

## **WEBB COUNTY VEHICLE USE POLICY**

While driving a County vehicle, employees are engaged in an activity that represents the County to the general public. For many constituents this activity represents the only contact they will ever have with a County employee. Therefore, all authorized drivers are reminded how important it is to convey a positive and professional image. To help accomplish this important task in a responsible manner, authorized drivers are expected to know and comply with all applicable State/Local Laws and County policies. Failure to comply may result in the loss of authorized driver status and disciplinary action up to and including termination.

### **Definitions**

- 1.01 "County-owned vehicle" shall mean any motor-driven vehicle which has its title registered in the name of Webb County and/or leased/rented by Webb County for official business.
- 1.02 "Duty location" shall mean the place or places at which an employee must normally or usually attend at the beginning of normal work shift .
- 1.03 "Department Head" shall mean any person appointed by the Webb County Commissioners Court to administer a County Department.
- 1.04 "Official" shall mean any Webb County Elected Official and/or Board of Judges' Appointees
- 1.05 "Official business" County-owned/leased vehicles may be used only for official County business and/or work-related duties, possibly including the commute to and from work as permitted elsewhere in this Policy. County vehicles **may not** be used for any other purpose, except in an extreme emergency. Examples of prohibited uses include, but are not limited to, the transportation of family members or acquaintances on matters that do not involve County business, funeral processions, church or school traffic flow and private events or functions. At no time shall a County-owned vehicle be used for personal gain, personal business, and leisure or to drive to a place of secondary employment not related to County business.
- 1.06 "Off-duty" shall mean any time when an employee of Webb County is not performing his or her duties as an employee of Webb County.

### **Only Employees May Drive County-Owned Vehicles**

- 2.01 Only authorized County Officials, Department Heads and employees may be allowed to drive County-owned vehicles. No other persons shall be allowed to operate County-owned vehicles.
- 2.02 Before a County Official, Department Head or employee, is permitted to operate a County-County-owned vehicle, he or she must consent to the release of his/hers driving history and criminal history records to Webb County. No driver will be authorized to operate a County-

County-owned vehicle if his or her record indicates it would be unsafe to do so or that he or she may present a risk of harm to the public, as determined by Administrative Services.

In order to be an authorized driver of a County-owned vehicle, Administrative Services must receive the following documents for processing authorization:

1. Signed Release of Driving and Criminal Records
2. Application for Copy of Driver Record
3. Copy of the employee's drivers license
4. Signed copy of "Responsibility for County Vehicles"
5. A list of all vehicles which the driver may be authorized to drive. Each vehicle should be identified by:
  - a) make
  - b) model
  - c) year of the vehicle
  - d) the vehicle identification number
  - e) the license number
  - f) County fleet number

The reports required by this section shall be filed initially when driver commences employment with the County in a slot whose job description requires employee to drive a County-owned vehicle or for all other slots as deemed necessary by their department. Thereafter, they shall be updated as often as needed to reflect the current lists of employees and vehicles but in no event less often than every six (6) months.

### **Drivers Must Comply with Applicable Motor Vehicle Safety Laws and County Policies**

- 3.01 No County Official, or employee, shall be permitted or authorized to operate either a County-County-owned motor vehicle under any circumstances or a privately-owned vehicle for County-County-related matters unless that person holds a valid driver's license for the class of vehicle he or she is to operate. If, at any time, the driver loses his or her license due to suspension, revocation, expiration, or non-renewal, the driver shall notify his or her respective Department Head and/or Elected Official and shall immediately discontinue use of County-County-owned vehicles and privately-owned vehicles for County-related matters until the drivers license is reinstated and the other provisions of this Policy are satisfied. Drivers of privately-privately-owned vehicles used for County-related matters may only use privately-owned vehicles which bear comprehensive vehicle insurance.
- 3.02 All drivers of County-owned vehicles and privately-owned vehicles used for County-related matters shall comply with all applicable State and Local Laws. It is the responsibility of the driver to pay any and all fines imposed for not complying with such laws. If an accident and/or injury results from non-compliance with State and Local Laws the driver shall be held liable for all costs of damages and/or injuries sustained.

3.03 Any County employee, involved in a vehicular accident while driving a County vehicle or privately-owned vehicle for County-related matters, will be subject to a drug & alcohol test (regardless of fault), according to Webb County Drug and Alcohol Policy. If the accident occurred on a public right-of-way (refer to Webb County Safety Manual), employees must remain at the scene in order to receive medical treatment, as needed, and until released by a law enforcement authority. All employees (including passengers) involved in the accident must submit an incident report to their County Official or Department Head and Administrative Services. Failure to report a vehicle accident and/or failure to adhere to Webb County Drug and Alcohol Policy shall result in immediate termination.

Any driver involved in an at-fault accident shall also be required to attend a Defensive Driving Class (DDC) within thirty (30) days from the date of the accident. A copy of verification of completion of the DDC course must be provided to the Administrative Services Department who will provide a copy to the individual's County Official or Department Head and County Administrator. Failure to submit proof of this completion shall be cause for termination. Any cost associated with the DDC course will be the responsibility of the driver involved in the accident.

3.04 In the event of an at-fault accident involving a County-owned vehicle being used for other than **official business**, the driver shall be held personally responsible for all costs, damages and/or injuries sustained by any party to the accident.

3.05 Vehicle passengers shall ride only in areas of the vehicle as permitted by State Law.

3.06 Employees **shall not** use cell phones or other mobile devices (two-way radios) while operating a vehicle, whether the vehicle is in motion or stopped at a traffic light, unless allowed by Law.

Absolutely no:

- answering or making phone calls (hands-free devices, excluded)
- reading or responding to emails
- instant messaging or text messaging
- surfing the net
- eating
- grooming

When County employees need to engage in above activities, they must first pull over safely to the side of the road or another safe location.

3.07 Smoking in County vehicles is not allowed.

3.08 Sleeping in County vehicles is not allowed.

## Use of County-Owned Vehicles by Employees

4.01 Authorization by Commissioner's Court is required for use of a vehicle twenty-four hours a day seven days a week ("24/7"). At present, the Court has approved the use of the following "24/7" vehicles:

*Sheriff*  
*Constables*  
*Medical Examiner*  
*Road & Bridge Superintendent*  
*Fire & EMS Coordinator*  
*County Engineer*

The assigned driver's of these vehicles may be subject to IRS fringe benefit rules for Commuting.  
*Petition to the Court to amend the above authorized vehicle list must exhibit:*

That the vehicle has been assigned to the department overseen by that Official, and

1. the employee may reasonably be expected to require the use of a County-owned vehicle in order to perform his or her duties at times other than the employee's normal duty hours;  
and
2. allowing the employee to drive a County-owned vehicle "24/7" will either:
  - A. increase Webb County's ability to respond to public safety or law enforcement emergencies, including, but not limited to, use by Webb County law enforcement or water emergency response employees; or
  - B. increase the operational efficiency of Webb County.

4.02 County-owned/leased and rental vehicles may be used for travel outside of Webb County only for purposes related to County business such as meetings related to County business, educational programs or seminars, and governmental conferences or meetings.

4.03 A County vehicle operated under a grant or State or Federal program shall be operated according to the provisions of that grant or State or Federal program, in addition to the provisions of this Policy. If a vehicle use provision of the grant or State or Federal program conflicts with a provision of this Policy, the provision of the grant or State or Federal program shall control.

4.04 Any and all tolls incurred are the responsibility of the driver, subject to Appointed Official's or Department Head's policy.

## **Disciplinary Action**

5.01 Improper use of a County-owned vehicle shall be subject to disciplinary action in accordance with Webb County's Personnel Policies up to, and including, termination of employment where circumstances warrant. By way of example, "improper use of a County-owned vehicle" includes, but is not limited to, the following:

- a. Three (3) or more moving violations while operating a vehicle on County business over a three-year period, will warrant automatic termination.
- b. Driving a County-owned vehicle while intoxicated or under the influence of any drug, will warrant automatic termination.
- c. Failure to report any incident/accident will warrant automatic termination.

Violation of any other provision of this Policy, will warrant disciplinary action, including but not limited to, Commissioner's Court action to remove from Department's fleet any vehicle(s) improperly used.

5.02 County Administrator will ensure compliance with this section.

## **Acquisition, Assignment, Maintenance, and Disposal of County-Owned Vehicles**

6.01 Acquisition and Assignment: The acquisition, assignment, and disposal of County-owned vehicles shall be controlled by Commissioners Court. Vehicles not titled by the County shall not be eligible for fuel, insurance or repair. The Purchasing Department and the Administrative Services Department will maintain written inventories of County-owned vehicles for the purposes relevant to those departments. Except for unmarked vehicles, all County vehicles shall prominently display the official emblem of Webb County, a department name and vehicle number before on-street use. 6.02 Vehicle Inspection: Each vehicle should be inspected by the driver on a daily basis via the pre-trip inspection form maintained in a designated binder in each vehicle. The form will be verified by each user and shall document purpose of trip, mileage used, fuel and inspection details. Any damages or maintenance issues must be immediately reported to the department head or supervisor for follow-up with Road & Bridge, as necessary. The department shall file all completed pre-trip inspection forms.

6.03 Maintenance: County-owned vehicles will be maintained and repaired by the Road and Bridge Department. Drivers who detect or suspect a mechanical or other problem with a vehicle they have been operating will immediately notify the Road and Bridge Department of that problem and immediately cease using any vehicle that appears to be in an unsafe condition. The Road and Bridge Department will formulate a schedule of preventative maintenance for every County-County-owned vehicle and will notify the department to which that vehicle is assigned of the last date by which the maintenance is to be performed. Vehicles may not continue to be operated past that date until the scheduled maintenance is performed. Departments will not be allowed to obtain fuel for vehicles that have not been posted on the approved vehicle list or have missed

their deadline for scheduled maintenance.

- 6.04 Parking: All County vehicles must be parked in their designated area/premises at the end of each day.

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