CHAPTER 11

COUNTY AND PRIVATE VEHICLE USE

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CHAPTER 11

COUNTY AND PRIVATE VEHICLE USE

1101. General Statement. The Board of Supervisors provides vehicles to County departments to perform official functions. The purpose of this Chapter is to provide guidelines for the use of these vehicles and for private vehicle use while on County business.

1102. Definitions.

.1 *Vehicle.* A motorized vehicle that requires State registration and a California driver's license is required for operation.

.2 *County Vehicle*. A motorized vehicle owned, rented, or leased by the County that requires State registration and a California driver's license is required for operation. (Rev. 03/10)

.3 *Assignment.* The permanent assignment to a department of responsibility for possession and operation of a vehicle as approved through the budget process. (Rev. 10/14)

.4 *Primary Assignee.* The department responsible for budgeting, procurement, possession, operation, maintenance, and retirement, of the vehicle. The primary assignee is usually the department in possession of the vehicle, except when secondarily assigned for possession and operation to another department as with County fleet vehicles under the General Services Division (Fleet Services).
(Rev. 10/14)

.5 *Secondary Assignee.* A primary assignee, such as Fleet Services may budget, procure, maintain, and retire a vehicle but, for purposes of general use, the vehicle is assigned to another department that will possess and operate the vehicle to perform department functions. (Rev. 10/14)

.6 *Accident.* When a County vehicle is damaged by, or causes damage to, another piece of property, or when the operation of the vehicle causes injury or death to a person.

.7 *Home Retention.* The policy that permits an employee to drive a County-owned vehicle from the workplace to home and to store the vehicle at his/her residence.

1103. Vehicle Assignment. Vehicles are assigned to primary or secondary assignees by budget action of the Board of Supervisors. Vehicles may be transferred between primary assignees if approved by the County Administrative Office. Primary assignees are Fleet Services, Public Works, District Attorney, Child Support Services, Human Services, Fire, Probation, Airports, and Sheriff/Coroner. A primary assignee shall also have the authority to deny issuance of County vehicles to secondary assignees (departments) for noncompliance of policies and procedures outlined in this Chapter. The primary assignee is always responsible for the condition, use, and inventory of the vehicle, except for vehicles secondarily assigned to other departments by Fleet Services.

Departments needing vehicles on a short term basis for temporary use or until a permanent vehicle can be secured may rent a vehicle from a contracted rental car company at the contract rate. A short term rental exceeding 30 days must be approved by the County Administrative Office. (Rev. 04/20)

.1 *Secondary Assignees.* Fleet Services vehicles may be assigned to secondary assignees pursuant to approved budget actions. Secondary assignees are departments that operate and possess in inventory vehicles that are budgeted, procured, maintained, and retired by Fleet Services or other primary assignee. A department that has budgeted, procured, and is responsible to retire a vehicle in its possession, regardless of whether the vehicle is maintained by Fleet Services, is not a secondary assignee. (Rev. 10/14)

Each secondary assignee (department) must appoint a vehicle representative for the department and notify the Fleet Services contact person. The vehicle representative shall ensure that regularly scheduled service is applied to assigned vehicles in accordance with this Chapter. (Rev. 04/20)

Vehicles shall not be issued to employees while they are on vacation, sick leave, or leave of absence. Secondary assignees that cannot make adequate use of such vehicles during an employee's absence may return them to the

primary assignee for interim use. The secondary assignee's regular monthly charges will be abated for the period the primary assignee is in possession of the vehicle. (10/14)

1104. Vehicle Use Responsibilities. Department heads are responsible for ensuring that the department's fleet is properly sized and used effectively by observing the following minimum operating standards:

.1 *Fleet Size*. Vehicles are to be obtained and retained only in sufficient quantities as needed to meet the mission and operations of the department. (Rev. 03/10)

.2 *Effective Vehicle Use*. County light-duty vehicle (Gross Vehicle Weight under 8,500 lbs.) use should be at least 580 miles per month for a rolling 12-month period. Vehicles with a low average monthly mileage should be rotated within the department's fleet to offset higher use vehicles exceeding 1,250 miles per month to maximize fleet utilization. Vehicles not meeting the minimum use standard will be considered under-utilized and will require the department head to provide justification for or relinquishment of these vehicles. The County Administrative Office, in conjunction with Fleet Services, shall bi-annually review and recalculate the minimum acceptable monthly mileage for County vehicles based on the actual costs associated with ownership and operation. The County Administrative Office may request a fleet usage report to ensure an effective use of a department's fleet. (Rev. 10/14)

.3 *Special Use Vehicles*. The acquisition of special use vehicles such as dump, water, and stake bed trucks should be closely evaluated to ensure that they are critical to the department's operations. Special use vehicles with a gross vehicle weight greater than 8,500 lbs. shall be exempt from monthly mileage requirements. (Rev. 10/14)

.4 *Monthly Mileage Reports*. All departments are responsible for maintaining accurate monthly mileage reports for the purpose of establishing necessity and timing of vehicle maintenance and usage. Departments that are secondary assignees of Fleet Services shall ensure that accurate monthly mileage reports are provided to the primary assignee. Mileage can be reported either through a manual log or through key entry at County and private fuel sites. Alternative methods must be coordinated with the primary assignee. The vehicle odometer is used to generate vehicle use reports. (Rev. 10/14)

1105. Vehicle Storage. Vehicles shall be stored at County compounds or, if authorized, at residences provided that reasonable vehicle security can be assured. (Rev. 03/10)

1106. Employee Responsibilities. Ordinance Code section 2.78.050 makes it unlawful for any individual to use, drive, employ, or operate any County vehicle for any purpose other than for official County business. Employees shall obey traffic laws and take proper safety precautions while driving a County vehicle. Travel shall be limited to the actual business destination only, except as necessary to secure lodging and meals.

.1 *Passengers.* County officers and employees shall not carry a spouse or any other person not engaged in official County business as a passenger in a County vehicle, unless the passenger is accompanying the employee to a meeting, conference, or seminar with the approval of the employee's department head. (Rev. 06/04)

.2 *License and Authorization.* A valid California driver's license and authorization through the department are required to operate a County vehicle. Authorization through the department signifies that a County employee has a valid California driver's license, the employee has signed both the County's Policy for County Vehicle Use (Exhibit A) and DMV Authorization for Release of Driver Record Information (Exhibit B), and the employee's driver's license information has been sent to Risk Management. (Rev. 01/19)

.3 *Accident Reporting.* Refer to Chapter 12.

.4 *Smoking*. Pursuant to the Board of Supervisors Resolution No. 95-033, smoking is prohibited in all County owned or leased vehicles. (Rev. 04/05)

.5 *Seat Belts*. Seat belts must be worn by all vehicle occupants when the vehicle is in operation, unless statutorily exempted. (Rev. 03/10)

6. *Cellular Phone/PDA Use.* State statute prohibits the use of cellular phone(s) while driving unless a hands-free device is used. Departments should strongly discourage cellular phone/PDA use while driving, even if the employee is using a hands-free device. Employees are also prohibited from using a cellular phone/PDA for any other purpose such as text messaging, e-mail, running applications, etc. while operating a County vehicle or

their own vehicle on County business. Employees are required to stop their vehicle prior to using a cellular phone/PDA if they do not have a hand-free device or to use any other functionality of a cellular phone/PDA. The County will not reimburse employees receiving a citation and paying a fine for violating the referenced statute. (Rev. 01/15)

7. *Safe and Responsible Operation*. Any employee driving a County vehicle is required to:

a) Comply with all State and local laws and regulations governing the operation of a motor vehicle, including possession of a valid California driver's license and authorization through the department to operate a County vehicle.

b) Operate the vehicle and equipment in a safe, responsible, and careful manner.

c) Ensure that the vehicle is in safe operating condition. Before driving a vehicle, drivers must visually check the vehicle for safety concerns, missing or malfunctioning equipment, and report any deficiencies or vehicle damage.

d) Project a positive image to the public by driving in a professional and courteous manner at all times. (Rev. 07/18)

1107. Annual Vehicle Report and Certification. Annually by November 30th, each department shall revalidate its assigned vehicles and evaluate the necessity for each vehicle based on actual utilization against standards established within this chapter and submit its annual report to the County Administrative Office.

.1 Vehicle Utilization Report. This report shall be produced no later than November 30th of each year for the most recent fiscal year ended June 30th. The report will include at a minimum the following information for each vehicle in the department's fleet:

a) Assigned department number;
b) County vehicle identification number;
c) In-service date;
d) Vehicle model year;
e) Vehicle model;
f) Vehicle make;
g) Maintenance costs or repair costs incurred during most recent fiscal year ended;
h) Fuel cost during the most recent fiscal year ended;
i) Odometer reading at June 30th of the most recent fiscal year ended;
j) Total miles driven in the most recent fiscal year ended;
k) Average monthly miles driven during the most recent fiscal year ended; and
l) Number of miles above or below the minimum acceptable monthly mileage listed in section 1104.2 of this chapter for the most recent fiscal year ended.

Reporting requirements by assignee are outlined below.

.1.1 *Primary Assignees.* All primary assignees shall maintain records sufficient to complete the annual utilization report for all vehicles within their responsibility. Failure to maintain the records may result in the department's loss of primary assignee designation.

.1.2 *Secondary Assignees.* Secondary assignees shall keep records sufficient to complete the vehicle utilization report as directed by the primary assignee.

.1.3 *Vehicle Certification.* A cover letter certifying the vehicle utilization report to be complete and accurate shall be signed by the department head, attached to the vehicle utilization report, and submitted to the County Administrative Office no later than November 30th of each year.

.1.4 *Under-Utilized Vehicles.* Vehicles failing to meet the minimum utilization standard on the department's most recent annual vehicle utilization report shall require department head justification for retention. Under-utilized vehicles without appropriate justification shall be relinquished to Fleet Services for disposal or re-assignment. (Rev. 10/14)

1108. Credit Cards. Each department is responsible for obtaining fuel credit cards and for administrating fuel credit card accounts, including ordering and distributing cards, keeping accounting records, and processing payments. Fuel cards shall be assigned per vehicle, not per employee, and records of accounts and card assignments are to be maintained.

A department may obtain fuel cards to be temporarily issued to employees for the purposes of fueling rental vehicles used for County business. Detailed records shall be maintained as described above, in addition to a listing of each card, date of issuance and return, and the employee to whom the fuel card was checked out.
(Rev. 10/14)

.1 *Authorized Use.* Credit cards shall only be used to obtain oil, fuel, car washes, or for emergency repairs of County owned or leased vehicles. Emergency vehicle repairs must be authorized by the primary assignee prior to using a credit card. (Rev. 03/10)

.2 *Employee Responsibilities.* Employees shall always use the "self-service" pumps when using credit cards. Fuel and other purchases should be the most economical choice reasonably available, unless specifically required by the vehicle. Prior to signing the charge ticket, employees are to verify the quantity of fuel or oil, the unit price, the total purchase price, and the vehicle license number. Employees are to indicate on the charge ticket the vehicle identification letter prefix, vehicle number and the current vehicle mileage. If any miscellaneous non-fuel purchases are included in the charge ticket, the employee must ensure that any additional items are specifically listed. The customer copy of the charge ticket should be given to the appropriate department representative. (Rev. 10/14)

1109. Vehicle Servicing and Repair. County vehicles will be regularly serviced, properly maintained and kept in the best possible operating condition. Vehicle servicing and repair is the responsibility of the primary assignees. Leased vehicles shall be serviced as specified in the lease agreement.

Secondary assignees of vehicles from Fleet Services shall deliver vehicles to the primary assignee for servicing and repairs. Servicing and minor repairs by commercial firms in outlying areas must have the prior approval of the primary assignee. Vehicles that require commercial repair shall be sent out for repairs in accordance with purchasing procedures (see Chapter 5) and upon approval by the primary assignee. (Rev. 10/14)

Department heads are responsible for ensuring adherence to the minimum vehicle programmed maintenance standards below. Primary assignees may establish more rigorous vehicle service standards. (Rev. 03/10)

.1 *Programmed Maintenance Intervals*. Programmed maintenance intervals must be adhered to ensure a vehicle's reliability, continued economic operation, and operator safety. A vehicle that has not been serviced at the designated interval, within a 30-day/1,000 mile grace period, should be considered unsafe and placed out of operation until the maintenance is done. If there are known or suspected safety issues, the vehicle should be towed to the maintenance facility or arrangements should be made to have the maintenance performed on site. (Rev. 03/10)

.2 *Vehicle Maintenance Logs*. Departments must implement a system to track and enforce maintenance schedules. County-owned vehicle maintenance documentation is to be retained by the department for the life of the vehicle plus two years, pursuant to the Secretary of State Local Government Record Management Guidelines. Maintenance records for department vehicles covered for maintenance under Service Plan 1, Modified Plan 1, or Plan 2 will be retained by Fleet Services for the operational life of the vehicle plus two years and supplied to the department upon request, regardless of primary or secondary vehicle assignment.
(Rev. 10/14)

.3 *County Light- and Medium-Duty Vehicle (up to one ton) Maintenance Intervals*. Under normal use conditions, these vehicles must be serviced every six months or 7,500 miles, whichever occurs first. If the vehicle use is under dusty or sand-blown conditions, vehicle maintenance must occur every six months or 5,000 miles, whichever occurs first. Vehicle maintenance at the specified intervals is to include: oil change and oil filter replacement; front suspension, steering, brake, shift linkage, driveline, and door hinge inspection and lubrication; inspection and correction as necessary for fluid levels, drive belts, hoses, lights, horn, exhaust system, tires and tire pressures, and windshield wiper blades and washer fluid. (Rev. 03/10)

A wheels-off brake inspection is to occur annually or every 10,000 miles, whichever occurs first. Transmissions, differentials, transfer cases, and cooling systems are to be inspected at intervals recommended by the manufacturer. (Rev. 03/10)

.4 *Heavy Equipment (10,000 pounds gross weight) Vehicle Maintenance Intervals*. County vehicles meeting the Biennial Inspection Terminal (BIT) criteria will, at a minimum, meet the specified criteria. Refer to the California Highway Patrol BIT program for inspection and maintenance requirements, checklists, and other information. A department may establish more stringent maintenance standards. (Rev. 03/10)

Annual inspections should be made on 10% of a department's heavy-duty equipment on a randomly selected basis. As a part of the inspection, maintenance records should be audited. (Rev. 03/10)

1110. Vehicle Abuse. Vehicle abuse is defined as a failure of the driver to turn in an assigned vehicle that is exhibiting a safety-related problem such as faulty brakes, worn tires, and oil leaks. Vehicle abuse also includes vehicle damage that occurs when a County driver fails to conform to driver responsibilities listed in section 1106 of this chapter.
(Rev. 10/14)

1111. Vehicle Misuse. Any suspected vehicle misuse should be reported to the County's Fraud Hotline at (800) 620-6947. (Rev. 03/10)

1112. Vehicle Accidents. Departments are responsible to pay for accident repair costs when a Plan 1 or Modified Plan 1 vehicle is involved in an accident and it is determined the County driver is at fault. For repair costs that are up to $7,500 per incident, the secondary assignee will pay the costs during the current fiscal year. For repair costs that are greater than $7,500 per incident, the secondary assignee can either pay the entire amount in one payment, or two equal payments over two fiscal years. The first payment will occur during the current fiscal year. The secondary assignee is responsible to pay for any needed loaner vehicle, as well.

The secondary assignee is responsible for the replacement cost of a Plan 1 or Modified Plan 1 vehicle after it has been in an accident and declared a total loss, and it is determined the County driver is at fault. The secondary assignee must provide funding within their budget unit to pay for the actual replacement cost of the new vehicle, less any replacement fund credits earned from the vehicle lost in the accident. (Rev. 10/14)

1113. California Air Resources Board Idling Limits Regulations. (Rev. 03/10)

.1 *In-use, On-road Diesel Fueled Vehicles*. A driver of a diesel-fueled motor vehicle with a gross vehicle weight rating greater than 10,000 pounds is prohibited from idling the vehicle's primary engine for more than five minutes at any location. In addition, a diesel-fueled auxiliary power system is prohibited from idling for greater than five minutes to power a heater, air conditioner, or other auxiliary equipment, unless it is to prevent a safety or health emergency, or when the vehicle is stopped at a location within 100 feet of a restricted area, defined as real property zoned for single or multifamily residential units on which there are one or more units. Exceptions to the idling limits are:

a. Period(s) of time during which a bus is idling for up to 10 minutes and passengers are loading or unloading.

b. Idling when the vehicle is motionless due to traffic conditions, a traffic control device, at the direction of a peace officer, operating a diesel-fueled auxiliary power system at the direction of a peace officer, idling the primary engine or operating a diesel-fueled auxiliary power system due to immediate adverse weather conditions affecting the safe operation of the vehicle, or due to mechanical difficulties over which the driver has no control.

c. Idling when the vehicle is queuing and is beyond 100 feet of a restricted area.

d. Idling to verify the safe operating condition of the vehicle and that vehicle equipment is in good operating order, and idling for testing, servicing, repair, or diagnostic purposes, provided that the idling is required to verify the condition of the vehicle for testing purposes.

e. Idling when positioning or providing a power source for equipment or operations, other than transporting passengers, which involves a power take off or equivalent mechanism and is powered off the primary engine for controlling cargo temperature, operating a lift, crane, pump, drill, or other auxiliary equipment;

collecting solid waste or recyclable material as authorized by contract, license, or permit by a school or local government; when providing emergency services for which the vehicle is designed; or when operating a wheel chair lift.

.2 *In-use, Off-road Diesel Fueled Vehicles*. No vehicle or engine subject to this section may idle for more than five consecutive minutes. Exceptions include idling while queuing, to verify the vehicle's safe operating condition or to test or service the vehicle, to use the vehicle's equipment (such as a crane), to bring equipment or the vehicle to operating temperature, or as necessary to ensure the safe operation of the vehicle.

.3 *Idling Regulations Training*. Departments are responsible for training and keeping staff informed on the idling regulations, either by keeping a copy of this policy, or other information material, in the vehicle.

.4 *Idling Regulations Enforcement and Violation Consequences*. These regulations are enforced by the Air Resources Board. Each first time violation of the idling requirements will result in an assessment of a minimum civil penalty of $300; subsequent violations can result in penalties of $1,000 to $10,000. Violation of the idling regulations will result in appropriate disciplinary action, up to and including dismissal.

.5 *Reporting Violations*. To report violations of the Air Resources Board idling limits, call 1-800-END-SMOG (1-800-363-7664), or complete an on-line form at www.arb.ca.gov/enf/complaints/icv.htm.

1114. Vehicle Registration and Identification. The Purchasing Division will process the vehicle registration and other documents required for vehicle purchase and forward to the primary assignee the vehicle license plates and registration card. The primary assignee shall ensure that a copy of the registration card is retained in the vehicle and that vehicle license plates are affixed to the vehicle at all times.

.1 *Department Instructions*. In order for the County to have its designated equipment number shown on the vehicle ownership certificate, the completed Report of Sale and the Application for Exempt Registration should be left with the County department receiving the vehicle so that the County equipment number can be inserted on the application. Reports of Sale and Applications for Exempt Registration can only be signed by the Purchasing Manager, Fleet Services Manager, or designated assignee. If a department is not a designated assignee, all paperwork is processed through the Purchasing Manager.

.2 *Vehicle Receipt*. When a vehicle is received, the department is required to perform the following.

a. Inspect the vehicle for compliance with the bid specifications.

b. Sign only the delivery receipt accepting the vehicle.

c. Collect Reports of Sale and Applications for Exempt Registration from the vendor.

d. Reference the Purchase Order number for the vehicle on the Report of Sale.

e. Insert the equipment number on the application.

f. Submit documents to the Purchasing Manager with a copy of the signed delivery receipt within one day of receiving the vehicle.

g. Return Reports of Sale and Applications for Exempt Registration to the vendor within 48 hours for submission by the vendor to the Department of Motor Vehicles.

(Rev. 03/10)

.3 *Vehicle Identification*. County vehicles shall display identification decals and numbers as specified in Ordinance Code section 2.78.010 and 2.78.020. The numbers shall include letter prefixes or suffixes identifying primary assignees as follows (Rev. 05/21):

A Board of Supervisors
B Treasurer-Tax Collector
C Assessor
W Sheriff's Office , incl. facilities
T Waste & Recycling
V Employers' Training Resource
X Airports Department
Z Fire Department

E Engineering & Surveying
F/EG General Services Division
H/DA District Attorney
J Probation
K/EG Parks & Recreation
L Agricultural Commissioner/Sealer Department
M Roads Department
N Building Inspection Division
Q Animal Services
P Planning and Natural Resources
PH Public Health Department, inc. CCS
EV Electric vehicles
S Kern Sanitation Authority
AA Library
AD Aging & Adult Services
AP Air Pollution Control District
CC Code Compliance Division
CH Child Support Services
EM Emergency Medical Services
FH Farm & Home Advisor
JJ Environmental Health Services
MH/BH Behavioral Health& Recovery Services
PD Public Defender (Rev. 04/20)
PW Public Works

.4 *Unmarked Cars.* Ordinance Code Section 2.118.030 outlines the procedure and guidelines for authorization of unmarked County vehicles. A department head may request an exemption from normal vehicle identification requirements if it is felt that public identification of a County-owned vehicle will impede performance of duties by personnel operating such vehicles or that it would expose employees to an unreasonable risk or danger to personal safety. Applications for authorization to use unmarked vehicles are filed with the County Administrative Office, that will present a recommendation to the Board of Supervisors.

1115. Alterations and/or Installations. Painting, drilling holes, bracket mounting, and equipment installation must be authorized and accomplished by the primary assignee.

1116. Assignee Implementation Instructions. Primary assignees shall issue instructions necessary for the administration of this Chapter.

1117. Vehicle Home Retention. Home retention of County vehicles on an on-going non-temporary basis by an employee may be authorized by written assignment by the department head. Employees with home retention assignments do not have special privileges or permission to use the vehicle for any activities other than official County business, except travel to and from the employee's workplace to their residence. It is the employee's responsibility to ensure the vehicle is parked and secured when not in use. Isolated instances of temporary storage of a County vehicle at an employee's residence – up to one week or one weekend – does not require written department head authorization for home retention assignments (*see* Temporary Vehicle Home Retention). The Sheriff and Park Rangers' home retention policies for sworn law enforcement personnel are covered in the sections below, while home retention assignments for non-sworn staff of these departments are subject to the provisions of this section.
(Rev. 04/20)

.1 *Criteria for Home Retention Assignment.* Home retention assignments must meet one or more of the following criteria. Department heads with assigned County vehicles are not subject to these guidelines.

.1.1 *Emergency Call Back.* Likelihood of the required return of an employee to duty after normal working hours as a result of an unexpected situation or sudden occurrence of a serious and urgent nature, which demands immediate action and the use of a County vehicle for work purposes. Scheduled return after normal working hours to complete work to meet a deadline does not qualify as an emergency. Assignments requiring the retention of non-special purpose vehicles (vehicles equipped to respond to the emergency situation) must meet a frequency response guideline of at least an average of four emergency callbacks per month.

The frequency of emergency callbacks shall be tracked as described in the assignment documentation, 1117.2 of this chapter, which shall be reviewed monthly for appropriateness of the home retention assignment by the department head or designee. Records indicating the frequency of callbacks must be kept on file with the written documentation for the home retention assignment. (Rev. 10/14)

.1.2 *Proximity to Place or Area of Work.* If an employee consistently uses a County vehicle on County business in areas closer to the employee's home than a County location where the vehicle would normally be parked, a home retention assignment may be more economical for the County. A cost/benefit analysis must show an advantage to the County for an employee to respond directly from home rather than from the County vehicle storage area. This cost/benefit analysis must be kept on file with the written home retention assignments. (Rev. 10/14)

.1.3 *After-Hours County Business.* Subject to department head discretion and justification, a home retention vehicle may be assigned to an employee required to attend frequent meetings or conduct County business outside of normal working hours (which would not otherwise qualify as after-hours "emergency" duties). Frequency of such regular meetings shall be tracked as described in the assignment documentation, which shall be reviewed monthly for appropriateness of the home retention assignment by the department head or designee. Assignments made under this criteria should meet a frequency guideline of at least an average of three occasions per month. Records indicating the frequency meetings attended must be kept on file with the written authorization for home retention assignment. (Rev. 10/14)

.1.4 *Special Purpose Vehicles.* Vehicles outfitted with special equipment or capabilities required for the response to emergency situations. Examples of special equipment/capabilities include, but are not limited to, installed two-way radio communications equipment connected to the County's public safety radio system, off-road response capabilities, or the transportation of after-hours response equipment. (Rev. 10/14)

.1.5 *Vehicle Security.* If the risk of damage to a County vehicle normally operated by an employee is less if parked overnight at the employee's home than the County location where the vehicle would normally be stored, a department head may authorize home retention.

.2 *Assignment Documentation.* The department head will retain on file adequate documentation explaining the basis under which the home retention determination was made, for each County vehicle home retention assignment. As applicable, documentation on file must contain the employee's name, the vehicle identification number, and justification relating to type of emergency, expected number of call backs, nature of after-hours county business, cost/benefit analysis, need for a special purpose vehicle, security risk analysis for a County parking area, etc. The department head shall sign and date each assignment authorization document. On a monthly basis, the department head or designee is responsible for review of the necessity for all existing home retention assignments and shall rescind any such assignments that do not meet the above criteria.

The employee shall complete and submit to his/her department head each month the Monthly Vehicle Mileage Log (Exhibit C), which will be available for annual compliance auditing purpose and will provide data necessary for compliance with the 1984 Tax Reform Legislation requiring use of a home retention County vehicle to be reported as income. In completing the form, the employee must provide the vehicle's County identification number, the beginning mileage for the month, beginning and ending odometer readings, beginning and ending location, purpose for the trip, and a description of the activity. If more than one vehicle is used for home retention during the month, the employee is responsible to submit a Home Retention Vehicle Usage Form for each vehicle used. The County's timekeeping system (TRACS) has a module to capture usage of home retention vehicles that is defined as commuting, which IRS designates as a taxable fringe benefit. The IRS defines a commuting 'trip' as from home to work, or from work to home. Departments may assign employees that have vehicle home retention to the TRACS module and employees must record the number of 'trips' per day. TRACS will convert 'trips' to taxable wages on their bi-weekly payroll. (Rev. 03/16)

Employees assigned marked or unmarked emergency and/or law enforcement vehicles are exempt from taxation on home retention vehicles, but must complete the Home Retention Vehicle Usage Form for auditing purposes.

1118. Sheriff's Department Vehicle Home Retention. Home retention assignments may be authorized by the Sheriff to sworn law enforcement personnel, subject to the following criteria.

.1 *Criteria.*

.1.1 *Emergency Call Back.* Required return of any employee to duty after normal working hours as a result of a serious and/or urgent nature that demands immediate action.

.1.2 *Proximity to Place or Area of Work.* An employee who consistently uses a County vehicle for official business in areas closer to the employee's home than a County vehicle storage area may be authorized home retention for economical purposes. The Sheriff shall have discretion to authorize home retention where it is shown to be advantageous for the department to have an employee respond directly from home rather than from a County vehicle storage area.

A home retention assignment may be authorized by the Sheriff for an employee who is required to attend frequent after normal working hour meetings (which would not qualify as after-hours "emergency" duties).

Subject to approval of the Sheriff and justified by particular job assignment, a home retention vehicle may be assigned to an employee who is responsible for the continuous twenty-four hours per day, seven days per week, management or supervision of a major work unit having law enforcement emergency response or detention functions.

.1.3 *Vehicle Security.* When the risk of damage or unwanted observation to a vehicle (County owned or leased) is less if parked overnight at the employee's home than at a County vehicle storage area, the Sheriff may authorize home retention.

.1.4 Home retention of a vehicle is also authorized under the Sheriff's Personalized Patrol Vehicle Program pursuant to written guidelines established by the Sheriff-Coroner.

.2 *Assignment Documentation.*

.2.1 *Sheriff Responsibility.* For compliance auditing purposes, the Sheriff will establish and retain on file the documentation explaining the basis for which home retention assignments were made. The compliance documentation will contain justification relating to the type of emergency call back responsibility, proximity to work place, nature of after-hours County business, identification of the major work unit requiring continuous management or supervision having emergency response or detention function, or the security risk to County owned or leased vehicles. The Sheriff or his designee will sign and date each document.

.2.2 *Employee Responsibility.* The employee will complete and submit the Departmental compliance form each month to the Sheriff or designee, which will be made available for annual audit.

1119. General Services Division – Park Ranger Vehicle Home Retention. Home retention assignments may be authorized by the Chief General Services Officer for the Park Ranger function to sworn law enforcement personnel, subject to the following criteria.

.1 *Criteria.*

.1.1 *Emergency Call Back.* Required return of any employee to duty after normal working hours as a result of a serious and/or urgent nature that demands immediate action.

.1.2 *Proximity to Place or Area of Work.* An employee who consistently uses a County vehicle for official business in areas closer to the employee's home than a County vehicle storage area may be authorized home retention for economical purposes. The Chief General Services Officer shall have discretion to authorize home retention where it is shown to be advantageous for the department to have an employee respond directly from home rather than from a County vehicle storage area.

A home retention assignment may be authorized by the Chief General Services Officer for an employee who is required to attend frequent after normal working hour meetings (which would not qualify as after-hours "emergency" duties).

Subject to approval of the Chief General Services Officer and justified by particular job assignment, a home retention vehicle may be assigned to an employee who is responsible for the continuous twenty-four hours per day, seven days per week, management or supervision of a major work unit having law enforcement emergency response functions.

.1.3 *Vehicle Security.* When the risk of damage or unwanted observation to a vehicle (County owned or leased) is less if parked overnight at the employee's home than at a County vehicle storage area, the Chief General Services Officer may authorize home retention.

.1.4 Home retention of a vehicle is also authorized under the Personalized Patrol Vehicle Program pursuant to written guidelines established by the General Services Division.

.2 *Assignment Documentation.*

.2.1 *General Services Responsibility.* For compliance auditing purposes, the General Services Division will establish and retain on file the documentation explaining the basis for which home retention assignments were

made. The compliance documentation will contain justification relating to the type of emergency call back responsibility, proximity to work place, nature of after-hours County business, or the security risk to County owned or leased vehicles. The Chief General Services Officer or his designee will sign and date each document.

.2.2 *Employee Responsibility.* The employee will complete and submit the Departmental compliance form each month to the Chief General Services Officer or designee, which will be made available for annual audit.

(Rev. 04/20)

1120. Temporary Vehicle Home Retention. Subject to department head discretion, a department head or designee may allow the temporary home retention of a County vehicle on isolated and infrequent occasions lasting up to one business week or a single weekend when it is in the best interest of the County. Reasons for temporary assignment may include, but not limited to, an employee traveling to an event out of town outside of normal working hours or an employee providing temporary relief for another employee that is on leave or temporary assignment. Employees are not permitted to use a County vehicle for personal use and must have a legitimate need relating to the performance of their official duties for temporary home retention. Isolated and infrequent instances of home retention on a temporary basis will not be considered a home retention assignment and will not require written authorization of the department head; however, the employee shall be required to complete and submit a Monthly Vehicle Mileage Log (Exhibit C) for each instance of temporary home retention. The department head or designee shall track and keep record of the frequency of these instances per employee and deny future requests if this policy is abused. Any request for temporary home retention that exceeds a frequency of four instances per month or for a period longer than one business week or a single weekend shall require written authorization for home retention assignment from the department head and will also require the appropriate supporting documentation.

It is *not* an acceptable use of the Temporary Vehicle Home Retention policy to provide County vehicles as temporary replacements for commuter vehicles (i.e., to get to work while the employee's personal vehicle is being repaired). (Rev. 10/14)

1121. Volunteers Driving on County Business. Volunteers in service to the County may drive County vehicles or may drive their own personal vehicles on County business with the prior written department head approval. If volunteers drive their own personal vehicles, mileage will be reimbursed at the same rate as employees.

All expenses incurred by the County, including insurance losses, will be the responsibility of the department that authorized the volunteer to drive. Department heads are expected to exercise diligence and caution when granting permission to a volunteer to drive and must notify the Risk Management Division of the authorization. All pertinent information necessary for a determination of the potential impact on the County's insurance will be provided. (Rev. 03/10)

This procedure does not apply to volunteers who are performing peace officer related duties for the Sheriff's Department, including but not limited to, reserve deputies, search and rescue, and posse. This procedure does not apply to call firefighters.

.1 *Insurance Certificate.* Department heads will annually obtain a current copy of an Insurance Certificate, which shows that the volunteer has proper insurance in accordance with State law with minimum liability coverage for $15,000 per occurrence and $30,000 in the aggregate. An annual report from the DMV on the driving history of the volunteer is also required, and must be found to be acceptable by Risk Management. (Rev. 03/10)

.2 *Authorization.* If the volunteer will be permitted to drive a County vehicle, the department head will issue a temporary authorization to drive a County vehicle (Form #580-00965026), and verify that the volunteer has a current valid California driver's license.

Operating departments will maintain a file of volunteers with their insurance policy number and expiration date, their driver's license number and expiration date, and the expiration date of the temporary authorization to drive a County vehicle.

.3 *Department Procedures.* Department heads will implement necessary departmental procedures in writing to effectuate these policies and procedures. The written procedures will include tasks and responsibilities

for ensuring that volunteers have a valid license as necessary to drive the vehicle they will be operating, have current insurance, and use proper care and caution while performing duties as a volunteer for the County.

1122. Complaints. All complaints regarding reckless driving, vehicle misuse or discourteous drivers of County vehicles are to be referred to the General Services Division. It is the responsibility of the General Services Division to receive complete information from the reporting party, including where the incident took place, vehicle license and/or inventory number, nature of the incident, date and time of incident, description of the driver and any other information deemed to be helpful to investigate the incident. Ownership of the vehicle and the primary assignee of the vehicle if the vehicle is County property will be determined. If the vehicle is not County owned or operated, the General Services Division will refer the reporting party to the owner.

.1 *Primary Assignees.*

.1.1 *Fleet Services.* A memorandum shall be submitted to the department head of the department for which the vehicle is secondarily assigned whether on a permanent or temporary basis, indicating all pertinent information regarding the incident. It shall be the responsibility of that department head to investigate the allegation, take appropriate action and make a complete report back to the General Services Division within 10 days after receipt of the report. (Rev. 10/14)

1.2 *All Other Fleets.* When the General Services Division received a complaint of an incident involving a County vehicle assigned to another primary assignee, a memorandum shall be submitted to the department head indicating all pertinent information regarding the incident. It shall be the responsibility of the department head to investigate the allegation and take appropriate action.

.2 *Peace Officers.* Notwithstanding the above, if it is determined that the employee complained of is a peace officer as defined in Penal Code Section 830 et seq., the entire record of the matter (including all original documents and any copies thereof) shall be referred to the officer's employing department, which shall investigate and deal with the matter in accordance with policy such department has established pursuant to Penal Code Section 832.5.

1123. Private Vehicle Use for County Business. Unless authorized under the provisions of this section, a private vehicle shall not be used while conducting County business.

.1 *License and Insurance Requirements.* To be authorized to use a private vehicle, the employee must possess a valid California driver's license and carry minimum insurance for public liability and property damage, as specified by the State ($15,000/30,000 public liability; $5,000 property damage.) It is the responsibility of the department head to verify continuous compliance with license and insurance requirements. Verification of driver's license status shall be coordinated through County Counsel's Risk Management Division. (10/14)

If applicable, department heads shall submit a list of employee names, and driver's license numbers, who drive or have the opportunity to drive in the course of their employment to the Risk Management Division. All information obtained shall be kept confidential except where necessary to ensure compliance with County requirements relating to driving or where disclosure is required by law. If a license is found to be expired, suspended or revoked, the department head will be notified. The employee's authorization must be immediately revoked and any claim submitted after the date of revocation will not be considered a charge against County funds. The employee shall be denied use of a County vehicle and will not be allowed to drive a privately owned vehicle in the course of their employment until the employee obtains a valid driver's license.

.2 *Employee Responsibility.* Employees are required to notify their insurance companies of their private vehicle use in the course and scope of their work, including routinely transporting other employees or clients/patients. Employees involved in traffic accidents or cited for an infraction shall report such to the employing department and Risk Management, in accordance with procedures outlined in Chapter 12.

1124. Private Auto/County Vehicle Option for Eligible Officials. Members of the Board of Supervisors may elect to use either a County vehicle or their personal vehicle in the performance of their duties. Because of the need to travel under emergency-response conditions in the course of their duties, the Sheriff and Fire Chief may elect to be assigned a County vehicle. Such election is revocable; however, modification of the arrangement for use of a County or personal vehicle shall occur no sooner than every two years, or upon election of a new Sheriff or appointment of a new Fire Chief.

Department heads shall use their personal vehicle in the performance of their duties, except the Sheriff and Fire Chief as noted above. (Rev. 10/14)

An eligible official using their private vehicle and receiving a monthly vehicle allowance will not be assigned nor entitled to use a County vehicle except under unusual or emergency circumstances. Unusual circumstances shall mean when a personal vehicle is unsuited for particular travel requirements, such as the vehicle is too small for the number of people to be transported, or when the personal vehicle is not available due to accident or undergoing major repair. When a County vehicle is used under unusual circumstance, the monthly vehicle allowance shall be prorated to reflect the time the County vehicle was used. In the case of an emergency such that a specialized County vehicle is required (4-wheel drive for example) the monthly vehicle allowance will not be prorated.

To initiate or change a County vehicle assignment, submit a request to the Chief Administrative Officer, who will provide a recommendation to the Auditor-Controller-County Clerk. To opt to receive the monthly vehicle allowance, submit a request along with a Change of Employee Status to the Chief Administrative Officer.

1125. Second Life Vehicles. A department may request that a vehicle be withheld from surplus and used for County business rather than auctioned, sold, or otherwise disposed. In such cases, the requesting department submits a Vehicle Request Form (Chapter 8, Exhibit C). A second life vehicle request must be approved by the County Administrative Office. These vehicles will not be replaced once taken out of service. Any replacement will need to be made using the procedures in Chapter 8. Proceeds from the sale of a second life vehicle will be remitted to the vehicle replacement fund in the Garage Internal Service Funds. (Rev. 10/14)

1126. Privacy. No driver or passenger in any County vehicle or piece of equipment should have an expectation of privacy in its use. At all times, there should be an expectation that global positioning systems (GPS) and vehicle performance tracking or similar locating devices have been installed in all County vehicles and equipment and are being monitored. Beginning with the 2015 model year vehicle, all departments must equip new vehicles purchased with global positioning systems (GPS). The specific type of tracking device and monitoring frequency is at the discretion of the department or the designated fleet manager.

Any person who knowingly and purposefully modifies, damages, manipulates, or disrupts the performance or proper functioning of any GPS device, exhibits poor driving behavior that has been recorded and reported by the GPS device, or uses any County vehicle for any purpose other than for official County business or any other activity not approved by their department head, is subject to disciplinary action, up to and including dismissal. Safety Department vehicles designated for undercover use will be exempt from requiring GPS devices and will be governed by departmental policies and procedures. (Rev. 10/14)

COUNTY OF KERN
POLICY FOR COUNTY VEHICLE USE

The County's policy for use of private and County vehicles is located in Chapter 11 of the Kern County Administrative Policy and Procedures Manual. Section 1105 and 1106 specify employee's responsibilities when using a County vehicle, as follows.

1105. Vehicle Storage. Vehicles shall be stored at County compounds or, if authorized, at residences provided that reasonable vehicle security can be assured. (Rev. 03/10)

1106. Employee Responsibilities. Ordinance Code section 2.78.050 makes it unlawful for any individual to use, drive, employ, or operate any County vehicle for any purpose other than for official County business. Employees shall obey traffic laws and take proper safety precautions while driving a County vehicle. Travel shall be limited to the actual business destination only, except as necessary to secure lodging and meals.

.1 *Passengers.* County officers and employees shall not carry a spouse or any other person not engaged in official County business as a passenger in a County vehicle, unless the passenger is accompanying the employee to a meeting, conference, or seminar with the approval of the employee's department head. (Rev. 06/04)

.2 *License and Authorization.* A valid California driver's license and authorization through the department are required to operate a County vehicle. Authorization through the department signifies that a County employee has a valid California driver's license, the employee has signed both the County's Policy for County Vehicle Use (Exhibit A) and DMV Authorization for Release of Driver Record Information (Exhibit B), and the employee's driver's license information has been sent to Risk Management. (Rev. 01/19)

.3 *Accident Reporting.* Refer to Chapter 12.

.4 *Smoking*. Pursuant to the Board of Supervisors Resolution No. 95-033, smoking is prohibited in all County owned or leased vehicles. (Rev. 04/05)

.5 *Seat Belts*. Seat belts must be worn by all vehicle occupants when the vehicle is in operation, unless statutorily exempted. (Rev. 03/10)

.6 *Cellular Phone/PDA Use.* State statute prohibits the use of cellular phone(s) while driving unless a hands-free device is used. Departments should strongly discourage cellular phone/PDA use while driving, even if the employee is using a hands-free device. Employees are also prohibited from using a cellular phone/PDA for any other purpose such as text messaging, e-mail, running applications, etc. while operating a County vehicle or their own vehicle on County business. Employees are required to stop their vehicle prior to using a cellular phone/PDA if they do not have a hand-free device or to use any other functionality of a cellular phone/PDA. The County will not reimburse employees receiving a citation and paying a fine for violating the referenced statute. (Rev. 07/18)

.7 *Safe and Responsible Operation*. Any employee driving a County vehicle is required to:

a) Comply with all State and local laws and regulations governing the operation of a motor vehicle, including possession of a valid California driver's license and authorization through the department to operate a County vehicle.

b) Operate the vehicle and equipment in a safe, responsible, and careful manner.

c) Ensure that the vehicle is in safe operating condition. Before driving a vehicle, drivers must visually check the vehicle for safety concerns, missing or malfunctioning equipment, and report any deficiencies or vehicle damage.

d) Project a positive image to the public by driving in a professional and courteous manner at all times. (Rev. 07/18)

Employees assigned a County vehicle, whether as a home retention vehicle or on a temporary basis, including intermittent business trips, shall annually sign the acknowledgement below.

I, the undersigned County employee, hereby acknowledge that I have read and understand the County's policy for County vehicle use.

Dated: _____

Signature: _____

Printed Name: _____

EXHIBIT B

DMV AUTHORIZATION FOR RELEASE OF DRIVER RECORD INFORMATION

The California DMV's Authorization for Release of Driver Record Information (INF 1101) shall be used to enroll employees into the Employer Pull (EPN) Program. This authorization:

- Must be completed by both the employee (driver) and employer (department supervisor or manager).
- Must be completed and retained on file by the County Department.
- Must be available upon request to DMV staff.
- Forms must be printed and completed by hand, or printed and completed by typewriter, or completed on-line and printed.

A link to the DMV form is below:

https://www.dmv.ca.gov/portal/wcm/connect/139b7bb6-b25d-4c08-b2b4-54bd0088600c/inf1101.pdf?MOD=AJPERES&CONVERT_TO=url&CACHEID=ROOTWORKSPACE-139b7bb6-b25d-4c08-b2b4-54bd0088600c-kUG5GJX

Exhibit C

MONTHLY VEHICLE MILEAGE LOG

Use this form to report all business and personal usage of County vehicle mileage in compliance with Chapter 11 of the Policy & Procedures Manual.

Employee Name (Print):

Employee ID:

Department Name & Number:

If applicable, how is vehicle specially equipped:

Important: Each trip to and from your residence must be documented as personal mileage.

Home Retention Justification (check one): _____Emergency Call Back _____ Security of Vehicle _____Proximity to Place/Area of Work

Travel Record					Odometer Readings		After hours emergency Y / N ?	Mileage	
Date	Vehicle ID#	Starting Point	Destination	Purpose of Trip (be specific)	Start	End		Personal Miles	Business Miles
						Total Miles:			

Employee Signature: Date:

Sign and submit to department by the last day of the month.