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PUBLIC RISK SOLUTIONS
MEMBER OF PARAGON INSURANCE HOLDINGS, LLC

Risk Control Best Practices: Guide to Developing a Vehicle Use Policy

This guide is designed to outline the key elements of a Vehicle Use Policy to set standards for all operators of entity-owned vehicles.

Purpose and Scope

A Vehicle Use Policy should cover the following areas:

- ✓ Applicability
- ✓ New employee/operator requirements
- ✓ Administrative procedures
- ✓ Driver screening
- ✓ Accident reporting
- ✓ Rules/responsibilities when driving an entity-owned or a personal vehicle
- ✓ Cell phones/handheld electronic devices
- ✓ Discipline
- ✓ Policy review and sign off

Applicability

Your policy should apply to:

- All operators of fleet vehicles including automobiles, trucks, vans and/or heavy equipment owned, rented, leased or licensed for use on public right-of-way
- Full-time and part-time employees
- Coaches, chaperones, volunteers or anyone who drives on behalf of the entity
- Board members, committee members, elected officials
- Employees who are subject to collectively bargained agreements

Employee/Operator Requirements

The following are minimum requirements for any operator of public entity vehicles:

- Read and acknowledge (sign) a copy of the Vehicle Use Policy
- Have a valid license
- Immediately notify supervisors to changes in license status
- Immediately notify supervisors of health-related issues affecting ability to operate a vehicle
- Be at least 18 years old
- Receive a Pre-Employment Motor Vehicle Operator Record Review
- Receive classroom and hands-on driver training
- Receive training on how to properly inspect vehicles and the procedures for fleet maintenance and record keeping



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Administrative Considerations

Administrative policies may vary but should be clearly outlined regarding the following topics:

- Take-Home Vehicles
 - Limited to supervisors and experienced staff
 - Consider limitations on distance from office to home
 - Ensure proper parking and storage of take-home vehicles
- Personal Vehicles for business use
 - Consider reimbursement procedures for mileage
 - Insurance is required in at least minimum amount for state where driver resides

Suggest: Bodily injury coverage of \$100,000 per person/\$300,000 per accident and \$50,000 property damage

 - Placards/identifying stickers/magnets removed during off hours
 - Define personal use vs. commuting within jurisdiction
 - Follow state-required inspection and registration
 - Accidents occurring while on official business must be reported according to policy guidelines

Driver Screening

- All operators must receive a pre-employment driver screening by a review of their motor vehicle record with the states in which they reside or have resided. This is necessary to appropriately identify potential risk of liability and to ensure that the operators license is still valid.
- All operators must submit to an annual review of their motor vehicle operator records in order to determine if there has been any changes to their license status as a result of violations or accidents.
- Determine appropriate supervisors/managers responsible for driver record reviews
- Establish parameters for maintaining operator privileges and standards for revocation
- For Commercial Driver's License holders, the Federal Motor Carrier Safety Administration has established a Clearinghouse that employers must use to screen CDL holders for violations. [Click here to learn more.](#)

Accident Reporting

Operators involved in accidents using an Official Vehicle or Personal Vehicle on official business must:

- Stop the vehicle.
- Obtain the following information:
 - Name(s) and address(es) of the other driver(s);
 - Driver's license number(s) of the other driver(s);
 - Name(s) and address(es) of the owner(s);
 - Registration number(s) of the other vehicle(s) involved;
 - Name(s) and address(es) of other drivers' insurance company(ies); and,
 - Name(s) and address(es) of any witness(es) to the accident.
- Not admit liability for the accident, even if the employee believes it was their fault.
- Immediately report details to the employee's immediate supervisor.
- Notify policy especially if the accident involves a third party or there is third-party damage.
- Not move the vehicle unless authorized by police.
- Fill out a Vehicle Accident Report within 48 hours of the accident unless prevented by injury.
- Take pictures of the accident scene and any visible damage to vehicles.
- A sample [Vehicle Accident Report kit can be found here.](#)



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Rules & Responsibilities

The following rules and responsibilities for employees who drive an Official or Personal Vehicle for official use should be considered:

- Vehicles may only be used for legitimate official business.
- Individuals assigned an Official Vehicle with commuting privileges may take “incidental personal trips” such as stopping at a grocery store or going to the bank on his/her way home, but only if the stop does not add mileage to the trip.
- Operators should exercise sound judgment at all times when using assigned Vehicles.
- Misuse of an assigned Vehicle could be considered an ethics violation.
- Official Vehicles will not be used to transport any individual who is not directly or indirectly related to Official Business. Passengers shall be limited to employees and individuals who are directly associated with the work activity (committee members, consultants, contractors, etc.).
- Official Vehicles shall contain only those items for which the vehicle is assigned.
- The Public Entity shall not be liable for the loss or damage of any personal property transported in the Official Vehicle or for any personal property lost or damaged while using a Personal Vehicle for official travel.
- Employees are expected to keep Official Vehicles clean and to report any malfunction, damage, needed repairs or other vehicle problems to their supervisors immediately.
- Employees assigned Official Vehicles for commuting purposes are expected to park such vehicles in safe locations and to lock the vehicle when not in use and take the keys.
- Unless expressly exempted by law, employees are to ensure that they and all passenger(s) in an Official Vehicle wear seat belts at all times, if the Vehicle is so equipped.
- All operators of Official Vehicles requiring a CDL license must be tested for drugs and alcohol as provided by US DOT regulations and the drug/alcohol policy.
- Employees may not operate Official Vehicles or Personal Vehicles used for work-related travel under the influence of alcohol, illegal drugs, or any controlled substances.
- Employees are prohibited from possessing open alcoholic containers, illegal drugs, or controlled substances in an Official Vehicle or a Personal Vehicle used for work-related travel.
- The transporting of unopened alcoholic containers is limited to “incidental personal use” as described in this policy.
- Employees operating an Official Vehicle or a Personal Vehicle while on work-related travel must be able to present a valid operator license upon request by a Supervisor.
- Employees operating an Official Vehicle or Personal Vehicle while on work-related travel shall drive defensively and obey all applicable traffic and parking regulations, ordinances, and laws.
- Employees who incur parking or other fines/citations while operating or using an assigned Official Vehicle or Personal Vehicle on work-related travel will be personally responsible for payment of such fines/citations, unless payment of such fine/citation is approved by the Supervising Administrator.
- Employees issued citations for any offense while operating or using an Official Vehicle or Personal Vehicle on work-related travel must notify their Supervisor immediately when feasible, but no later than 24 hours after the issuance of a citation.



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- An authorized vehicle operator who is arrested or charged with a motor vehicle offense for which punishment includes suspension or revocation of the motor vehicle license, whether in his or her Personal Vehicle or in an Official Vehicle, must notify their Supervisor immediately when feasible, but in no case later than 24 hours after such arrest or charge has occurred. License suspension or conviction of an offense may be grounds for loss of Official Vehicle privileges.
- No employee may use an Official Vehicle for out-of-state use without advance approval of a Supervising Administrator.
- Employees using Official Vehicles are required to obtain fuel from designated fueling facilities, unless fueling is required in the course of out-of-town travel.
- Smoking is not permitted in an Official Vehicle.
- Hitchhikers are not permitted in Official Vehicles or Personal Vehicles on work-related travel.

Cellular Phones and Handheld Electronic Devices

The use of cellular telephone and handheld electronic devices is prohibited. This includes:

- Receiving (accepting) or placing calls.
- Retrieving, sending, or responding to text and image messaging.
- Internet browsing.
- Reading, drafting, or sending emails.
- Checking voice messages.
- Operating any application installed on cellular phones or handheld devices

In the event of exigent circumstances, employees are expected to:

- Use the device hands-free for calls.
- Pull over for all other uses.

Special care should be taken in situations where there is traffic, inclement weather, or the employee is driving in an unfamiliar area.

Discipline

Failure to comply with any and all applicable provisions of this policy may result in disciplinary action up to and including suspension or removal of Town/City vehicle privileges and suspension and/or termination of employment.

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Sample Acknowledgement Form

All employees who operate a Municipal or Personal vehicle on behalf of the Town/City should be required to acknowledge their review of this policy. Below is a sample form.

I, _____ (print name), as an employee of the Town of _____, hereby acknowledge that I have received, read, understand, and agree to abide by the Town's Vehicle Use Policy.

If assigned a Municipal Vehicle and/or if I receive a Vehicle Stipend and/or use a Personal Vehicle for work-related travel, I shall comply with the respective provisions of the policy or those portions of the policy not specifically regulated by law or collective bargaining agreement or individual agreement/contract.

In addition, I authorize the HR Director to obtain, or shall provide to the HR Director (out-of-state residents), on an annual basis for Municipal Vehicle usage or on a case by case basis for Personal Vehicle usage, and at no cost to me, a copy of my driving record, which shall only be used in determining my safety record, enabling me to be assigned and/or operate a Municipal Vehicle or to use my Personal Vehicle for work-related travel, should the need be required. In consultation with the appropriate Department Head, the Town Manager shall make such a determination.

Once signed, this form will be placed in the employee's personnel file by the HR Director for records purposes.

Employee Signature: _____

Date: ____/____/____