

630 - VEHICLE USE POLICY– County & Privately Owned Vehicles

I. SCOPE

All elected officials, department heads, division supervisors, employees and volunteers who use a Spokane County and/or privately owned vehicle (POV) for County business and purposes shall follow this policy.

II. PURPOSE

The purpose of this policy is to establish Spokane County's requirements, guidelines and procedures for vehicle use (both private and County owned) by elected officials, department heads, employees and volunteers during the conduct of official County business and purposes. References to employees in this policy shall mean elected officials, department heads, division supervisors, permanent, temporary and volunteer employees, unless stated otherwise.

III. POLICY

County and privately owned vehicles used for County business and purposes shall be operated in a safe manner consistent with local, state and federal laws. All accidents must be reported promptly according to the procedures outlined in Section 1.7 (Accident Reporting Policy) of the Accident Prevention Program. The use of County vehicles shall be limited to County business and purposes.

Failure to comply with the provisions of this policy may result in actions to include; driver improvement programs, disqualification or suspension of driving privileges and discipline up to termination.

IV. PROCEDURES

A. RESPONSIBILITIES

1. The Risk Manager is responsible for implementing this policy.
2. Elected Officials/Department Heads shall:
 - a. Have discretion for authorization and/or removal of driving privileges for employee use of County or Privately Owned vehicles used for County business, purpose or travel.
 - b. Ensure that all employees within his/her department who drive vehicles for County business and purposes are provided a copy of this policy and procedures.

- c. Ensure employees do not operate a vehicle (County or private) for County business and purposes until he/she has signed the acknowledgement of receipt form. (Attachment A)
- d. Ensure all statements of acknowledgement; copies of authorized employee valid driver's licenses of proper class and POV proof of insurance are kept on file in the department or office and are kept confidential.
- e. Provide a copy of the department's authorized vehicle operator list to the Risk Management Department on or before September 30th, of each year.
- f. Ensure that all damage to ER&R vehicles is reported to the Fleet Manager and Risk Management.
- g. Ensure all damage to non-ER&R County vehicles is reported to the elected official/department head and Risk Management.
- h. Ensure that all drivers authorized to use vehicles for County business and purposes complete driver improvement training (defensive driver or EVOC training programs). Defensive driver training is provided at no cost by Risk Management and is required within 90 days of vehicle operator assignment. After initial training, refresher training shall be completed within, and not to exceed, a 3 year period. Defensive Driving, Skid Avoidance and EVOC driver improvement training may be recommended as deemed necessary by an elected official/department head and/or the Risk Manager.
- i. All vehicle incidents/accidents shall be reported to the elected official/department head and Risk Management Office immediately. After hours and weekend reporting shall be made to the Risk Management On-Call Loss Control Specialist.

3. Vehicle Operator

- a. Ensure vehicle use is for County business and purposes and that passengers shall be County employees or authorized persons.
- b. Shall possess a valid driver's license of the proper class at all times while operating any vehicle for County business and purposes.
- c. Prior to operation of any vehicle, seat belts for the operator and any passengers in the vehicle shall be worn properly.
- d. Operate the vehicle in a manner consistent with its intended use and always in a safe manner conforming to traffic laws and road conditions.

- e. Do not smoke or allow passengers to smoke in County owned or leased vehicles.
- f. Conduct an operator's check of the vehicle each day and prior to operation. The minimum operator's check should consist of a check for body damage, mechanical problems (tire inflation & tread, brakes, steering, turn signals, wipers, horn, etc) and verification that all lights are functioning and windows are cleaned to present a clear field of view. All items requiring repair shall be reported to your immediate supervisor.
- g. Ensure that all vehicle inspection, maintenance and repair is completed when due and records and documentation is maintained and available upon request.
- h. Ensure unattended vehicles, along with any canopies, toolboxes, etc., are locked and that items in open pickup truck beds have been secured from ejection and/or theft. This applies to County owned or personally owned property.
- i. Ensure that no pets are allowed in County owned vehicles, unless necessary for completion of assigned County duties or otherwise allowed by law.
- j. Report any changes in driving privileges, traffic infractions or criminal traffic offense charged while operating a County vehicle or a privately owned vehicle for County business and purposes to your elected official/department head and Risk Management immediately.

Note: Employees are personally responsible for any and all fines and/or penalties imposed as a result of traffic infractions and criminal traffic offenses committed while operating a County vehicle or privately owned vehicle for County business and purposes.

- k. Notify your elected official/department head and the Risk Management Department immediately following a vehicle collision and follow Section 1.7 (Accident Reporting Policy) of the Accident Prevention Program.
- l. Do not place bumper stickers or logos on County owned vehicles. Do not place objects anywhere in or on a County vehicle that might obscure operator vision.

B. ASSIGNMENT OF VEHICLES

- 1. Elected official's/department head's authorization for assignment of County vehicles shall be based on the employee's job responsibilities as related to necessary performance of County business and purposes.

2. When not being used for County business or purpose, County vehicles are to be kept on County property locations. Locations other than “on County property” may be approved on a case-by-case basis by the elected official/department head responsible for that vehicle.
3. Privately owned vehicles are not to be left on County property for more than 24 hours and may be towed at the vehicle owner’s expense, unless prior arrangements are made with the elected official/department head.
4. Duty Hour Retention - The minimum transportation needs for this category of vehicle assignment shall include the following conditions:
 - a. The elected official/department head has determined that the employee’s duties cannot be satisfactorily performed without continuous availability of a suitable vehicle during duty hours.
 - b. The tasks performed during duty hours require a specially equipped vehicle.
5. Permanent Retention – An elected official/department head may assign an employee permanent (overnight) retention of a County vehicle if they decide that:
 - a. Permanent retention is in the best interest of the public and financially justified prior to approval.
 - b. The task(s) to be performed when called during off-duty hours requires immediate travel to the job location.
 - c. Approval for permanent retention is contingent upon the employee being on a continuous on-call status during other than normal working hours (i.e., 24-hours on call) and meeting at least one of the following criteria:
 - The need to respond to emergencies in the field with a vehicle specially equipped to meet the work needs of the department an average of at least six (6) or more calls per month.
 - The employee is required to respond to the field with specially equipped vehicles to meet the seasonal work conditions of the department.
 - The employee reports directly to the field at least fifty percent (50%) of his/her scheduled workdays and the employee lives more than ten (10) miles from the office headquarters.
 - The employee operates specialized equipment that would be required in the event of an emergency and there is not enough time to retrieve the equipment from a County facility.

- An employee has been assigned an irregular work schedule requiring attendance at work related activities an average of at least two (2) weekends per month or two (2) evenings per week.

NOTE: Assignment of Permanent Retention vehicles may result in tax consequences and shall be analyzed prior to assignment to ensure compliance.

6. Temporary Retention - The authority granted in this section shall not be used in place of or to circumvent the requirements of making formal requests for permanent retention.
 - a. An elected official/department head may authorize temporary retention of vehicles to employees based on the following criteria:
 - The employee is temporarily scheduled for standby duty outside of normal working hours due to emergency conditions or adverse weather.
 - The employee leaves before or returns after working hours relating to an authorized County business or purposes trip.

C. USE OF COUNTY VEHICLES

1. County vehicles may not be used to commute to homes outside Spokane County with the exception of on-call activities related to law enforcement or specific approval by the Board of County Commissioners.
2. Transportation of any person(s) not connected with County business is prohibited in County vehicles.

Note: The loss exposure for persons riding in County vehicles that are not connected with County business creates a significant, unnecessary, 3rd party liability exposure that may require loss coverage from County assets.

3. County vehicle use is prohibited from personal use, except for de minimis use (such as a stop for lunch between two business activities)

D. PRIVATELY OWNED VEHICLES (POV) USE FOR COUNTY BUSINESS OR PURPOSE

1. Definition of a privately owned vehicle (POV)
 - A motor vehicle that is owned by an elected official/department head, or employee that may, or may not be used, for Spokane County business or purposes and is not classified as a County vehicle.

2. The use of privately owned vehicles for official County business shall be considered only when such use has been determined to be in the best interests of the County.
3. Use of a privately owned vehicle for official County business or purposes shall not be mandatory, unless use is specifically made a condition of employment.
4. When accompanied by persons not employed by Spokane County or other public agencies, elected officials/department heads, and employees shall use privately owned vehicles when attending local, regional or state meetings.
5. Prerequisites for Authorization
 - a. Privately owned vehicle shall be in sound mechanical condition to provide transportation in a safe and legal manner.
 - b. Privately owned vehicles shall be equipped with all required safety devices and equipment.
 - c. Employees authorized to use a privately owned vehicle for official County business and purposes shall:
 - Receive prior authorization of his/her elected official/department head.
 - Possess and retain at all times while operating a vehicle for County business and purposes, a valid driver's license of the proper class.
 - Provide and retain in vehicle, valid current proof of automobile liability/property damage insurance with policy coverage limits not less than \$100,000/300,000 liability and \$50,000 property damage or \$300,000 combined single limit.
6. The use of a privately owned vehicle for County business or purposes that is not owned or leased by the authorized employee is prohibited.
7. All maintenance costs associated with use of a privately owned vehicle for County business or purposes are the responsibility of the vehicle owner.
8. Loss or damage that occurs to any privately owned vehicle while parked on or near County work sites, at the employee's residence, or during normal employee commuting to and from work, is the responsibility of the vehicle owner, unless the County is found to have legal liability.

E. VEHICLE RENTAL INSURANCE

1. Rental company insurance shall be declined when renting automobiles for County business or purposes in the United States or Canada but shall be purchased when renting a vehicle in countries outside of the US and Canada.
2. Maintain a copy of the rental agreement for at least 30 days after the rental agreement expires. This agreement lists the important vehicle information such as VIN, year, make, model and mileage of the vehicle and shall be submitted to Risk Management upon request to assist with claim adjudication for any loss submission from a rental company.

F. MILEAGE REIMBURSEMENT

1. Employees or volunteers authorized to use their private vehicles for County business may request reimbursement to the extent authorized by Spokane County Code 1.05.030.

Note: Please review the Travel Policy for mileage compensation alternatives.

G. PERSONAL PROPERTY REIMBURSEMENT

1. When an employee or volunteer is authorized to use his/her private vehicle for County business pursuant to this policy and sustain damage to the vehicle while in the authorized performance of County business and purposes, he/she may submit a claim for reimbursement for such loss subject to the following:
 - a. Must report the incident that caused the damage to their insurance carrier if the damage exceeds their collision deductible.
 - b. Must report the incident that caused the damage to their elected official/department head, Risk Management and/or the Risk Management On-Call Loss Control Specialist.
 - c. Must report the incident/accident to law enforcement.
2. Elected officials/department heads, and employees shall be eligible for reimbursement up to the amount of their collision coverage deductible or \$500.00 (whichever is less) upon submission of a substantiated claim consisting of:
 - a. A copy of the accident/incident report prepared for their privately owned vehicle automobile insurance (if the damage exceeds the comprehensive deductible).
 - b. A copy of the police and collision report if required.
 - c. Copies of all estimates and all repair invoices.

- d. A copy of the declarations page of the privately owned vehicle automobile insurance policy evidencing the deductible for collision damage or comprehensive coverage.
 - e. A copy of the privately owned vehicle registration involved with the loss.
 - f. A Spokane County Incident Report form.
3. All claims for monetary reimbursement shall be investigated and approved by the Risk Manager.

H. COLLISIONS DAMAGE and ACCIDENTAL LOSS

1. All accidents involving a County vehicle or a privately owned vehicle used for County business or purposes, shall be reported whether or not there is damage to the vehicle, property or involves injuries; regardless of whether the employee was, or was not, cited.
2. Elected officials/department heads and employees shall be personally responsible for all damages proximately caused to other persons and/or property if acting outside the course and scope of his/her office or employment or engaged in criminal misconduct, fraud, malice or gross negligence when operating or traveling in a County or privately owned vehicle.
3. When an employee is using their privately owned vehicle pursuant to County policy, the individual's insurance shall be considered the primary insurance coverage with County coverage potentially available for secondary or excess coverage.
4. The County will not assume responsibility for injuries to unauthorized occupants of a County vehicle or a personally owned vehicle being used in the course of County business and purposes.
5. In the event of an accident, elected officials/department head and employees shall follow the following procedure:
 - a. Stop immediately.
 - b. Take all steps necessary to prevent further damage or another accident at the scene.
 - c. Call 911 immediately to request Law Enforcement to the scene and to alert Emergency Medical Services if medical attention is required.
 - d. Do not leave the scene of the accident until directed to do so by law enforcement or a County Loss Control Specialists.
 - e. Report the accident to your elected official/department head and Risk Management immediately or as soon as practically possible.

Note: Risk Management Loss Control Specialists are available to provide assistance with the accident and conduct a liability investigation.

- f. Obtain as much information about the accident as possible, (i.e., names and addresses of witnesses, license numbers of vehicles involved, etc.)

Note: Yellow Collision packets shall be located in the glove compartment of all County owned vehicles and are encouraged to be placed in all authorized privately owned vehicles.

- g. Do not discuss fault, liability, or responsibility for the accident and do not agree to pay for anything or indicate that the County will take care of the costs or damage.
- h. Do not sign any papers, discuss the accident or give statements to anyone at the scene other than law Enforcement and the County Loss Control Specialist.
- i. If possible, take photos of the damaged vehicle/property and submit them with the incident report.

I. CELLULAR PHONE USE IN MOVING MOTOR VEHICLES

- 1. Drivers are prohibited from reading, writing or sending an electronic message, computer entry and from holding a wireless communications device to the ear unless action is exempt in (2) & (3) below. Using hands free mode is acceptable.

Note: "Hands-free" mode means the use of a wireless communications device with a speaker phone, headset or earpiece.

- 2. Exceptions to electronic messaging restrictions include:
 - a. Reporting illegal activity.
 - b. Summoning medical/emergency help.
 - c. Preventing injury to a person/property.
 - d. Relaying information between a transit or for-hire operator and that operator's dispatcher, in which the device is permanently affixed to the vehicle.
- 3. Exceptions to cell-phone use restrictions include:

- a. Operators of an authorized emergency motor vehicle or a tow truck responding to a disabled vehicle.
- b. Driver of a moving motor vehicle using a wireless communications device in the hands-free mode.
- c. Use of wireless devices to report illegal activity, to summons medical aid or other emergency assistance, or to prevent injury to a person or property, and
- d. A person using hearing aids

J. DRIVING RECORDS

1. Spokane County is 100% self-insured for automobile physical damage. Authorized operators of County owned or privately owned vehicles for County business and purposes may have their driver abstract requested from the Department of Licensing per RCW 46.52.13.