



# AGENDA REPORT

SAN CLEMENTE CITY COUNCIL MEETING  
Meeting Date: March 5, 2019

Agenda Item 9A  
**Approvals:**  
City Manager JWM  
Dept. Head GS  
Attorney \_\_\_\_\_  
Finance JV

**Department:** Finance Administration Services  
**Prepared By:** Michael Johnston, Management Analyst

**Subject:** *REPORT ON THE CITY'S VEHICLE USE POLICY*

**Fiscal Impact:** None.

**Summary:** Based on City Council direction on February 19, 2019, staff was directed to agendize an item to review and discuss the City's Vehicle Use Policy. This item is submitted to request direction from City Council with regard to the City's Vehicle Use Policy.

**Background:** The purpose of the Vehicle Use Policy (Policy) is to establish guidelines for the use of City owned/lease vehicles and personal vehicles used while conducting City business during scheduled working hours and during emergency or after hour response. The Policy is designed to address issues of City liability, vehicle maintenance and the appropriate use of City vehicles by public employees.

**Discussion:** At the City Council meeting on February 19, 2019, Council brought up the desire to review the City's Vehicle use Policy. The Policy has been in effect since November 8, 1993 (Attachment 1), and sets the guidelines for use of City owned vehicles and personal vehicles while conducting City business. A majority of the language included in the policy is standard as it relates to the necessity to obey all traffic laws while operating City vehicles, requirement for wearing a seatbelt, and possession of a valid California Driver's License. Sections of the Policy also include: after hour and emergency use, use of City pool vehicles, and use of personal vehicles.

**Recommended**

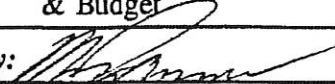
**Action:** STAFF RECOMMENDS THAT the City Council provide direction to the City Manager regarding the City's Vehicle Use Policy.

**Attachments:** 1. Vehicle Use Policy – 1002-1

**Notification:** *None.*



# POLICY AND PROCEDURE **SCANNED**

<b>Subject:</b> Vehicle Use Policy	<b>Index:</b> Administration <b>Number:</b> 1002-1
<b>Effective Date:</b> 11-8-93	<b>Prepared By:</b> Office of Management & Budget
<b>Supersedes:</b> not applicable	<b>Approved By:</b> 

- 1.0 **PURPOSE:** This policy is to establish guidelines for the use of City owned/lease vehicles and personal vehicles used while conducting City business during scheduled working hours and during emergency or after hour response. These guidelines are designed to address the issues of City liability, vehicle maintenance and the appropriate use of City vehicles by public employees.
- 2.0 **ORGANIZATIONS AFFECTED:** All departments/divisions
- 3.0 **REFERENCES:** State of California Vehicle Code 23152(a)(b)  
State of California Vehicle Code 27315
- 4.0 **POLICY:**
- 4.1 **City Vehicles:**
- 4.1.1 City owned vehicles are intended for official City business only.
- 4.1.2 City vehicles may be assigned, during normal working hours, to employees who require a vehicle to perform their normal duties. Vehicles assigned to employees during normal working hours will not be used for personal business, with the following exceptions:
- 4.1.2.1 Use of City vehicles for travel to approved meals and breaks when in the field is acceptable when an employee is out of the City limits on business, or:
- 4.1.2.2 When an employee is within City limits at a location where driving to obtain his or her vehicle would result in extra time and wasted fuel.
- 4.1.3 Employees are to obey all traffic laws while operating City vehicles.

- 4.1.4 At no time shall a City vehicle be operated when the driver has consumed alcohol or other drugs (prescription or non-prescription) which would impair the driver's ability to operate the vehicle.
- 4.1.5 All City employees operating a City owned/leased vehicle or operating a private vehicle and receiving reimbursement as part of their duties shall be required to wear a seat belt during the operation of that vehicle, except those positions which are exempted by law.
- 4.1.6 All City employees who require the use of a vehicle to perform their normal duties must possess a valid California license with the proper classification for the operation of the assigned vehicle. Any restriction or loss of driving privileges must be reported to his or her immediate supervisor within the next working 24 hours of official notification. The employee can not, under any circumstances, drive a City vehicle after notification from the Department of Motor Vehicles.
- 4.1.7 City vehicles shall bear the City seal/identification and "For Official Use Only" inscription unless exempted by the City Manager.
- 4.1.8. Employees shall not display a political or commercial sticker or sign on a City vehicle.

**4.2 After Hour and Emergency Use of City Vehicles:**

- 4.2.1 Take home use of a City vehicle shall be restricted to those employees who are assigned to standby during off-duty hours and only while the employees is actually assigned to standby.
- 4.2.2 The regular or permanent assignment of City owned vehicles for take home use may be approved by the City Manager based on the following criteria:
  - 4.2.2.1 Employees with specific expertise who are designated by their supervisor or manager to respond to emergency calls and must respond with a specially equipped vehicle; or
  - 4.2.2.2 Employees who provide regular and frequent off duty supervision, when no subordinate has been designated to act in this capacity.
- 4.2.3 A City vehicle shall not regularly be taken home beyond a 30 mile radius from the permanent work station of the employee without the express written authorization of the City Manager.
- 4.2.4 When the use of a car is required, a City vehicle may be taken home on the night before a training session or business meeting upon the prior approval of the department director.

4.2.5 City owned vehicles shall not be used for personal business other than commuter usage. Only a City employee may operate a City owned vehicle. Family members, friends, or volunteers not approved for City service by the City Manager are prohibited from operating City vehicles and shall not be transported in City vehicles.

4.2.6 The take home use of a City vehicle may be discontinued upon a finding by the City Manager that the position no longer requires such usage or continued usage is no longer in the best interest of the City. Such action shall not constitute a reduction in rank or compensation. Additional compensation for the loss of the vehicle will not be given.

**4.3 Use of City Pool Vehicles:**

4.3.1 The Fleet Manager will designate a number of City vehicles as "pool vehicles." City pool cars, if available, should be used instead of an employee's personal vehicle when conducting City business.

**4.4 Use of Personal Vehicles:**

4.4.1 Personal vehicles may be reimbursed only with the prior approval of the employee's department director or division manager.

4.4.2 Personal vehicles will be used by City employees who receive an auto allowance authorized by the City Manager. An employee who receives a vehicle allowance will not be given the right to the use of a City vehicle or to the use of fleet services (including maintenance and fuel) for their personal vehicles. In the event that an employee who receives an auto allowance participates in an offsite meeting with other employees or if the location requires a special vehicle, a City vehicle may be used.

4.4.3 The City provides bodily injury and property damage **liability** insurance coverage for employees using their own vehicle on city business. The City does not provide insurance coverage for the car itself. Employees are responsible for paying their own personal auto insurance deductible if involved in an accident. Employees are responsible for providing their own vehicle liability insurance and must submit proof of it annually (January) to their division manager.

4.4.4 If the employee is involved in an accident while conducting City business in their personal vehicle, their personal insurance policy is the primary policy, the City policy is secondary and OCCRMA is third. If at all possible, a police report should be filed and a copy sent to the City's Risk Manager.

4.4.5 If a personal vehicle is authorized for use, a mileage reimbursement at the current mileage rate published by the Internal Revenue Service effective July 1 of the entire fiscal year will be given. The established rate will be published

on an annual basis in the City's Budget Instruction Manual. The mileage reimbursement is intended to pay for gas, wear and tear and liability insurance for the personal vehicle. All requests for reimbursement must be approved by the division manager and submitted to Accounting for payment. Employees receiving an auto allowance are not eligible for mileage reimbursement.

4.5 Employees found in violation of this policy are subject to disciplinary action.

5.0 **DEFINITIONS:**

**Memorandum of Understanding (MOU)** - Agreement between the City of San Clemente and The San Clemente City Employees' Association.

**Standby** is defined in the MOU between the City and The San Clemente City Employees' Association as "Employees who are assigned to standby during off-duty hours to respond to calls to perform emergency street, sewer, water, and other repairs."

6.0 **PROCEDURE:**

6.1 The Purchasing Manager will submit an annual list (January) to the City Manager of employees who are eligible for vehicle assignment, eligible for standby duty and of employees who have been authorized to take City owned vehicles home. The Purchasing Manager will ensure that all conditions outlined in this policy are met prior to assignment of vehicles.

6.1 The Human Resources Manager, along with the department director and division manager, will ensure that the employee has a valid California driver's license.

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