

## **Montgomery County Vehicle Use Policy**

**Purpose:** This policy establishes procedures regarding the assignment of County vehicles, use of County vehicles, and business use of private vehicles. This applies to all County employees unless otherwise noted within the policy.

It is the policy of the County to reimburse its employees, elected officials, and appointed officials for travel and transportation expenses directly related to official business of the County. All travel costs will be paid directly to the individual incurring the expense and may not be billed to the County without prior approval of the Department Head or Finance Officer.

This policy is also prepared according to the Federal Tax Act of 1985 and North Carolina General Statutes 14-247, which establishes procedures regarding reporting of income and withholding of taxes.

### **Definitions:**

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

**Take-Home Vehicle:** A County-owned vehicle designated for the use of an individual employee in the normal performance of his/her duties including the commute from home to work.

**Mileage Reimbursement:** A per mile rate to compensate employees for the incidental, non-routine, or extraordinary use of a privately owned vehicle for official business, based on actual logged miles.

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### **Assigned Vehicles:**

Only Montgomery County employees on bonafide County business and authorized by the department head may drive or operate County vehicles or equipment.

County-owned vehicles are to be used for official business only with reasonable consideration for use for meals, while in the course of performing business on behalf of the County. For individuals assigned vehicles for overnight use, stopping between work and home to perform brief minor personal business may be acceptable, but any such use should be the exception rather than the rule, and only if the stop is directly in route from work to the employee's residence.

County-owned vehicles are not assigned for nor shall they be used for the convenience of the employee with regard to transportation needs or other non-business activities except as determined by the Department Head with concurrence of the County Manager.

Alcoholic beverages or any illegal drugs are not permitted in County vehicles at any time. Law enforcement personnel, as approved by the Sheriff, may transport alcoholic beverages or drugs that have been lawfully confiscated or scheduled for use during training exercises.

Drivers shall observe all local and state ordinances pertaining to the operation of motor vehicles. Any fines imposed for any violation which was under the control of the driver shall be the responsibility of the driver.

Hitchhikers are not permitted to ride in County owned vehicles. Non-County employees may accompany County employee in County cars when they have a business interest in the travel and if they are covered by workmen's compensation by their employer. Due to insurance limitations and regulations, no other passengers are permitted unless authorized by the County Manager.

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**Take-Home Vehicles Procedures:**

For an employee to be authorized for the take-home use of a County-owned vehicle, the employee must possess a valid North Carolina's driver's license, maintain a safe driving history, and meet one of the following tests:

**Test 1:** The employee is:

- Subject to frequent after-hours emergency callback or other unscheduled work, and such unscheduled work involves the first response to a real or present threat to life or property requiring an immediate response, and A specialized vehicle, tools, or equipment are required for the performance of emergency duties.

**Test 2:** The employee is:

- Subject to frequent after-hours callback, and
- Such callback arrangements are to locations other than the employee's normal duty station, and
- A special vehicle, tools or equipment are required to perform after-hours assignments, and
- An unacceptable delay in the response would result from the employee's return to the normal duty station to retrieve the needed equipment.

*This category is normally reserved for emergency maintenance response situations where a group of employees share formal on-call responsibilities on a rotational basis, such as public utility maintenance. In such cases, the use of the take-home vehicle is for the period of on-call assignment only.*

**Test 3:** The employee is:

- Employed in a public safety position, and
- Is required to use an individually assigned vehicle during their normal tour of duty.

Public safety personnel permitted to use an individually assigned vehicle during their normal tour of duty may use the vehicle for commuting purposes in accordance with the department's standard operating procedures as approved by the County Manager. While not on duty during such commutes, officers may assist on incidences they may encounter as needed and in accordance with departmental procedures. Any time spent responding to such incidents or callback return to work is work time and shall be reported as soon as practical.

Assignments are not permanent. When priorities or circumstances have changed, vehicles should be reassigned. All take home vehicle assignments must be reviewed and evaluated by the Department Head and approved by the County Manager annually beginning July 1<sup>st</sup>. *The following conditions should be considered:*

- Requirements of the job.
- Productivity.
- Availability of County vehicles.
- Cost to the County.

Department Heads shall determine reasonable schedules and vehicle assignments for rotational, on-call coverage. For other purposes, the County Manager, at the written request of the Department Head, will authorize full-time take-home vehicles based on the criteria described above.

Employees permitted to take a vehicle home (commute) from their workstation may do so for job-related reasons and not as a compensatory measure.

Vehicles so assigned are not intended to be perceived as personal property or interpreted as a salary supplement or fringe benefit. The commuting costs of the use of a County vehicle may be a taxable fringe benefit cost to an employee. Any vehicle not specifically designated as exempt under the 1985 Tax Act (Attachment I), shall result in a taxable fringe benefit to the employee.

The Finance Director shall compute the commuting cost of any non-exempt vehicle taken home by an employee and report this taxable benefit on the employees form W-2 at the end of each calendar year. Montgomery County will only deduct FICA taxes on the cost of this benefit. No Federal or State Income taxes will be deducted by the County, the payment of these taxes will be the responsibility of the employee, when his or her personal income tax return is filed. The gross cost of this benefit is not subject to state retirement deductions.

Overnight assignment will not typically be granted to any employee that lives outside of a five-mile (5) radius from the nearest primary County limit boundary of the County, unless specifically approved by the County Manager.

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### **Mileage Reimbursement**

The Department Head may authorize mileage reimbursement for an employee who must utilize his/her personal vehicle to conduct County business and who receives no other form of allowance, except as otherwise provided within this policy:

- Commuting mileage to respond to an after-hours call-back or unscheduled return to work is considered official County business.
- Claims for mileage reimbursement shall be turned in to the County Finance Office for approval within one month and shall be in accordance with current travel expense reimbursement procedures.
- The standard rate of mileage reimbursement is the same rate currently in effect by the IRS. Mileage is reimbursed from the employee's duty station or the employee's home to the destination, whichever is the lesser mileage. Mileage will be paid for the shortest usually traveled route.

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### **DRIVER RESPONSIBILITIES / REQUIREMENTS**

Each driver of any County owned vehicle must have a valid North Carolina drivers/operator's license. Should an employee who drives a County owned vehicle be involved in an incident, on or off the job, where their license is suspended or revoked, the employee is obligated to inform their Department Head and Human Resources within 24 hours of the incident. Failure to inform the County of a suspended or revoked license may result in immediate dismissal.

County employees, who drive vehicles weighing more than 26,000 pounds or a vehicle carrying sixteen (16) or more passengers, must have a valid Commercial Class B license with a passenger endorsement. County employees who drive vehicles with a trailer must have a valid Commercial Class A license if required by law.

Employees authorized to drive or are assigned a County owned vehicle are subject to an annual review of their motor vehicle driving status with the State of North Carolina. Employees may be requested to provide a driving history as needed. The Department Head, the Human Resources Director, and the County Manager may review driving privileges on a case-by-case basis.

Employees are responsible for any vehicle or equipment assigned to them and must report unsafe operations or working conditions to their supervisor as soon as possible.

Employees shall allow sufficient time to reach destinations without violating speed limits or traffic laws. Employees must know and abide by all driving laws in all areas where they operate County vehicles and shall drive defensively at all times.

It is mandatory that all occupants of a County vehicle use seat belts at all times, unless specifically exempted by N.C. General Statutes. The driver of the vehicle is responsible for enforcing belt usage by all occupants and shall report any failure to comply with employee's supervisor.

The County of Montgomery will not pay traffic tickets or parking fines of employees driving County owned vehicles, nor will the County pay if the employee is authorized to use their personal vehicle on County business. Employees found guilty of moving violations may be subject to corrective action.

An employee receiving a moving violation while driving a County vehicle has an obligation to immediately inform their Department Head and the Human Resource Director.

The Personnel Department will request the Director of Emergency Management to investigate a prospective employee's driving record if the duties of the position may involve operation of County owned/insured vehicles. After the applicant is hired, a copy of the applicant's driving record will become a part of the Personnel file. Minimal driving infractions will not impede driving privileges.

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### **INSURANCE OF VEHICLES**

The County Finance Officer is responsible for maintaining adequate liability and collision coverage for assigned and unassigned vehicles.

For insurance purposes, each employee authorized to operate a County owned vehicle must provide the Finance Officer with their name as it appears on the operator's license and their driver's license number.

The County's insurance is in force when an employee operates County owned vehicles or equipment.

Property belonging to the Montgomery County locked inside a vehicle is covered by the County's insurance against theft; however, personal property stolen from a County-owned vehicle is not covered, even if the personal property is used for County business. *If your County vehicle is stolen, follow these procedures:*

- Report the theft immediately to the local police and the Finance Officer.
- Obtain a copy of the police report filed.
- Provide the Finance Officer with the date and location of where the theft occurred and all relevant information, including the police report.
- Provide the Finance Officer with a list by model and serial number of any equipment stolen.
- Forward the completed incident report (Form H) and/or Police Report to the Finance Officer within three days.

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### **MAINTENANCE OF VEHICLES**

Employees with assigned County-owned vehicles are responsible for monthly inspections of their vehicles. Scheduling of routine maintenance and repairs is the responsibility of the employee to whom the vehicle is assigned.

Individual departments are responsible for monthly inspections of unassigned vehicles and scheduling routine maintenance and repairs.

No alterations may be made to County-owned vehicles without prior written approval by the Department Head or County Manager.

No bumper stickers, other than County approved stickers, may be placed on the vehicles.

Each department is responsible for maintaining accurate and complete maintenance history of files for each assigned vehicle. It is the responsibility of the employee with assigned vehicles and the department for unassigned vehicles to provide the Finance Department with receipts for maintenance and/or repairs.

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### FUEL CONSERVATION PLAN

Employees should always be attentive to conserve fuel on a day to day basis. At times (i.e. fuel shortage and rising fuel costs), it is necessary to take further steps to assure that each department is doing their part in this important issue.

Department Heads are required to develop a fuel conservation plan for their departments. This plan should be presented to the County Manager for approval. Once approved, the department head will provide a copy of their plan to the County Manager's office to file and will update on an annual basis.

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### ACCIDENT PROCEDURES

*NOTE: A card describing "What To Do In Case of An Accident" is maintained in the glove box of all County owned vehicles*

Regardless of the situation, the following procedure MUST be followed in the event of an accident while in a County owned vehicle:

- Immediate notification of the proper law enforcement agency for accident investigation and report within three days.
- Immediate notification of the employee's supervisor or Department Head.
- Notification of the Finance Officer within 24 hours of the accident, so the insurance carrier can be notified.
- Notification of the County Manager within 24 hours of the accident.
- "What To Do In Case of An Accident" located in the glove box of all County owned vehicles and must be completed and turned into Supervisor. The Supervisor will forward a copy to the County Manager's Office.

If necessary, an injury report must be completed and submitted to the Finance Officer as soon as possible in order to file a workers' compensation claim within 24 hours of the accident.

Securing accident repair estimates and approval of actual repair work is the responsibility of the employee's department with assistance from the Finance Officer and/or Purchasing Agent.

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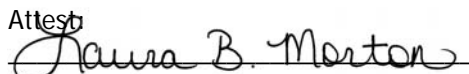
### Post Accident Substance Abuse Testing

An employee who is involved in an accident or incident, in which there is, or reasonably could have been personal injury or property damage, will be considered for testing. Not every incident or injury may result in a test. Reasonable determination that action or inaction of the employee contributed to the incident or accident shall be made prior to a request for testing. While it is impossible to list every factor that might lead to a reasonable determination The Department Head, the Human Resources Director, and the County Manager may review each accident or incident on a case-by-case basis to determine if a drug test is necessary.

This Montgomery County Vehicle Use Policy is effective upon its approval, this the 20th day of June, 2006.



  
William D. Maness, Chairman

Attest  
  
Laura B. Morton, Clerk to the Board

**Exempt Vehicles**  
**1985 Tax Act**

- Vehicles which are qualified non-personal vehicles include the following:
- Clearly marked police and fire vehicles,
- Ambulances used as such or hearses used as such,
- Any vehicle designed to carry cargo with a loaded gross vehicle weight over 14,000 pounds,
- Bucket Trucks (“cherry pickers”),
- Cement Mixers,
- Combines,
- Cranes and derricks,
- Delivery trucks with seating for only the driver, or only for the driver plus a folding jump seat,
- Dump trucks (including garbage trucks),
- Flatbed trucks,
- Forklifts,
- Passenger buses used as such with a capacity of at least 20 passengers,
- Qualified moving vans,
- Qualified specialized utility repair trucks,
- Refrigerated trucks,
- School buses,
- Tractors and other special purpose farm vehicles, and
- Unmarked vehicles used by law enforcement officers if the use is officially authorized.

**Montgomery County Employee Vehicle Use Acknowledgement**

I have read and fully understand the Montgomery County Employee Vehicle Use Policy and what is expected of me as a Montgomery County employee. I further understand the responsibilities I have for the County-owned vehicle that has been issued me.

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Signature of Supervisor/Department Head

\_\_\_\_\_  
Date

## Tips

- ✓ Keep the tires inflated properly. Under inflated tires waste fuel and wear out the tire tread. Also, check tires regularly for alignment and balance.
- ✓ A well-tuned engine burns less gas. Get regular tune-ups and follow through with routine maintenance.
- ✓ Get the junk out of the trunk. A weighed-down car uses more fuel. For every extra 250 pounds your engine hauls, the car loses about one mile per gallon in fuel economy.
- ✓ Buy the lowest grade (octane) of gasoline that is appropriate for your car. As long as your engine doesn't knock or ping, the fuel you're using is fine.
- ✓ Don't top off the gas tank. Too much gas will just slosh or seep out.
- ✓ Drive intelligently; don't make fast starts or sudden stops. You're just overexerting your engine and burning extra fuel. Engine-revving wastes fuel, too.
- ✓ Lighten up on the accelerator. The faster you drive, the more gas you use. For example, driving at 55 mph rather than 65 mph can improve your fuel economy by two miles per gallon.
- ✓ Avoid long warm-ups. Even on cold winter mornings, your car doesn't need more than a minute to get ready to go. Anything more and you're just burning up that expensive fuel.
- ✓ Combine errands into one trip and plan your stops for the most-efficient route. You'll save yourself time and money.
- ✓ Do not rest your left foot on the brake. The slightest pressure could cause a drag that will demand additional gas use -- and wear out the brakes sooner.
- ✓ Tighten the gas cap. Buy a new one if your current cap doesn't fit snugly. Gas easily evaporates from the tank if it has an escape.
- ✓ Be smart with the air conditioning. On the highway, closed windows decrease air resistance, so run the air conditioner. In stop-and-go traffic, shut off the air conditioning and open the windows.
- ✓ Remove snow tires in good weather. Deep tread and big tires use more fuel.

## **“What To Do In Case of An Accident”**

***Regardless of the situation, the following procedure MUST be followed in the event of an accident while in a County owned vehicle:***

1. Stop immediately and investigate even when the accident appears to be minor.
2. If someone is hurt or if there is danger of a fire, call 911 to request assistance  
(i.e. Law Enforcement, Fire Department, Ambulance, Rescue Squad)
3. Make no express or implied admission or liability or fault. Do not make an expression of apology or sorrow.
4. Notify supervisor/manager.
5. Make written notes of the details of the accident while at the scene. Do not wait until later.
6. Do not give information concerning the accident to anyone unless the party requesting it is an authorized official (i.e. Deputy, Sheriff, Supervisor, etc.)
7. Do not discuss the accident with insurance agents, news personnel, adjusters or attorneys on behalf of any third party without express permission from your attorney.
8. Complete the Motor Vehicle Accident Report with supervisor/manager.
9. All accident reports shall be submitted within 24 hours of the accident.
10. Notification of the Finance Officer (576-4221) within 24 hours of the accident, so the insurance carrier can be notified.
11. Notification of the County Manager within 24 hours of the accident.

If necessary, an injury report must be completed and submitted to Human Resources as soon as possible in order to file a workers' compensation claim within 24 hours of the accident.

**THE INJURED PERSON**

Name (s): \_\_\_\_\_

Phone #'s: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Nature of Injuries: \_\_\_\_\_

Where Taken After Accident: \_\_\_\_\_

By Whom: \_\_\_\_\_

Attending Physician: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

**DAMAGE TO PROPERTY OF OTHERS**

Name of the Owner: \_\_\_\_\_

Phone #: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Nature of Damage: \_\_\_\_\_

If a vehicle, give name of driver: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Driver's License (including State): \_\_\_\_\_

Make of Vehicle: \_\_\_\_\_

Other Insurance Carrier: \_\_\_\_\_

**WITNESSES**

Give Names and Addresses: \_\_\_\_\_

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