Attachment #10)



JULY 21, 2022

Amended:

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July 26, 2012
September 16, 2010

MUNICIPAL VEHICLE USE POLICY

TOWN OF SANDWICH

I Purpose:

The purpose of this policy is to set forth the guidelines under which town vehicles will be authorized to Town personnel and the guidelines under which Town vehicles may be used. This policy is used to supplement additional policies which may exist within each department.

II Applicability:

The provisions of this policy apply to all General Government employees, excluding the Police Chief and the Fire Chief. Employees whose employment is regulated by collective bargaining agreement are subject only to those provisions of this policy not specifically regulated by agreement.

III Categories of Municipal Vehicle Use:

Work Use Only – Vehicle is used at work only and remains at issuing department's location at the end of the employee's work shift (applies to personnel whose duties require the use of a town vehicle during their shift).

Work & Commuting Use – Vehicle is used at work and for commuting back and forth to the employee's primary residence (applies to certain personnel whose duties require them to be on-call to regularly respond to work during nights and weekends).

24-Hour Use – Vehicle may be used at all times of the day for professional and personal use due to the 24/7 nature of the employee's duties (applies to certain public safety personnel.)

IV Vehicle Assignment & Authorization:

1. General Assignment- The general assignment of municipal vehicles may require employee access to municipal vehicles, either during the work shift or on a 24-hour on-call basis. Town vehicles are not personal vehicles and are not for personal use. Town vehicles should be viewed as belonging to the citizens of the Town and are assigned solely for the purposes consistent with providing services to those citizens.

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The assignment of municipal vehicles during work time is based upon job description. Appointing authorities who have municipal vehicles available for this purpose may assign such vehicles in a manner consistent with departmental workload and employee function. The assignment of vehicles may be rescinded at any time by the Town Manager or appointing authority/department manager.

2. 24 Hour Use- The assignment of vehicles for 24-hour use will be made in writing by the Town Manager, and will only be considered for employees who require a vehicle for the ordinary and necessary discharge of their job functions. Criteria which will be used in the determination of eligibility for 24-hour vehicle use include:

- Requirement for frequent emergency availability or officially designated on-call
- Issuance of a pager or other communication device;
- Emergency or other equipment contained in the vehicle; and/or
- No town facility is available for garaging in a safe and convenient location.

Vehicle use is limited to travel to and from the residence and place of work. The vehicle should be driven over the most direct route taking into account road and traffic conditions. The vehicle should not be utilized for travel outside a direct commuting route for personal reasons.

If an employee is transporting non-Town personnel in a municipal vehicle and is called to an emergency, then the employee will take all reasonable actions necessary to ensure the safety of the passenger for the duration of the emergency.

Employee's assigned municipal vehicles on a 24-hour basis will be given a copy of this policy and will be required to sign a confirmation of receipt.

3. Change of Authorization – The Town Manager or department head may rescind and /or change an existing vehicle assignment, including 24 hour use and work shift, and use authorization whenever an applicable position becomes vacant; the authorized is mis-used; an employee is on leave (paid or unpaid) or when the position's duties are changed to a significant degree to warrant such reassignment or at discretion of Town Manager or department head. The Town Manager may also seek to change or modify the existing authorized use of a municipal vehicle for any incumbent union employee during collective bargaining. For example, if a position's on-call response requirement is infrequent, the Town

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Manager may elect to authorize the employee to have work-only use of a municipal vehicle.

V. Report of Accidents

Whenever a municipal vehicle is involved in an accident, or subject to damage, or in the event an employee's personal vehicle is damaged during an approved, work-related trip, the employee operating the vehicle is required to immediately notify his/her immediate supervisor. The supervisor is to contact the Town Manager's office and complete the appropriate insurance forms.

The town does not assume responsibility for accidents, damage, or other negative impacts on personal vehicles when operated for the purpose of municipal business.

VI: Registering and Insurance a Vehicle

Whenever a new vehicle is purchased and registered, the Town Manager's office must be notified and appropriate paperwork completed immediately to add the vehicle to the Town's insurance policy.

VII: Identification and Procurement of Municipal Vehicles

All municipal vehicles, except certain police vehicles, shall be conspicuously marked as a Town of Sandwich vehicle with the name of the department on both sides of the vehicle and shall have municipal license plates. The Town Manager may grant special exception to this rule if sufficient written justification is presented by the department head.

All municipal vehicles shall be purchased in accordance with applicable public procurement laws to ensure competitiveness and best price.

VIII: Fringe Benefit Tax Reporting

Federal and State law requires employers to include "Fringe Benefit Income" on employee W-2 forms submitted to the IRS and DOR. Such fringe benefits include the employee's use of an employer-provided vehicle for commuting purposes at \$3.00 per day commuting rate as established by the IRS (subject to IRS changes). The Town shall use this method for tax reporting purposes.

Police and Fire vehicles may be exempt from the fringe benefit income reporting requirements as specified by IRS requirements.

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IX: General Rules Governing Municipal Vehicle Use

- 1) Municipal vehicles may only be used for legitimate municipal business and if applicable, authorized commuting purposes and other approved uses. If commuting use is authorized, then it is limited to travel to and from the employee's principal residence and place of work. The vehicle should be driven over the most direct route taking into account road and traffic conditions. Other approved uses shall be authorized by the department head.
- 2) Municipal vehicles other than those designated for 24-hour use are to be used to transport individuals who are engaged in municipal business. Passengers shall be limited to Town employees and individuals who are directly associated with Town work activity (committee members, consultants, contractors, etc.).
- 3) Vehicles should contain only those items for which the vehicle is designed. The Town shall not be liable for the loss or damage of any personal property transported in the vehicle.
- 4) Employees are expected to keep municipal vehicles clean, free of household trash (e.g. coffee cups, wrappers, etc.) and to report any malfunction or damage to their supervisor immediately.
- 5) Employees assigned vehicles are expected to park such vehicles in safe locations.
- 6) Employees (both driver and passengers) must wear seatbelts in vehicles so equipped during operation of the vehicle
- 7) Employees must turn the municipal vehicle ignition off, remove keys and lock municipal vehicle when unattended unless the vehicle is being used in the performance of its duties.
- 8) All operators of vehicles that require a CDL license must be tested for drugs and alcohol as provided by US DOT regulations and the town drug/alcohol policy.
- 9) Employees may not operate municipal vehicles under the influence of alcohol, illegal drugs, or prescription drugs or medications that may interfere with effective and safe operations.
- 10) Employees may not operate municipal vehicles while texting.
- 11) The town discourages the use of cell phones while operating a municipal vehicle. Town employees will comply with current state law required in use of cell phones in vehicles while operating the said vehicle.
- 12) Smoking is prohibited in all municipal vehicles.
- 13) Employees who operate municipal vehicles must have a valid motor vehicle license issued by the state of their current residence and may be required to provide proof of valid motor vehicle license once every six (6) months.

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- 14) All new drivers must allow a motor vehicle record check prior to driving any town owned vehicle. This record check will be done every other year thereafter. Employees will notify Town Manager and Department Head if change in Driver's license status changes. Any positive drug test may result in revocation of an employee's privilege to operate municipal vehicles whether it occurred on duty or not. If operating a municipal vehicle is an essential job function, reclassification or termination could result.
- 15) Employees driving municipal vehicles shall obey all applicable traffic and parking regulations, ordinances, and laws.
 - a. Employees who incur parking or other fines in municipal vehicles will generally be personally responsible for payment of such fines unless the payment of such fines is approved by the Town.
 - b. Employees who are issued citations for any offense while using a municipal vehicle must notify their supervisor immediately when practicable, but in no case later than 24 hours. Failure to provide such notice will be grounds for disciplinary action.
 - c. An employee who is assigned a municipal vehicle and 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 in his or her personal vehicle or in a municipal vehicle, must notify his or her supervisor immediately when practicable, but in no case later than 24 hours. Conviction for such an offense may be grounds for loss of municipal vehicle privileges and/or further disciplinary action.
- 16) No employee may use a municipal vehicle for out of state use without advance approval of the Town Manager.
- 17) Under NO circumstances will any person ride in the body of a truck, or in a trailer or bucket of a loader or backhoe.
- 18) The town reserves the right to withdraw the privilege of using a municipal vehicle based on the employee's driving record.
- 19) During a leave (paid or unpaid) the employee will return the vehicle to their department immediately.
- 20) Town fuel should be used for town vehicle and equipment only. Personal uses are strictly forbidden.
- 21) Parking spaces in the front of the town buildings are for use of the public and should not be utilized by employees if at all possible.

X: Use of Personal Vehicle for Town Business:

Mileage Travel Reimbursements – Expense reimbursement is intended for travel outside the Town of Sandwich. Employees will not be reimbursed for the use of a personal automobile within the Town of Sandwich without advance approval of

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the department head or Town Manager or unless specifically authorized by a collective bargaining agreement.

When an employee is authorized to use a personal automobile for work-related travel, he/she shall be reimbursed at a rate established by the Board of Selectmen upon the recommendation of the Town Manager.

The mileage rate is intended to include the costs of gasoline; repairs, insurance, and general wear and tear on the automobile.

The Town will not reimburse both mileage and lodging for the same event. Whenever lodging is provided, the initial and return trip shall be the only mileage eligible for reimbursement. If the employee chooses to commute rather than use the lodging provided, they will not be reimbursed for the subsequent mileage that occurred due to their decision to commute.

In addition to the mileage rate, the Town will reimburse employees authorized to travel; outside Sandwich, driving personal or municipal vehicles, for tolls and reasonable parking expenses, when receipts are provided. Employees will not be reimbursed for tolls which would normally be paid by the employee during his/her commute to work.

The town retains the right to require employees who are reimbursed for work-related travel, to show proof of the following minimum levels of insurance coverage:

1. Bodily injury: \$100,000/ \$300,000
2. Property Damage \$50,000

XI Special Circumstances

This Policy is intended to provide a basic framework governing the use of personal and municipal vehicles in the Town of Sandwich, and, as such, cannot contain procedures governing every situation that might arise. Department heads seeking clarification of or exemption from the provisions of this policy should contact the Town Manager who will provide such clarification and may authorize exceptions to the policy under mitigating circumstances.

XII Sanctions

Failure to comply with any and all provisions of this policy may result in disciplinary action up to and including removal of Town vehicle privileges, suspension, and/or termination from Town service.