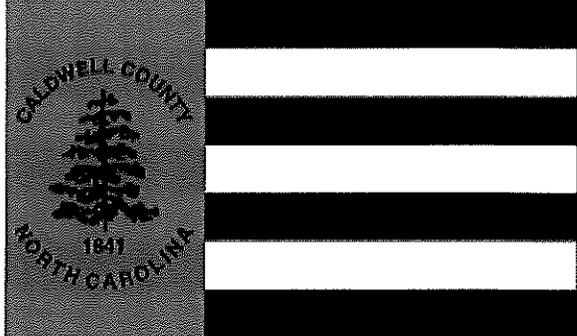


<p><b>Caldwell County Policy</b></p> <p><b>Title:</b> Vehicle Use</p> <p><b>Date Issued:</b> 02-03-2020</p> <p><b>Date Revised:</b></p>	
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**Purpose:**

The purpose of this policy is to ensure the safety and well-being of county employees; to facilitate the efficient and effective use of county resources; to minimize the county’s exposure to liability; to monitor the use of county-owned vehicles; and to comply with regulations relating to county vehicle usage.

**13.01 Fleet Safety Committee:**

The Fleet Safety Committee is comprised of the Human Resources Director, Safety Officer, Emergency Services Director, Sheriff, and two Department Heads. The committee is responsible for:

1. Reviewing accidents and employer’s overall driver safety record to determine if there should be changes in policy or procedure; or if other corrective action (such as training, equipment changes, etc.), should be implemented to enhance the safe operation of county vehicles, and/or personal vehicles on county business.
2. Reviewing driving records of individual employees and making recommendations to Department Heads and the County Manager when driving privileges should be suspended or revoked.
3. Reviewing all other issues that arise with respect to compliance with this policy.

**13.02 Assignment of County Vehicles:**

County vehicles shall be assigned to departments, individual employees, or to a general vehicle pool on the basis of work responsibility. Vehicles may be assigned to an employee, either solely for use during normal working hours or as a take home vehicle when deemed appropriate and resources permit.

For employees who fall within the provisions of the Internal Revenue Code, the County will comply with the Internal Revenue Service's regulations regarding the reporting of income. The employee is responsible for complying with all IRS regulations and any other regulatory requirements regarding employer provided vehicles.

County vehicle assignment to individuals will be reviewed annually, or when deemed necessary by each respective Department, or the County Manager. Department Heads will maintain vehicle assignment list to include: the employee's name, the vehicle identification number (VIN), make and model. When assigning a take home vehicle, the supervisor shall note which of the following two (2) criteria are met.

1. Vehicle is equipped with tools and/or instrumentation that are essential in an emergency response situation. The employee responds directly to the scene of a time sensitive emergency and is trained to use the tools and equipment. If response is on a rotation basis, each employee will only take home the vehicle when he/she is "on call" status. Note: Communication equipment alone is not considered a tool or instrumentation for this purpose.
2. An employee's responsibilities require that he perform certain job functions on a regular basis outside of their normal assigned schedule, and the documented miles traveled and time per year between job destinations justify the decision.

### **13.03 Take-home Vehicles:**

- a. The operation of a take-home vehicle to and from work does not constitute work time and the employee is considered off the clock until they arrive at a bona-fide work assignment.
- b. All employees assigned take-home vehicles will live in Caldwell County unless granted a specific exemption in writing by the County Manager.
- c. When an employee who is assigned a take-home vehicle ends their residency within Caldwell County, the employee must immediately notify their supervisor of the change.
- d. An employee on light-duty or suspension is not authorized a take home vehicle. The Department Head and/or County Manager has the discretion to reassign the County vehicle while an employee is out on light duty or suspension.
- e. Any employee on any type of leave exceeding ten days, will not keep possession of the take home vehicle during such extended leave. The vehicle shall be parked on County property at the individual department as noted by their supervisor.

### **13.04 Revocation of Take-home Vehicles:**

Take home authorization may be revoked:

- a. For failure to comply with the provisions of this policy or when violating the County travel policy.

- b. For a change in job, assignment, duties or responsibilities that no longer justify the use of a take-home vehicle.
- c. Upon recommendation of the Fleet Safety Committee for an employee's suspension or revocation of driving privileges to the County Manager when records, including accidents, moving violations, etc., determine an employee's driving record indicates a pattern of unsafe or irresponsible driving.
- d. For failure to maintain a valid North Carolina Driver's License.
- e. When placed under a medical restriction in which driving is not permitted.
- f. As a result of disciplinary action.
- g. When it is in the best interest of Caldwell County as determined by the Department Head or the County Manager.

### **13.05 Use of Privately Owned Vehicles:**

There are times in which the use of an employee's personal vehicle preferable because either a County vehicle is not available or because the use of a privately owned vehicle is deemed more efficient.

- a. The use of a personal vehicle to conduct official County business shall be reimbursed at the established County mileage rate.
- b. All reimbursable mileage must be approved prior to conducting travel and in accordance with the travel policy.
- c. Driver's using a personal vehicle for County business shall carry adequate personal vehicle liability insurance as required under North Carolina law.
- d. The County assumes no responsibility for damages to privately owned vehicles.

### **13.06 Driver License Criteria & Administration:**

- a. Employees shall possess a valid driver's license to operate a county vehicle, or a personal vehicle with current auto insurance while on county business.
- b. Employees who are operators of vehicles or equipment requiring a special class license (e.g. CDL) and/or endorsement, shall possess the same prior to operating such vehicles or equipment.
- c. Employees are expected to drive in a safe and responsible manner and to maintain a good driving record. The Fleet Safety Committee is responsible for reviewing records, including accidents, moving violations, etc., to determine if an employee's driving record indicates a pattern of unsafe or irresponsible driving, and to make a recommendation to Management for suspension or revocation of driving privileges.

Criteria that may indicate an unacceptable record includes, but is not limited to:

- Three or more moving violations\* in a year
- Two or more chargeable accidents within a year. Chargeable means that the driver is determined to be the primary cause of the accident through speeding, inattention, etc.

Contributing factors, such as weather or mechanical problems, will be taken into consideration.

- Any combination of accidents and/or moving violations.

*\* Violations include any ticket, charge, or other law enforcement proceeding relating to these, as well as independent evidence of violations deemed relevant by the Fleet Safety Committee.*

### **13.07 Driver Guidelines:**

- a. County vehicles are to be driven by authorized employees or authorized emergency services personnel only, except in case of repair testing by a mechanic.
- b. Motor Vehicle Records will be obtained on all drivers prior to employment and monitored through the NCDMV Employer Transit Notification System. A driving record that fails to meet the criteria stated in this policy, or is considered to be in violation of the intent of this policy by the Fleet Safety Committee, will result in a loss of the privilege of driving a county vehicle.

### **13.08 Reporting Requirements:**

- a. Any employee who has a driver's license revoked or suspended ***shall*** immediately notify their supervisor and the Safety Officer, and ***immediately discontinue operation of the County vehicle***. Failure to do so may result in disciplinary action, up to and including termination of employment.
- b. All accidents in county vehicles, regardless of severity, must be reported to law enforcement and to the Safety Officer. Accidents are to be reported immediately from the scene. Accidents in personal vehicles while on county business\* ***shall*** follow these same accident procedures. The insurance on a particular vehicle is always primary. Therefore, any accident caused by an employee while driving his or her own car will be paid first by the insurer of that vehicle.
- c. Accidents involving the employee's personal injury must be reported to the Safety Officer for Worker's Compensation purposes. Failing to stop after an accident and/or failure to report an accident may result in disciplinary action, up to and including termination of employment.
- d. Drivers must immediately report all violations received during the operation of a county vehicle, or while driving a personal vehicle on county business\*, to their supervisor and the Safety Officer. Employees who are charged with traffic violations while driving county vehicles or on county business\* will be solely responsible for all liabilities that result from such actions.

*\*County business is defined as driving at the direction, or for the benefit, of employer. It does not include normal commuting to and from work.*

### **13.09 Driver Safety Rules:**

Vehicle accidents are costly to the county, but more importantly, they may result in injury to you or others. It is the driver's responsibility to operate the vehicle in a safe manner and to drive defensively to prevent injuries and property damage. As such, Caldwell County Government endorses all applicable state motor vehicle regulations relating to driver responsibility. Caldwell County Government expects each driver to drive in a safe and courteous manner pursuant to the following safety rules:

- a. All Federal, State, or Local laws must be obeyed.
- b. Driving on county business and/or driving a county vehicle while under the influence of intoxicants and other drugs (which could impair driving ability) is forbidden and is sufficient cause for discipline, up to and including termination of employment.
- c. No driver shall operate a county vehicle when his/her ability to do so safely has been impaired by illness, fatigue, injury, or prescription medication.
- d. All drivers and passengers operating or riding in a county vehicle *shall* wear seat belts, even if air bags are available.
- e. No unauthorized personnel are allowed to ride in county vehicles.
- f. Drivers are responsible for the security of county vehicles assigned to them. The vehicle engine must be shut off, ignition keys removed, and vehicle doors locked whenever the vehicle is left unattended.
- g. Head lights shall be used half an hour before sunset and until half an hour after sunrise, or during inclement weather or at any time when a distance of 500 feet ahead of the vehicle cannot be clearly seen.
- h. Cell phone use while driving should be kept to a minimum. Drivers need to be aware when use of the cell phone is creating a distraction from safe driving and adjust their usage accordingly, including pulling off the road to continue/finish the conversation if needed. Whenever possible, drivers should complete calls while the vehicle is parked and/or use the phone in a "hands free" mode via a headset or speaker. While driving, attention to the road and safety should always take precedence over conducting business over the phone. (Reference: *10.09 Cell Phone/Electronic Device Use*)

Failing to adhere to the driver Safety Rules policy may result in disciplinary action, up to and including termination of employment.

### **13.10 Defensive Driving Guidelines:**

In an effort to prevent motor vehicle accidents, employees should follow these defensive driving guidelines and practices.

- a. Drivers are required to maintain a safe following distance at all times. Drivers should keep a two second interval between their vehicle and the vehicle immediately ahead. During slippery road conditions, the following distance should be increased to at least four seconds.
- b. Drivers must yield the right of way at all traffic control signals and signs requiring them to do so. Drivers should also be prepared to yield for safety's sake at any time. Pedestrians in crosswalks and bicycles in the roadway always have the right of way.
- c. In adverse driving conditions, reduce speed to a safe operating speed that is consistent with the conditions of the road, weather, lighting, and volume of traffic.
- d. Turn signals must be used to show where you are heading; while going into traffic and before every turn or lane change.
- e. When passing or changing lanes, view the entire vehicle in your rear view mirror before pulling back into that lane.
- f. Be alert of other vehicles, pedestrians, and bicyclists when approaching intersections. Never speed through an intersection on a caution light. When the traffic light turns green, look both ways for oncoming traffic before proceeding.
- g. When waiting to make left turns, keep your wheels facing straight ahead. If rear ended, you will not be pushed into the lane of oncoming traffic.
- h. When stopping behind another vehicle, leave enough space so you can see the rear wheels of the car in front. This allows room to go around the vehicle if necessary, and may prevent you from being pushed into the car in front of you if you are rear-ended.
- i. Avoid backing where possible, but when necessary, keep the distance traveled to a minimum and be particularly careful.
- j. Check behind your vehicle before backing.
- k. Back to the driver's side. Do not back around a corner or into an area of no visibility.

### **13.11 Cell Phone/Electronic Device Use:**

Caldwell County requires all drivers operating a county-owned vehicle or drivers operating a personal vehicle on county business, to adhere to the following:

- a. Employees shall comply with Federal, State, or Local regulations, which may exist to control usage of mobile devices while operating a motor vehicle.
- b. If it is necessary to place/take a cellular phone call at any time while operating a motor vehicle, the employee must safely drive his or her vehicle off the road to a location where the vehicle can be stopped in a safe location without risk to the employee or any third party.
- c. When pulling over safely is not an option, all mobile phone use must be hands-free. Any phone not equipped for hands-free operation may not be used while operating a county owned motor vehicle. Focusing on driving tasks should be the driver's first priority.
- d. Drivers may not send or review received text messages or e-mails, either on a county-owned or personally owned device.

- e. Drivers may not operate any other mobile device, including but not limited to an IPAD or tablet, Smart Phone/applications, headset-based audio device such as an MP3 player, or laptop computer, whether a County-owned or personally-owned device.
- f. Navigation systems (GPS) must be programmed before the trip is started, not while the motor vehicle is in operation.

Failing to adhere to the Cell Phone/Electronic Device Use policy may result in disciplinary action, up to and including termination of employment.

### **13.12 Accident Procedures:**

In an attempt to minimize the results of an accident, the driver must prevent further damages or injuries and obtain all pertinent information and report it accurately.

- Call 911
- Provide 911 communications with the location of the accident and if medical response is necessary.
- All accidents, regardless of severity, must be reported to the law enforcement.
- Record names and addresses of driver, witnesses, and occupants of the other vehicles and any medical personnel who may arrive at the scene. Take photos of the scene to include vehicle damage and location if you have the ability and opportunity to do so safely.
- Complete the Vehicle Accident Report form. Pertinent information to obtain includes: photographs; license plate number of other driver's vehicle; insurance company names and policy numbers of other vehicles; make, model, and year of other vehicles; date and time of accident; and overall road and weather conditions.
- Do not discuss the accident with anyone at the scene except law enforcement. Do not accept any responsibility for the accident. Don't argue with anyone.
- Provide law enforcement with your name, address, driver's license, vehicle registration, and insurance information. The insurance on a particular vehicle is always primary. Therefore, any accident caused by an employee while driving his or her own car will be paid first by the insurer of that vehicle.
- Immediately report the accident to the Safety Officer. Provide a copy of the accident report and/or your written description of the accident to the Safety Officer ASAP.
- There will be a formal accident review conducted on each accident to determine cause, and how the accident could have been prevented.

### **13.13 Vehicle Inspection:**

- a. Employees are responsible for ensuring that County assigned and fleet vehicles are operational and that the safety features are functioning before driving. All employees will perform a pre-trip inspection of the vehicle to identify any visible problems prior to it being driven each day. Employees shall complete a vehicle check list to make certain that

all vehicle safety equipment including headlights, turn signals, brake lights, windshield washers, etc. are functioning properly.

- b. Any vehicle damage beyond the normal wear and tear or that includes defects affecting the safe operation of the vehicle must be documented and reported to the employee's supervisor.
- c. Vehicles found to be inoperative will be scheduled for and receive maintenance prior to assignment.
- d. Employees must comply with any preventative maintenance programs which may be required by the County.

#### **13.14 Altering Vehicles:**

- a. County vehicles will not be altered outside of the description submitted in the County budget without first obtaining written approval of the County Manager and Finance Officer. This includes but not limited to audio equipment, window tinting, lights, changes to the engine/performance of the vehicle, etc.
- b. No County vehicle shall have any commercial advertisements, personal stickers, signs, flags, or any other similar attachment placed or affixed to the vehicle unless previous approval or directive has been issued in writing by the County Manager or his/her designee.
- c. Vehicles must be affixed with the County Seal in accordance North Carolina General Statute 20-39.1. Any tampering or removal of the logo will result in disciplinary action. Logos will not pertain to unmarked law enforcement vehicles as designated by the Sheriff or other vehicles designated by the County Manager.

#### **13.15 Use of County Vehicles:**

- a. County vehicles are to be driven by authorized employees or authorized emergency services personnel only, except in case of repair testing by a mechanic.
- b. County vehicles are to be used as necessary to conduct County business. Employees shall not operate County vehicles for personal use.
- c. The use of County vehicles for overnight and out of town travel shall be governed by the County's travel policy.
- d. All drivers and passengers operating or riding in a county vehicle ***shall*** wear seat belts, even if air bags are available.
- e. No unauthorized personnel are allowed to ride in county vehicles.
- f. Driving on county business and/or driving a county vehicle while under the influence of intoxicants and other drugs (which could impair driving ability) is forbidden and is sufficient cause for discipline, up to and including termination of employment.
- g. No driver shall operate a county vehicle when his/her ability to do so safely has been impaired by illness, fatigue, injury, or prescription medication.

- h. The use of tobacco products is not permitted in County vehicles.
- i. No employee shall transport alcohol in a County vehicle. Excluding sworn law enforcement officers, if the alcohol is being transported in accordance with official duties.
- j. Drivers are responsible for the appearance of county vehicles assigned to them. The vehicle interiors shall be kept free of liter and debris. The appearance of the vehicle should present a favorable impression of professionalism to the public.
- k. Drivers are responsible for properly securing all cargo, loaded materials, and tools that are being transported.

Failing to adhere to the Use of County Vehicles policy may result in disciplinary action, up to and including termination of employment.

**13.16 Safeguarding Issued Equipment:**

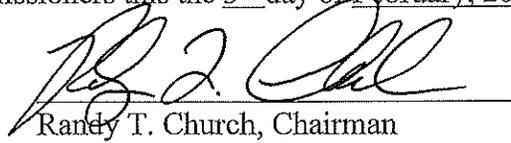
- a. Employees are responsible for safeguarding county-issued equipment associated with their assigned vehicles. This includes (but is not limited to) issued equipment which is normally left in assigned vehicles. The employee shall ensure that all equipment is safeguarded prior to parking/leaving the vehicle.
- b. The County will assume no responsibility for personal property stored or left in a County vehicle.

Failing to safeguard county-issued equipment may result in disciplinary action, up to and including termination of employment.

**13.17 Emergency Responders:**

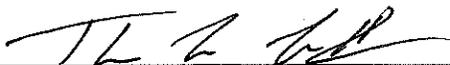
- a. Caldwell County Emergency Services personnel shall follow the Caldwell County Vehicle Use Policy and all other guidelines established through their departmental policies.
- b. Caldwell County Sheriff's Office personnel shall follow the guidelines established by the Sheriff through their departmental policies.

Adopted by the Caldwell County Board of Commissioners this the 3<sup>rd</sup> day of February, 2020.



Randy T. Church, Chairman  
Caldwell County Board of Commissioners

ATTEST:



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Thomas Welch, II  
Clerk to the Board