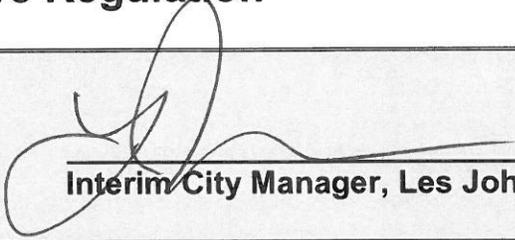


City of Los Alamitos Administrative Regulation

Regulation: 4.4
Title: **Vehicle Operation**
Authority: **City Manager**
Date: **May 2, 2005**
Revised: January 8, 2020



Interim City Manager, Les Johnson

Purpose:

This policy establishes procedures regarding the effective usage of City owned and privately owned vehicles operated during the course of City business. Use of City owned vehicles shall be relied upon as the primary means of vehicle usage, as it provides the greatest control over operating costs, usage, maintenance, inspection, and insurance.

Authority:

This has been approved by the City for use in matters regarding the use of all vehicles operated during the course of City business.

Definitions:

1. City Owned Vehicle: any vehicle owned by the City, and assigned on a shared, designated, or permanent basis.
2. Privately Owned Vehicle: any personally owned vehicle used by an employee, whether owned by the employee or not.
3. City Business: activities that require the use of a vehicle and are authorized by the employee's supervisor. In the use of personal vehicles, City business also means that the operator is being reimbursed for mileage expenses according to Internal Revenue Service guidelines, or receives a monthly auto allowance.
4. Vehicle Operator: any employee who is either operating a City owned vehicle or is operating a personally owned vehicle on City business.
5. Preventable Accident: the vehicle operator failed to act as reasonably as possible to prevent the accident.
6. Non-Preventable Accident: the vehicle operator acted as reasonably as possible to prevent the accident.

Procedures:

A. Authorized Vehicle Usage

1. Only authorized employees and permitted volunteers are allowed to operate a City vehicle. The City Manager or Department Director is responsible for assigning City owned vehicles to specified department personnel for either long-term or short-term usage. In addition, departments shall keep a log of who is utilizing each vehicle on a checkout basis

Employees who operate City vehicles are responsible for proper care and maintenance of those vehicles. Employees should keep vehicles in a good, clean condition with sufficient fuel, and shall notify the Lead Foreman or Development Services Management Analyst if maintenance or repairs are needed for the vehicle.

Employees receiving a monthly auto allowance shall utilize his/her personal vehicle for City business. The employee is responsible for keeping his/her vehicle in good working order, and maintaining an active auto insurance policy.

2. Mileage reimbursement shall be based on current rates as published by the IRS and in accordance with Administrative Policy 3.5.

B. Assignment of Responsibility

1. City vehicles shall be used for official City business only.
2. All drivers must possess a valid California driver's license in the specific class of motor vehicle they are authorized to drive.
3. Driver's license information is maintained in each employee's file by the Human Resources Office. The Human Resources Office receives and records Department of Motor Vehicles Pull Notice reports and notifies Department Directors of any concerns.
4. All City employees shall promptly provide driver license information when notified that their job duties include driving either a City owned or privately owned vehicle. Employees are to comply with all requirements of this policy.

Employees who violate this policy shall be subject to disciplinary actions.

C. Types of Vehicles and Use

The following City owned vehicles have restrictions based upon type and use:

1. City owned vehicles that are used on a regular basis during business hours for purposes such as delivering supplies, conducting inspections, or other similar field work required of designated employees. Personal use is prohibited, unless otherwise authorized by the City Manager and/or his/her designated Department Director.

2. "Take Home" vehicles assigned to employees on a permanent or temporary basis to be used for daily commuting to and from the City as authorized by the City Manager and/or designated Department Director.
3. Vehicles designated for emergency or on-call use, in order to respond on a 24-hour basis.
4. Police vehicles.
5. Rental vehicles - When it is necessary for a City employee to use a rental vehicle for City business, the employee shall perform due diligence in rate comparison and select the most cost effective vendor.
6. Only City employees are authorized to operate City owned vehicles. City employees must have a valid driver's license and be on official City business to use a City owned pool vehicle.
7. City owned vehicles are for transporting only those employees whose duties require the use of a motor vehicle, and such other persons whose business activities are important to City interests.
8. Family members or friends are not to be transported in City owned vehicles, including unmarked (without City decal) vehicles assigned to the Police Department that are designated for emergency or on-call use. This provision excludes vehicles assigned to the Chief of Police and Police Captains.

D. Use of Privately Owned Vehicles

There are times in which the use of an employee's personal vehicle is preferable because a City owned vehicle is not available, the use of a privately owned vehicle is deemed more efficient, or the employee receives an auto allowance. When such is the case, the following shall be adhered to:

1. Employees that do not receive an auto allowance shall maintain accurate records of the purpose and extent of his/her travel, and to make substantiated claims for mileage reimbursement per Administrative Policy 3.5. The mileage allowance is intended to cover the employee's cost of operating the vehicle on City business. Further, all operating expenses of the privately owned vehicles are to be borne by the employee. This includes, but is not limited to, gasoline, oil, maintenance, wear and tear, depreciation and insurance.

The City is not liable for any damage to an employee's privately owned vehicle, unless caused by the City's negligence (employee's negligence excepted). It is the responsibility of the employee operating the vehicle to notify his/her immediate supervisor of any accident while conducting City business. The employee is to also notify the Department of Motor Vehicles, and/or the employee's insurance company as required by State law. If an employee is responsible for an accident either while driving a City owned or personally owned vehicle, his/her own automobile insurance premiums may be increased.

E. Accident Reporting Requirement

Any accident involving a City owned vehicle, rented or leased vehicle or privately owned vehicle used in the performance of City duties shall be reported.

F. Driving Records and DMV Pull Notice Program

Driver's License:

1. All City employees authorized to use City owned pool or privately owned vehicles on City business must possess a valid California driver's license and provide proof of licensing upon hire.
2. All City employees must maintain a driver's license appropriate for the class of vehicle to be driven.
3. An employee whose driver's license is suspended or revoked for any reason must notify their supervisor no later than the first workday following suspension or revocation of their driver's license. Such employee shall not be allowed to operate any City owned pool or privately owned vehicles on City business.
4. Employees who possess temporary driving permits or hardship licenses shall not be permitted to operate City or privately owned vehicles in the performance of official City duties.

Review of Driving Record

1. The City shall enroll employees that regularly operate City owned vehicles on City business in the Department of Motor Vehicles (DMV) Pull Notice Program. When a vehicle operator has received a violation, the DMV assigns points according to the type of violation and automatically sends notification to the City.
2. In compliance with Vehicle Code Section 1808.47, all information received from the DMV shall be used solely for the intended purpose, and kept in the Human Resources Office. Under no circumstances shall addresses or other information be given to a third party.
3. Any employee involved in a preventable collision while conducting City business shall have his/her DMV Pull Notice Report reviewed and may result in the suspension of the employee's driving privileges and/or disciplinary action.
4. Employees involved in additional preventable accidents while conducting City business or have a disqualifying action taken against their driver's license shall be subject to disciplinary action, the severity of which will be determined by the nature of the offense and the employee's past driving and disciplinary action records.
5. An employee who has been determined to be involved in two or more preventable accidents within a 36 month period while operating a City owned or privately owned vehicle in the performance of official City business shall be subject to disciplinary

action up to and including suspension or termination.

6. Any conviction resulting from driving while under the influence of drugs or alcohol (DUI) or refusal to submit to a lawful detention shall result in disciplinary action up to and including suspension or termination.
7. Temporary or permanent suspension of City driving privileges for employees whose position requires operation of a vehicle or possession of a valid Class C license is a requirement in his/her position specification shall be considered a loss of the ability to perform an essential job function.
8. If an employee has City driving privileges suspended, it shall be considered just cause for reassignment to a position that does not require operation of a vehicle at a pay rate commensurate with that position. If no such position is open, the employee may be terminated.

G. Auto Allowance

The City of Los Alamitos provides all mid-management and executive management employees an automobile allowance which is intended to cover the costs associated with any required City business involving local travel. All employees who receive an auto allowance are prohibited from driving a City owned vehicle for any local travel. Should it be determined that an employee that receives an auto allowance has driven a City owned vehicle for local travel, the employee may be subject to disciplinary action including discharge. Exceptions to this prohibition relate to management employees that are required to identify themselves as a City employee and perform services out in the field (generally occurring within City limits) as a part of their normal job duties (e.g. building inspections, water quality inspections, maintenance services, etc); pickup/delivery of business equipment or supplies that cannot be transported in an employee's private vehicle; or other unique situations whereby City Manager or Department Head approval is given to authorize a mid-manager's use of a City owned vehicle. However these same employees may not drive a City owned vehicle for other forms of City business local travel, such as attending meetings outside the City limits.

Employees receiving a monthly auto allowance shall not be eligible to apply for a mileage reimbursement.

H. References

Vehicle Code Sections 464, 1808.47, 16056, 27315, Insurance Code §11580.9

I. Acknowledgement

Upon receipt of this policy, each employee shall sign a form acknowledging that he/she is aware of this policy, including the legal issues arising out of the use of his/her privately owned vehicle on City business.

(RETAIN IN EMPLOYEE PERSONNEL FILE)

EMPLOYEE ACKNOWLEDGEMENT OF VEHICLE USAGE POLICY

This is to acknowledge that I have received a copy of the City of Los Alamitos Vehicle Usage Policy and that I have read the policy and understand my rights and obligations under the Policy.

I understand that this Policy represents only current policies, procedures, rights and obligations and does not create a contract of employment. The City retains the right to add, change or delete provisions of the Policy to ensure employee safety in the course of operating a motor vehicle in the performance of City business, and/or to incorporate any changes in State law.

The City of Los Alamitos provides all mid-management and executive management employees an automobile allowance which is intended to cover the costs associated with any required City business local travel. All employees who receive an auto allowance are prohibited from driving a City owned vehicle for any local travel. Should it be determined that an employee that receives an auto allowance has driven a City owned vehicle for local travel, the employee may be subject to disciplinary action including discharge. Exceptions to this prohibition relate to management employees that are required to identify themselves as a City employee and perform services out in the field (generally occurring within City limits) as a part of their normal job duties (e.g. building inspections, water quality inspections, maintenance services, etc) and the other areas listed under Section H. However these same employees may not drive a City owned vehicle for other forms of local travel, such as attending meetings outside the City limits.

For audit purposes and having a permanent record for filing, each employee is required to formally acknowledge that they are aware of the purpose of the auto allowance and the associated prohibition of using a City owned vehicle for local transportation. Please check the box below, sign and date the form and return to Human Resources for filing.

- My signature below further signifies that I have read this Policy and that I accept and will abide by all of its provisions.
- By signing below, I understand that the City provides me with a monthly auto allowance for any local travel required as part of my position. I will not drive a City owned vehicle for any such local travel. I further understand that I will be subject to disciplinary action should I choose to drive a City owned vehicle for such local travel.

Employee Name (Print)

Signature

Date

Job Title