

## **11.020 COUNTY-OWNED VEHICLE USE POLICY**

### **Policy Statement**

The Vehicle Usage Policy is created to establish guidelines for the use of vehicles owned or leased by the Hernando County Board of County Commissioners. All employees within the departments and divisions under the Board of County Commissioners and other individuals that use a vehicle which is owned or leased by the Hernando County Board of County Commissioners are subject to this policy.

The County considers the use of County vehicles as part of the working environment. It is the policy of the Hernando County Board of County Commissioners that County vehicles will be used exclusively for carrying out County functions. Accordingly, County vehicles will be used by County employees solely for the purpose of an employee performing public duty, or other essential functions, unless otherwise specified in this policy. County vehicles are not to be used for personal purposes. All county vehicles will remain on County premises when they are not being used for business purposes, unless otherwise addressed through the provisions of this policy and approved by the County Administrator.

All drivers and authorized passengers are expected to abide by the provisions of this policy or be subject to disciplinary action up to and including termination.

### **Authorized Drivers**

- Operation of County vehicles is limited to Hernando County employees, approved county volunteers or employees of authorized agencies, only.
- Persons who drive County vehicles must possess a valid State of Florida driver's license (not expired, suspended, disqualified, revoked, classed as a learner's permit, or restricted for business purposes only) and be insurable by the County's automobile insurance carrier. Operators with a suspended or revoked driver's license are prohibited from operating a county vehicle under any circumstances.
- Drivers may only operate vehicles for which they have the proper class license. This includes any type of Commercial Driver's License (CDL), as required by applicable regulations.
- Drivers must immediately notify, but in no case less than the next work shift, the Supervisor, Department Head, and Human Resource Department of the following:
  - Loss of driving privileges; and
  - Arrest involving County vehicles.

### **Authorized Passengers**

- Persons who are not employees or volunteers of the Hernando County Board of County Commissioners or authorized agencies will not be permitted to ride in County vehicles unless the employee (driver) obtains approval from their department head.
- The Chairperson must approve the County Administrator or County Attorney's request for unauthorized passengers. The only exceptions shall be in the case of a recognized emergency or when essential to, or associated with, the performance of official responsibilities.
- Passengers who are not county employees may be required to sign a waiver of liability form before riding in a county vehicle.
- No person shall be allowed to ride on running boards, fenders, hoods, tailgates, beds, or other locations on a vehicle not designed or approved by the vehicle manufacturer for passenger seating or in violation of State and Federal laws.

### **Insurance**

The County provides liability coverage for all county-owned and leased vehicles. The following conditions as established by the liability insurance carrier must also be met by employees authorized to drive:

- An Employee authorized to operate a motor vehicle shall comply with the liability insurance carrier's guidelines.
- An Employee may not have more than two (2) moving violations and one (1) or more at-fault accidents in the prior three (3) years.
- An Employee may not have three (3) or more moving violations in the past three (3) years.
- An Employee may not have two (2) or more at-fault accidents in the past three (3) years.
- An Employee may not have a major violation which resulted in their license being suspended or revoked.

### **Accidents / Citations**

- Accidents involving County vehicles shall be handled and reported in compliance with applicable Hernando County policies and procedures. (See Hernando County Employee Handbook Policies and Procedures Manual, May 25, 2021, or as amended).
- If any driver receives a citation while operating a county vehicle, they must comply with the requirements imposed by the issuing legal authority. The driver must notify their immediate supervisor of the citation and any penalty assessed towards the driver's license.

- Drivers must pay, without reimbursement, all fines or fees for parking citations or traffic violations that are incurred while operating a county-owned vehicle.

### **Use of County Vehicles**

- Vehicle registration and insurance carrier card must be in county vehicles at all times.
- Drivers are expected to observe all traffic regulations and to operate the vehicle in a safe manner. All occupants must always wear a seatbelt.
- Drivers are prohibited from texting or eating while driving a county vehicle.
- Drivers and authorized passengers are prohibited from smoking, using electronic smoking devices, or using any tobacco products in any county vehicle or equipment.
- Possession of any weapon, including a firearm, while in a county owned, leased, or rented vehicle while performing county business is prohibited unless the employee possesses a valid license to carry a concealed weapon issued under section 790.06, *Florida Statutes* or Florida approved reciprocal state. This prohibition shall not apply to anyone legally certified to carry weapons in the performance of their lawful duty or those employees who meet the private vehicle storage requirements of Section 790.251, *Florida Statutes*.
- Drivers will not operate the vehicle in such a way as to cause public criticism or nuisance. This includes not leaving the vehicle running or sitting in a roadway/blocking traffic while not in use.
- Alcoholic beverages may not be carried or transported in any County vehicle. Drivers are prohibited from operating any county vehicle after consumption of alcohol.
- The vehicle operator is responsible for assuring that all items are properly secured when cargo, materials, or tools are being transported.
- All drivers will perform a “walk-around” of the vehicle to see if there are any visible problems prior to it being driven each day. A vehicle/equipment driver checklist shall be filled out and given to direct supervisor for review at a minimum of once a week (previously stated daily).
- The driver shall check to make certain that all vehicle safety equipment including headlights, turn signals, brake lights, and windshield wipers are functioning properly.
- Any vehicle damage beyond normal wear and tear or that includes defects affecting the safe operation of the vehicle must be documented and reported to the driver’s supervisor.
- Drivers must comply with any preventative maintenance programs. Vehicles and equipment must be kept clean, free of dirt, debris, and grime inside and out. If it is

discovered a vehicle is not being maintained properly, the employee last assigned to that vehicle may be subject to disciplinary actions.

- Small to medium duty vehicles may be taken to a car wash utilizing the county purchase card for a regular clean, unless otherwise directed by a supervisor.
- Heavy duty vehicles and equipment may be taken to the City of Brooksville Truck wash on Main Street, unless otherwise directed by a supervisor.

### **Take-Home County Vehicle**

- The use of take-home vehicles is limited to pre-approved compelling work-related business need. Upon research and validation of justification through the departmental chain of command, Department Directors must submit a recommendation for approval to the County Administrator or designee for review and authorization.
- Take-home vehicles are limited to employees that reside within the County except in rare needs-based situations as approved by the County Administrator.
- It is the responsibility of the employee(s) to consider all aspects of the Vehicle Usage Policy prior to requesting or accepting such approval to utilize a take home County vehicle. Use of a take home vehicle is a financial benefit to the employee, not a right. Abuse of this benefit will not be tolerated.
- Unattended take home vehicles shall always be legally parked and locked, except in emergency circumstances. Employees shall not leave sensitive information or public documents (other than reference material) in the vehicle while off duty.
- The operations 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. Exception would be emergency vehicles that are responding directly to emergency incident or after-hours response to perform duties as assigned by the department.
- Workers' compensation benefits are not generally available for employees traveling to or from work with a take-home vehicle. Florida Statute 440.092 states, *"An injury suffered while going to or coming from work is not an injury arising out of and in the course of employment whether or not the employer provided transportation if such means of transportation was available for the exclusive personal use by the employee, unless the employee was engaged in a special errand or mission for the employer"*.

### **Revocation of Take-Home Vehicle Authorization**

The County has sole discretion as to the approval of, modification of, and revocation of take-home vehicles. Examples of reasons why include, but are not limited to:

- It is no longer in the department or County's best interest to continue the take-home vehicle use;
- For failure to comply with the provisions of this policy;
- For a change in job assignment, duties, or responsibilities such that a take home vehicle is no longer justified;
- In the event that the employee has had (2) accidents in a county vehicle within an eighteen-month period and found to be at fault/avoidable;
- Any driving violations or tickets that rises to the level that it is in the best interest to suspend privileges pending investigation or revoke take-home vehicle authorization; or
- As a result of disciplinary action.

### **Taxation of Fringe Benefit Income**

- The Internal Revenue Service Code of 1986, as amended from time to time, provides for the taxation of fringe benefits, particularly provisions relating to the taxation and record keeping of employer-related vehicles.
- The county is required to include the value of an employee's personal or commuting use of a county vehicle on the employee's W-2 form, as taxable income, in order to make appropriate withholdings.
- When an employee is permitted or authorized to use a county vehicle for commuting purposes, the employee's personal use will be valued pursuant to current IRS Regulations. (Please see auto allowance policy for further information).