

**Section 1: PURPOSE**

The purpose of this policy is to define the responsibilities and rules for the use of City of Manteca (City) vehicles and equipment, and privately owned vehicles used for City business. This policy applies to City officers, employees, and other authorized individuals as specified in this policy. This policy will take the place of all previous City vehicle policies and resolutions of the City Council related to these topics.

**Section 2: POLICY**

**1. Employee Responsibilities**

- a) Responsible Driving: Each City driver shall drive responsibly, anticipate emergency situations and make every effort to avoid accidents. All employees operating a vehicle on City business represent the City and shall always project a professional and responsible image to the public.
- b) Following Traffic Laws: Employees are expected to be knowledgeable of, and follow, all applicable Federal, State and local traffic laws.
- c) Driver's License: City employees operating vehicles or equipment on City business must have a valid State of California driver's license. Definition of "valid" means a current California driver's license without driving restrictions while at work, suspensions, or any other non-validating activity.
- d) Suspended, Revoked or Restricted Driver's License: City employees who are required to have a valid California driver's license to operate vehicles or equipment on City business shall immediately inform their supervisor in the event their driver's license is suspended, revoked or is otherwise restricted in a way that impacts the employees' ability to perform their job (*see 2a – 2f below*). Failure to inform a supervisor or other City management staff member shall result in disciplinary actions per the City Driver's License Violation Policy.

**2. Division/Department Responsibilities**

- a) Enforcement: Department Directors are responsible for enforcing this policy within their Departments.
- b) Driver's License Checks: City shall require DMV driver's license checks for new employees that are required to drive as part of their duties with the City.

- c) Drivers License Verification: The City's Administrative Services Department is responsible for verifying that all full and part-time employees who drive on City business have a valid California driver's license and that the license is of the appropriate class for the vehicle(s) they operate. This divisional obligation does not diminish the employee's obligations pursuant to this policy's section 1.c. and 1.d. above.
- d) DOT Driver Records: The Administrative Services Department shall maintain accurate records of employees who are required by Department of Transportation (DOT) regulations to have a commercial driver's license. At a minimum the record shall include a copy of the employee's current medical card, and a copy of the most recent DMV Driver Record Information.
- e) Pull Notice Program: City employees are enrolled (new employees will be added upon hire) in the Department of Motor Vehicles (DMV) "Pull Notice Program". Copies of the employee's activity reports are kept and tracked by the Administrative Services Department on an activity occurrence or annual basis.

**Section 3: AUTHORIZED USE OF CITY VEHICLES**

- a) Authorization: City owned vehicles shall be driven only by appropriately licensed and authorized City officers or employees or other authorized persons. Authorization shall be by the appropriate Department Director, City Manager, or City Council.
- b) Authorized Riders: No person shall be permitted to ride in a City vehicle unless such person is a City officer or employee on official City business, is a person conducting official City business for or with the City, or is a passenger authorized to be in said vehicle by the responsible Department Director, City Manager or City Council.
- c) City Business Use Only: City vehicles shall be used for Official City business only.
- d) Volunteers: Volunteers are not authorized to drive City vehicles even if the vehicle will be used only on official City business with the exception of SHARP and SAFE.
- e) Extra Help Employees: Extra Help (e.g., Manpower Temp) employees may be authorized to drive City vehicles with the approval of their division manager. The Department Director is responsible to insure that these employees have a valid California driver's license and of the appropriate class for the vehicle they are driving.

- f) Independent Contractors: Independent Contractors are not authorized to drive City vehicles even if the vehicle will be used only on official City business.
- g) Other Local Agencies: Employees of other local public agencies (entity) or local community based organizations may be authorized to use City vehicles if there is a written agreement between the City and the entity or organization that states that the use of the City vehicle is authorized by the City and is a program related to City business (including emergency situations) and after the entity or organization has met the City's insurance requirements.

**Section 4: OPERATING A CITY VEHICLE**

- a) Seat Belt Usage: The driver and all passengers in a City vehicle or in a private vehicle being used on City business shall use Seat belts. [California Vehicle Code (CCV) 27315 (d)(1), (e)]
- b) Child Safety Seats: All children riding in City vehicles shall be properly seat belted. Child safety seats shall be used as required by the CVC.
- c) Vehicle Operation: Drivers shall be familiar with the manner of operation of vehicles that they operate on City business. If drivers are unsure of the operation of their vehicle, they should check the owner's manual in the glove box of the car or contact Vehicle Maintenance for assistance.
- d) Attentive Driving: Drivers shall remain attentive to driving at all times. Use of cellular phones, eating or drinking, dealing with passengers or other distractions while the vehicle is moving should be avoided. Whenever possible drivers should pull off the road and stop when having to deal with distractions in the vehicle.
- e) Smoking: Smoking is prohibited in all vehicles owned, leased or operated by the City.
- f) Alcohol Drugs and Other Intoxicants: Consumption of alcohol, drugs or other intoxicants while operating City vehicles or equipment or while operating a privately owned vehicle on City business is strictly prohibited. (As described in the Manteca City Policy.)
- g) Dangerous or Defective Vehicle: Any City owned vehicle, or privately owned vehicle while being used for City business, shall not be operated when in a known dangerous or defective condition.
- h) Reporting an Unsafe Vehicle: When a City vehicle is found to be in a dangerous or defective condition, it shall be reported to Vehicle Maintenance as soon as is practical.

- i) Visual Inspections: Employees shall conduct a visual inspection of the City assigned vehicle or pool vehicle for damage prior to use. Any damage or safety problems observed shall be reported to Vehicle Maintenance immediately upon discovery.
- j) Unattended/Parking City Vehicles: Employees who operate City vehicles must “*safely park*” the vehicle by placing the vehicle in park (in gear if manual transmission), setting the parking (emergency) brake, and, if necessary, turning the engine off when leaving a vehicle unattended. This includes, but is not limited to, when you are out of the vehicle briefly (e.g., opening a gate). All vehicles shall be *safely parked* and locked when not in use.
- k) Traffic Citations: Any employee who receives a traffic citation other than for illegal parking while operating an City owned vehicle, or while operating a privately owned vehicle on City business, shall report such citation to his/her Department Director. **NOTE** - Any traffic or parking citation, through no fault of the employee, is the sole responsibility of the driver regardless of the vehicle being used. An employee who is convicted of a moving vehicle violation shall be subject to disciplinary actions as established in the City’s Rules and Regulations and Policy’s and Procedures.
- l) Hands Free Driving: Your job responsibilities may require occasional or regular use of a cell phone. While driving a city vehicle or operating a personal vehicle performing City business, employees are **prohibited** from using a wireless telephone unless the device is configured to allow hands-free listening and talking. This includes “text messaging.” It is imperative you remember when driving a vehicle to keep your eyes on the road and that safety comes first. Minimize the risk of accidents by following these procedures:
- If your job requires you to be accessible at all times, a hands-free device must be used.
  - Review the features of your cell phone so you are familiar with the phone.
  - Make sure the cell phone is kept within easy reach.
  - Restrict use to briefly answering calls, when possible. Advise the caller that you are driving and the call must be kept short.
  - Suspend calls in heavy or hazardous traffic or bad weather.
  - Do not take notes or look up information while driving.

- Whenever possible, wait to place a call until after you have safely stopped your vehicle and parked.

You will be solely responsible for any traffic infractions or other violations resulting from your use of a cell phone when driving while working for the City of Manteca. In addition, any violation of this policy will result in disciplinary action, up to and including termination.

If a hand-free device is unable to be used, the employee may either;

- Safely pull to the side of the road, stop and park the vehicle, then talk on the phone; or
- Not answer the phone, waiting until it is safe to receive the voicemail or return the call.

Exception: Drivers are allowed to make emergency phones call without using a hands-free device to contact a law enforcement agency, reporting a medical emergency, a traffic collision, or other emergency services agencies or entity.

#### **Section 5: VEHICLE ACCIDENTS OR DAMAGE**

- a) Safe Driving: It is the responsibility of the driver of City owned vehicles, or privately owned vehicles while being used for City business, to exercise reasonable care to avoid impediments or obstructions in the path of the vehicle that may cause damage to the vehicle, other vehicles or property, or injury to drivers, passengers and pedestrians. As such, any employee discovered (after internal or third party investigation) not to be exercising reasonable care (e.g., convicted of a violation, running a red light, etc.) of an City vehicle, shall be subject to disciplinary actions as stated in the City's Policy.
- b) Accident / Damage Reporting: All accidents and vehicle and property damage in an City vehicle or piece of equipment or a privately owned vehicle being used on City business, **regardless of severity**, shall be reported immediately to the employee's supervisor, to the appropriate law enforcement, and to Vehicle Maintenance. Additionally, any incidents involving a City vehicle requiring towing services shall be reported immediately and an incident report submitted.
- c) Timely Reporting of Accidents: Officers and employees involved in any accident in a City owned vehicle or a privately owned vehicle being used on City business shall make a complete report of such accident to the Administrative Services Department within one (1) business day.
- d) Accident Report Forms: Accident reports shall contain information on other vehicles, drivers, property involved, witnesses, weather conditions, road conditions, and any other pertinent information regarding such accident.

Accident Report Forms are located in the glove compartment on all City vehicles or may be obtained from Vehicle Maintenance or Administrative Services.

**Section 6: TAKE HOME VEHICLES**

- a) Authorized Assignment: Take home vehicle assignments are to be limited to those staff engaged in immediate, first line, emergency response for critical services or when a take home vehicle assignment results in an economy and/or efficiency that is in the best interest of the City.

**Section 7: USE OF PRIVATELY OWNED VEHICLES ON CITY BUSINESS**

- a) Responsibility: Departments are responsible for determining when it is most advantageous to the City for an employee to use a privately owned vehicle on City business. Factors to be considered include: availability of City vehicles, cost of a City vehicle vs. mileage reimbursement, the appropriateness of the vehicle for the required use and best use of employees' time and operational efficiency.
- b) Insurance Requirements: Employees who drive a privately owned vehicle on City business must maintain automobile insurance that complies with the State of California minimum requirements for bodily injury and property damage. Authorization must be secured from Administrative Services prior to using a personal vehicle for City business.
- c) Primary Insurance Coverage: If an employee is involved in an accident in a privately owned vehicle, even though conducting authorized City business, the employee's automobile insurance is primary to any other coverage per the CVC.
- d) Exclusive Use: No employee shall travel on City business exclusively in a privately owned vehicle without the approval of his/her Department Director.
- e) Reimbursement Claims: When City employees use a privately owned vehicle on City business they shall be reimbursed at the current mileage rate provided by the Internal Revenue Service. Claims for mileage reimbursement shall be submitted on the proper claim form and processed in accordance with the City Accounting Departments procedures.

- f) Motorcycles: No employee shall operate a motorcycle on City business without specific authorization of the City Manager and the Administrative Services Director.

**Section 8: ADVERSE ACTION**

- a. Failure to Comply: Failure to comply with this policy may result in disciplinary action as established in the City's Rules and Regulations and Policy's and Procedures.