



Vehicle Use Policy

Policy No. B-10¹

The Scope of this policy includes the following individuals:²

- ✓ Employees (including Appointed Officials, Probationary Employees, Full-Time At-Will Employees, Part-Time Employees, Temporary Employees, Civil Service Employees, Teamsters Employees)
- ✓ Full-Time Elected Officials
- ✓ Volunteers

I. PURPOSE

To provide a framework for the utilization of City-owned vehicles and personal vehicles used for City business.

II. POLICY APPLICATION

A. Definitions

1. The term "At-Fault Accident" shall refer to those vehicle accidents in which the employee driving is the primary cause of the infraction as determined by the police report or other objective evidence.
2. The term "City Vehicles" shall mean all City-owned, leased, rented motor vehicles, street licensed equipment, motorized equipment, as well as City owned bicycles or electric bikes.

¹ This policy is not to be construed as a contract or an implied contract concerning any employment-related decision or term or condition of employment. The City reserves the right to revise, delete or add to any and all policies, procedures, work rules or benefits stated in this policy at its sole discretion. See Introduction, Administrative Policy No. A-01.

² The relevant definitions for the individuals identified in the Scope of this policy are defined in Introduction, Administrative Policy No. A-01.

3. The term “Preventable Accidents” shall mean instances where the driver made a specific driving error, failed to use good judgment, or failed to drive defensively.
4. The term “Unsatisfactory Driving Record” shall mean a personal driving record of a candidate or employee that reflects 10 or more points assessed by the Nevada Department of Motor Vehicles (DMV) or the equivalent DMV in other states, active license suspensions or revocations, a conviction for driving under the influence within the last five (5) years, or a conviction for reckless driving (or similar offense) within the last three (3) years, or more than three (3) At-Fault Accidents (as determined by the City) within one (1) year. Employees who are required to drive as an essential function of their job, and who have an Unsatisfactory Driving Record may be unable to perform their job and may be subject to disciplinary action up to and including termination.

B. Driver’s License Records

The City may conduct driver’s license background checks in its discretion on any employee whose job duties require driving as an essential duty. The Human Resources Department conducts driver’s license background checks for all candidates hired into driving-related positions. Employees who are not currently in a position where driving is an essential duty, and who are competing for a position that does require driving as an essential duty, will also be subject to a driver’s license background check prior to promotion or transfer. This check is conducted prior to the start of the candidate’s employment or employee’s promotion or transfer.

The driver’s license background check will include confirmation that the candidate’s or employee’s license is valid, is of the required operator’s classification, and any driving restrictions are not disqualifying. Student licenses and learner’s permits are not acceptable. Candidates with an Unsatisfactory Driving Record may not be selected for a position that requires driving as an essential job duty.

C. Driver’s Training

Employees who operate a City Vehicle as part of their job duties must:

1. Complete a Level I Defensive Driving Course before operating a City vehicle. This course must be refreshed every two years.
2. Complete a Level II Defensive Driving course after being involved as the driver in two Preventable Accidents (as determined by the City) within a two (2) year period of time.

3. Complete a Level III Defensive Driving course after being involved as the driver in:
 - a. Three (3) Preventable Accidents (as determined by the City) within a two (2) year period of time; or
 - b. Any At-Fault Accident (as determined by the City).

The employee is prohibited from operating a City Vehicle until the required course is successfully completed.

D. Driver's Responsibilities

Employees must:

1. Maintain a valid Nevada or border state driver's license for the class of vehicle driven. New employees relocating from another state must comply with this requirement within ninety (90) days of employment with the City.
2. Operate vehicles only for the purpose of and in the manner for which they are designed, including operating the vehicle within its designated limits.
3. Complete a Vehicle Inspection Checklist prior to each vehicle use. Employees assigned a vehicle must complete the Vehicle Inspection Checklist at least monthly.
4. Operate vehicles in a safe and courteous manner to avoid injuries and property damage, complying with all appropriate traffic laws and regulations, including use of seat belts.
5. Properly secure vehicles when parked to prevent theft and unauthorized use.
6. Properly secure cargo, equipment loads, and towing trailers or equipment.
7. Immediately notify his/her supervisor of a driving-related charge and/or conviction (including charge and/or conviction related to driving under the influence), driver's license suspension, revocation, expiration, or accumulation of 10 or more demerit points in any 12-month period, as defined by Nevada law. See Reporting Arrests and Convictions Policy, Administrative Policy No. B-09.

8. Immediately notify his/her supervisor of any accident involving a city vehicle, regardless of fault.

E. City Vehicles

Employees may be assigned a City Vehicle if the employee is required, as a regular job duty, to travel to and from different job sites or locations, transport tools and equipment, or otherwise perform work that requires the regular use of a vehicle. Authorization of assigned vehicles is made by the department director.

When a department's City Vehicle is not available, the City Shop has pool vehicles readily available for check out for short-term use (one work day or less). Pool vehicles check out must be made with the Security Officers located at City Hall. The employee driving the pool vehicle must be the person signing the check-out form.

The City Manager or designee may approve take home City Vehicles when:

1. Duties include frequent response to conditions requiring immediate attention.
2. Temporary assignment or travel dictates.
3. It is more cost effective to assign a City Vehicle than to reimburse employees for the use of their personal vehicles.

When positions become vacant, or when circumstances change relative to vehicle use, the department director will evaluate whether to continue the vehicle assignment and may make changes accordingly.

Global Positioning System (GPS) may be installed in City Vehicles. Employees have no right to privacy as to any information transmitted or stored through the GPS units. Furthermore, the City, in its discretion, may use any information generated by the GPS units for purposes such as ensuring that drivers are doing their jobs efficiently, enforcing City policies, and imposing discipline. The City may also use GPS information to determine whether a driver was speeding or not driving when required to do so.

F. Personal Vehicles

Department directors or designees may authorize the use of an employee's personal vehicle for City-related business. Employees who do not receive a vehicle allowance shall be entitled to reimbursement for City business mileage at the rate established by the Finance Department. Personal vehicles used for City business must meet state vehicle licensing and safety regulations.

Employees authorized to use personal vehicles to conduct City business must secure and maintain automobile liability coverage in an amount not less than that required by law. Employees will be required to verify/demonstrate that they have adequate automobile liability coverage upon seeking mileage reimbursement from the Finance Department. Regardless of reimbursement, employees use their personal vehicles with the understanding the vehicle owner is responsible for the primary coverage for any damages or claims that may arise out of a motor vehicle accident while operating a personal vehicle on City business. The City Self-Insurance Fund is excess coverage only when the employee's coverage is inadequate for any third-party claims up to the statutory tort limits in accordance with the Nevada Revised Statute. Employees electing not to purchase comprehensive and collision coverage for their personal vehicle do so with full knowledge and understanding that the City will not provide repair or replacement of the employee's vehicle.

G. Rental Vehicles

If driving on City business out-of-state, a rental vehicle with appropriate insurance coverage must be obtained. If it is necessary for a City Vehicle to be used, prior approval must be obtained from the Risk Manager and the department director.

Employees renting a vehicle for City business must make reservations accessing the State of Nevada's car rental contracts, as detailed in the Travel Policy, Administrative Policy No. B-21. Collision Damage Waiver (CDW) and liability coverage is included on all vehicle rentals through the State of Nevada car rental contracts. If the vehicle type required is not available under the State of Nevada car rental contracts, employees are required to purchase full liability and CDW on all vehicle rentals.

H. City Vehicle Use Rules

City Vehicles can only be used for official City business in a manner consistent with this policy. Use of City Vehicles for other purposes is strictly prohibited. Individuals not approved for a take home City Vehicle, as defined in Section E above, are not permitted to take City Vehicles home for lunch and/or breaks. Circumstances necessitating an individual to do so must have explicit advance approval from the supervisor. Only City Employees/Elected Officials/approved Volunteers may drive City Vehicles and only employees, Elected Officials, approved Volunteers, and business-related guests may be transported in City Vehicles.

Employees will adhere to all traffic laws and regulations when operating a City Vehicle or personal or rental vehicle on City business. Employees are responsible for the payment of all fines imposed for traffic and parking violations and for notifying their immediate supervisor upon receipt of any such citation. The City will not reimburse employees for such fines.

All employees must properly wear seat belts and ensure that passenger seat belts are properly used when operating City Vehicles or personal or rental vehicles on City business. The use of tobacco products and electronic cigarettes or pipes in City Vehicles is strictly prohibited. Employees may not eat while operating City Vehicles or personal or rental vehicles while on City business.

Employees are prohibited from using a cell phone or mobile device while operating a City Vehicle or personal or rental vehicle on City business. When a cell phone conversation is necessary, an employee must cease operating the vehicle and pull off to a safe location. The employee must be sure to select an area that will not jeopardize the employee's safety or cause a hazard for the employee or other drivers. If an employee is required to use a cell phone as part of the employee's job duties while operating a vehicle, the employee must use a hands-free device. Under no circumstances may the employee input, view messages, retrieve voice messages or type any information while operating a City Vehicle or personal or rental vehicle on City business. This includes the use of all cellular telephones, blackberries, PDAs and monitors (including but not limited to text messaging, checking emails, and web browsing, etc.)

When operating a City Vehicle, employees shall use the City fuel stations and designated car wash facilities. The City Vehicle should be maintained in accordance with the City Shop's guidelines. If the operator notices a safety hazard with a vehicle owned by the City, it must be immediately reported to the City Shop and repairs must be completed before the vehicle can be driven. If the operator notices a safety hazard with a City Vehicle leased by the City, the leasing agency must be immediately notified and the vehicle cannot be driven.

The City shall not be responsible for replacement or reimbursement for any loss of or damage to any personal property stored or transported in a City Vehicle. City Vehicles may be used for transportation to and from lunch when on business or in a location where driving to the employee's personal vehicle would result in unnecessary expenditure of time and money.

As stated in the Drug and Alcohol Free Workplace Policy, the use (including being Under the Influence of Alcohol or Under the Influence of Drugs), storage, possession or consumption of drugs and alcohol are strictly prohibited while operating a City Vehicle or personal or rental vehicle while used for City business. The use of prescription medication that does not alter the employee's ability to safely operate a vehicle is acceptable only when prescribed by a qualified physician. It is the employee's responsibility to notify his/her supervisor prior to the beginning of the work shift if the employee is unable to safely operate a City Vehicle or personal or rental vehicle to conduct City business due to the use of a legally prescribed medication, therapeutic drugs, or any over-the-counter medication. All post-accident drug and alcohol testing will be conducted in compliance with the Drug and Alcohol Free Workplace Policy,

Administrative Policy No. B-06, and Drug and Alcohol Program – DOT Safety-Sensitive Employees Policy, Administrative Policy No. B-07.

All incidents and accidents that occur while operating a City Vehicle or personal or rental vehicle while used for City business must be reported to the employee's supervisor and the Risk Management Division. Failure to report an incident constitutes a violation of this policy and subjects the employee to disciplinary action up to and including termination. See Incident Reporting Policy, Administrative Policy No. B-11, for further information. Employees are responsible for safeguarding City vehicles and may be subject to disciplinary action up to and including termination, if they were negligent in the care of the vehicle or driving the vehicle and/or intentionally caused damage to the vehicle or others while driving the vehicle.

I. DOT Safety-Sensitive Employees

Employees performing duties requiring a Commercial Driver License (CDL) must comply with all applicable state and federal DOT rules and regulations.