

# City of Round Rock Driving Privileges and Use of City Vehicles Policy

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## I. SCOPE

This policy establishes the guidelines for driving standards, vehicle safety and proper use of city vehicles and equipment. This policy applies to all City employees, applicants and volunteers who may drive a City owned or leased vehicle for commuting to and from the workplace, traveling out of town and daily usage.

## II. POLICY

Applicants/employees applying for a position which will involve driving a City vehicle must meet the safe driving record standards required for all city drivers.

## III. **DEFINITIONS**

- 1. <u>Authorized employees</u> employees designated by their Department Director to use a City vehicle to, from and while at the workplace.
- 2. <u>Clearinghouse</u> The clearinghouse established by the United States Department of Transportation under the Federal Motor Carriers Safety Act.
- 3. Extra-Territorial Jurisdiction (ETJ) area adjacent to the city limits of Round Rock as designated by Chapter 42 of the Local Government Code.
- 4. <u>On-Call</u> employees who intermittently but not daily, are required to take a vehicle home to respond to a Department recognized emergency.

- 5. <u>Vehicle</u> any motor vehicle, which requires a state issued license to operate and used on a public roadway.
- 6. Work assignments specific work assignments approved by the Department Director where an assigned City vehicle may be used to commute to and from the workplace.
- 7. **Workplace** City Department or work location to which an employee is assigned and/or is working.

### IV. DRIVING PRIVILEGE STANDARDS

### A. Eligibility

To be eligible for the privilege of operating a City vehicle, volunteers, temporary employees and City employees shall:

- have a valid, current State of Texas (newly hired employees coming from out of state may drive for sixty (60) days or until the employee receives a Texas license, whichever comes first) driver's license, appropriate for the type of vehicle to be operated, an occupational license is not acceptable to operate City vehicles;
- be 18 years of age or older; and
- be mentally and physically able to drive safely.

#### B. Moving violations

- City employees shall not have been convicted of more than:
  - o two (2) moving violations within the preceding 12 months; or
  - o three (3) moving violations within the previous 24 months; or
  - o four (4) moving violations within the previous 36 months.

Moving violations includes those violations that occur during non-working hours.

- C. At-fault accidents, or a contributing factor or condition to an accident at work
  - City employees shall not have been at fault in more than two (2) traffic accidents within the previous 36 months.
  - Only accidents at work where the damages are reasonably expected to exceed \$1,000 will be counted under this provision.
    - Whether the employee is deemed to be "at fault" shall be determined by the Risk Manager and the employee's supervisor.
    - o The employee will be notified of an at fault determination by the employee's supervisor and/or the City's Risk Manager or designee.

## D. Combination – Accidents or Moving Violations

- City employees shall not have a combination of three (3) or more moving violation convictions and at-fault accidents within the previous 36 months; or
- been convicted of, or placed on deferred adjudication, probation, community supervision, community service, or pre-trial diversion for driving while intoxicated (DWI), or driving under the influence (DUI), or any other offense related to use of alcohol or drugs while driving within the previous five (5) years.

Tickets that are dismissed because a defensive driving class was taken are not considered in calculating driving violations.

- E. <u>Duty to Report</u> Employees must immediately report to their supervisor any information/event that potentially affects that employee's ability to comply with this policy. This duty to report information/events applies to both on and off duty tickets and/or incidents.
- G <u>Supervisor Reporting</u>- Supervisors must report any information/event that potentially affects the employee's ability to comply with this policy to their Director and to Risk Management.
- H. <u>Penalties</u> An employee may be subject to disciplinary action, up to and including termination for violations of this policy. Applicants not meeting this policy may be found unqualified for the position.
- I. <u>Periodic Review</u> By applying for or continuing employment in a position that may involve driving a City vehicle, a person thereby consents to periodic checks of his or her driving record and eligibility record with all applicable state and federal data basis at the discretion of the employer
- J. <u>Notification to Risk Management</u> All employees that may, in the determination of their department director, operate a motor vehicle two (2) or more times a week shall provide their supervisor with a copy of their driver's license. This includes a copy of any new, modified or renewed license issued during employment. The supervisor will forward a copy of the driver's license to the Risk Management department.
- Training- All newly hired employees, except public safety employees, meeting the requirements of paragraph J and all employees involved in an "at fault" accident will be required to attend the City's defensive driving course within thirty (30) days of the accident. The employee's supervisor may request a single extension of not more than thirty (30) days to comply with this training from the Risk Manager or designee.

### V. USE OF CITY VEHICLES AND EQUIPMENT STANDARDS

City vehicles shall be used for city-business only. An employee shall not use a City vehicle for personal errands, trips, or other work unrelated to City employment. Authorized employees must exercise discretion and good judgment when stopping for personal business while commuting to and from the workplace and during lunch hours. Employees should refrain from using City vehicles for the sole purpose of obtaining meals.

It is not a violation of this policy to make a brief stop for personal business (such as the cleaners, bank, store, etc.), if the stop is on a reasonably direct route to or from the employee's home and place of employment or between work sites. With appropriate prior written authorization from the Department Director, use of City vehicles to transport family members to and from school or work is allowed only if the school/work destination is within a reasonably acceptable distance, travel direction and route to and from work. When approved, family members will need to sign a release of liability if riding in a City vehicle.

## A. DRIVER EXPECTATIONS:

- 1. Drivers are responsible to make certain that the City vehicle has a current insurance card in the vehicle. If your vehicle does not have a City provided insurance card, then immediately contact Vehicle Maintenance.
- 2. Drivers/Operators are responsible for daily pre-trip and post-trip inspections (checking fluids, lights, etc.). For CDL vehicles and heavy-duty equipment, a pre/post trip inspection checklist from Vehicle Maintenance will be used. Drivers/Operators are responsible for cleanliness of vehicles and equipment. Drivers who are uncertain as to how to conduct a proper pre/post trip inspection of any vehicles or equipment shall contact the Vehicle Maintenance division for proper instruction.
- 3. Except as provided below, alcohol or liquor containers shall not be carried in any city vehicle. The foregoing does not apply to: (1) Grounds maintenance vehicles carrying waste, but the containers must never be in the cab; (2) Law enforcement engaged in an authorized investigation requiring the transportation of alcohol or liquor; and (3) City employees transporting alcoholic beverages in the normal course and scope of their employment.
- 4. Driver/Operators are prohibited from using all tobacco products, including smokeless tobacco and electronic cigarettes, in City vehicles or while operating City equipment.
- 5. Use of toll roads are prohibited unless approved by Department Director in Advance or unless the vehicle has a toll tag.
- 6. Any deviation from the expected route to work must be reported, evaluated, and authorized by the Department Director. All written authorizations must be forwarded to the Fleet Manager.

- 7. Employees shall not drive a City vehicle to any bar, nightclub, dance hall, etc., except as necessary in the normal course and scope of their employment.
- 8. Employees shall operate City vehicles in accordance with state and local laws and ordinances. Employees shall not operate a vehicle in a reckless manner nor should employees ride in the bucket of a loader, the back of a dump truck, on a trailer, or on heavy equipment. Seatbelts shall always be worn when operating a City vehicle or City equipment that is equipped with a seatbelt, i.e., forklift, excavator, backhoe, riding lawnmower, etc. Exceptions to this policy are police officers who are in pursuit or approaching a scene where removal of seatbelts is warranted and those provided by the Texas Transportation Code, Section 545.413.
- 9. Any employee receiving a ticket, who has vehicle towed or otherwise incurs charges unrelated to work, shall be responsible for those charges. Departments may advance the costs of those charges provided the employee signs a payroll authorization allowing the City to withhold the appropriate amount from the employee's next paycheck.
- 10. Employees shall not drive or operate any City vehicle or equipment that they are not certified or qualified to operate.
- 11. Employees will be issued fuel cards by the General Services Department for their assigned vehicle. Fuel cards must be used in accordance with the Fuel Card Procedure (See Appendix A). Employees are prohibited from using the fuel card to fill up any non-City vehicles or equipment.
- 12. With the exception of emergency response vehicles, employees shall make certain that unattended vehicles are always locked. Vehicle and/or heavy equipment keys are to always remain with the employee while on duty.
- 13. City vehicles and equipment are not to be taken out of the State of Texas without written approval from Department Director and Risk Management.
- 14. Drivers should pullover and/or wait until the vehicle is safely and lawfully stopped before initiating or responding to any voice or electronic communication. Though highly discouraged, employees may use a department provided hands free or blue tooth device while operating a vehicle. The use of all hand-held phones and portable communication devices are strictly prohibited during vehicle operation. Police and Fire are exempt from this provision to the extent allowed by their department policies.

#### **B. DRIVER SAFETY EXPECTATIONS:**

1. Except as provided below, when stopped on any roadway or on the shoulder of a roadway, the driver of a city vehicle shall activate warning/safety/emergency lights. The foregoing does not apply to: (1) vehicles lawfully parked at the curb

or street side; and (2) a police vehicle when, in the officer's judgment, the use of such lights would alert a suspect to the officer's presence or approach.

- 2. In the event of an accident while operating a City vehicle, the employee must:
  - Not leave the scene of the accident or move the vehicle until the police or supervisor instructs the employee to do so unless the danger of remaining in place is high.
  - Immediately activate warning/safety lights if the vehicle is so equipped.
  - Immediately call 911, if anyone appears to be injured or complains of pain.
  - Immediately contact his/her supervisor requesting his/her presence at the accident scene.
  - Contact Risk Management if the accident involves any bodily injury to the other driver or anyone else involved in the accident.
  - Not admit responsibility for the accident but should describe what happened to the police and to Risk Management.
- 3. The employee involved in the accident may be required to submit to alcohol/drug testing as outlined in the City's Alcohol and Drug Testing Policy.
- 4. If a vehicle or piece of equipment has been involved in an accident or incident the unit shall be taken directly to fleet maintenance for inspection and repairs, if needed. An incident report shall be completed and submitted within one business day to HR and fleet maintenance. Fleet maintenance will not release the unit until the incident report is received.

## VI. TAKE HOME VEHICLES

Personnel who are authorized to take City vehicles home must live within the City limits or the ETJ. For special events such as training classes, employees living outside the ETJ may take a vehicle home after review by and with permission from their department director and after notifying the fleet maintenance manager. Employees that are intermittently on-call may take a vehicle home with the written permission of their department director. Employees that are on-call may not use the vehicle for personal purposes.

The IRS has determined that allowing an employee to take a vehicle home is a monetary benefit derived from work. Employees taking a vehicle home are required to complete the Monthly Vehicle Usage Report and Quarterly Vehicle Usage Report. These reports must be submitted to Human Resources no later the fifth day after the end of the reporting period. The benefit received will be calculated by the City and reported to the IRS as income. (Appendices A & B)

## VII. POLICE OFFICERS ONLY

Use of take-home department vehicles by sworn personnel is in accordance with the City of Round Rock police policy on using take-home vehicles. In addition, sworn department members shall carry, at a minimum, an authorized handgun and have their issued body armor immediately available while operating a city vehicle, regardless of whether they are on-duty.

Sworn personnel who are issued a take-home vehicle will not take the vehicle home if they live outside the extraterritorial jurisdiction (ETJ) of the City of Round Rock. Employees who reside outside the ETJ will park their issued vehicles in the north lot of the Police Department when not on duty.

#### **EXCEPTIONS:**

- 1. Sworn personnel who:
  - a. Were employed as a Department member on May 1, 2014; and
  - b. Resided no more than 30 miles away in geodesic distance ("as the crow flies") from the police headquarters building at 2701 N. Mays St., Round Rock, on May 1, 2014 shall be exempt from this policy.
- 2. If employees grandfathered under provision No. 1 move more than 30 miles away from the police headquarters building, then they lose this policy exemption.
- 3. Sworn personnel hired after May 1, 2014, must live within the City's extraterritorial jurisdiction in order to take a vehicle home.

## VIII. FIRE DEPARTMENT EMPLOYEES ONLY

Except as provided below, Fire personnel who are issued a vehicle shall not take the vehicle home if they live outside the City's ETJ.

Personnel identified by Fire Department Executive staff and approved by the Fire Chief who, by the nature of their assignments have a specific departmental need to take their vehicles home, may take their assigned vehicles outside of the ETJ during the times the identified departmental need is present.

## IX. FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION CLEARINGHOUSE

All employees holding a commercial driver's license (CDL), and that operate or may operate a commercial vehicle while employed by the City, are required to be registered with the Clearinghouse and to complete the General Consent Form authorizing the City to determine driver eligibility. Instructions on how to enroll in the clearinghouse and the consent form are attached hereto (See Appendices B and C).

Any newly hired employee or current employee acquiring a CDL after starting employment shall:

- o Immediately notify his supervisor that he is a CDL holder;
- o Provide a copy of his CDL to his supervisor.

- o Register with the Clearinghouse;
- Sign a general consent, provided by the City, authorizing the City to verify driver eligibility with the clearinghouse; and
- o Provide a copy of the general consent to his supervisor.

Supervisors are required to ensure that all current employees, newly hired employees, and employees that receive their CDL after their original date of hire complete the following:

- o Register with the Clearinghouse;
- Sign a general consent form provided by the City authorizing the City to determine driver eligibility; and
- o Provide a copy of the signed consent and CDL to Risk Management.

Supervisors will not allow an employee to operate a commercial vehicle until notice from the Clearinghouse is received by the Risk Manager or designee that the employee is eligible.



#### **FUEL CARD PROCEDURES**

The City of Round Rock has selected to use the Wright Express fuel card to provide the City's fuel. Following is the procedures for appropriate use of this program. Violation of these procedures may result in corrective disciplinary actions being taken against an employee up to and including termination.

#### A. Procedures

The fuel card is for the purchase of <u>fuel only</u> for the vehicles and equipment that are owned by the City of Round Rock. Each person authorized to use the fuel card program will be issued a card that will work with all City owned vehicles and equipment. Each person will be required to verify that the purchase matches the receipt before leaving the fueling station. This card is not to be shared with or loaned to another person. Using the fuel card to make personal purchases is considered misappropriation of City funds, which may constitute a criminal offense. If necessary, proper authorities will be notified for disposition.

#### B. Fueling

When purchasing fuel, you will swipe your card and will be prompted to enter the asset number and mileage of hours of the equipment before the pump will activate. Correct entry of asset numbers, mileage and/or hours is required or the pump will not activate.

Fuel should be purchased at lower priced self-service pumps. The first option is the School Bus facility at 911 Luther Peterson. The amount of fuel purchased will be limited to the size of the fuel tank. Each transaction must be for the asset number entered.

Fuel cards may not be used to purchase fuel for non-city owned vehicles or equipment. The purchase of personal items such as food, beverages, air fresheners, and car washes with a City fuel card as well as automotive products are strictly prohibited. Department will be responsible for unauthorized purchases made by their employees.

Fuel card users should be aware there are limits set by the City on the fuel use, such as number of transactions per day and gallons per transaction. The City has the authority to increase or decrease any of the Wright Express fuel card limits; however, the City does not have any control over the fuel distribution locations limits. If the tank capacity exceeds the single transaction limit imposed by a fuel distribution location, a second card swipe/transaction is permissible.

#### C. Lost or Stolen Cards

Lost or stolen cards will be promptly reported to the Department Designee and Vehicle Maintenance.

Employee failing to notify designee and Vehicle Maintenance of lost/stolen card may be responsible for the amount of fuel received with the lost/stolen card, separate and apart from disciplinary action.

If a card is lost, stolen or broken, there will be a fuel card available from Vehicle Maintenance Operation Manager for emergency or temporary use only. This card shall not be used to fuel any vehicle that is not in the program. To receive a new card, a Supervisor must complete and sign this form with the operator's name department and operator's signature.

Employee Signature:	Date:
Printed Name:	Dept #:
Supervisor/Director:	Signature:



## **Quarterly Vehicle Usage Report for**

Calender Year						
EMPLOYEE NAME	EMPLOYEE NUMBER	Jan	Feb	Mar	Total Days	
					0	
					0	1
					0	
					] 0	
					0	
					0	
					0	
					0	
					0	

Employee Signature & DateSubmitted:		
Department Approval:	-	
Human Resources Approval & Date: _		

## **Quarterly Vehicle Usage Report for**

## Calender Year \_\_\_\_\_

II .	EMPLOYEE NUMBER	1	May	June	1 1	Taxable Benefit (days time \$3)
					0	
					0	
					0	
					0	
	!				0	
					0	
					0	
					0	
					0	

Employee Signature & DateSubmitted:	
Department Approval:	
Human Resources Approval & Date:	

		~	

# Quarterly Vehicle Usage Report for Calender Year \_\_\_\_\_

EMPLOYEE NAME	EMPLOYEE NUMBER	ll .	Aug	Sept	Total Days	Taxable Benefit (days time \$3)
					0	
					0	
					0	
					0	
					0	
					0	
					0	
					0	
					0	

Employee Signature & DateSubmitted:	 _
Department Approval:	
Human Resources Approval & Date:	

## Quarterly Vehicle Usage Report for

Calender Year \_

EMPLOYEE NUMBER	1	Nov	Dec	Total Days	Taxable Benefit (days time \$3)
				0	
•				0	
				0	
				0	
				0	
				0	
				0	
				0	
				0	

Employee Signature & DateSubmitted:	
Department Approval:	
Human Resources Approval & Date:	

Appendices B

## CITY OF ROUND ROCK MONTHLY VEHICLE USAGE REPORT

(EMPLOYEE NAME)	(LICENSE #)			
<del></del>	(DEPARTMENT / DIVISION)			
DATE OF VEHICLE OPERAT	TON DATE OF VEHICLE OPERATION			
1	17			
2	18			
3	19			
4	20			
5	21			
6	22			
7	23			
8	24			
9	25			
10	26			
11	27			
12	28			
13	29			
14	30			
15	31			
16				
	# OF DAYS THE VEHICLE IS USED COMMUTING TO AND FROM WORK			
Employee's Signature	ON CALL YES NO			
Supervisor's Signature	Human Resources Verification			

THIS REPORT MUST BE COMPLETED MONTHLY BY ALL EMPLOYEES AUTHORIZED TO USE THE CITY VEHICLE FOR PERSONAL USE, INCLUDING COMMUTING TO AND FROM WORK.

The Value of Commuting to and from work under Federal Tax code is \$3.00 per day. This value is treated as income subject to Federal withholding and Social Security tax. (see "Section 8" of the City of Round Rock Vehicle Usage Program)



# General Consent for Limited Queries of The Federal Motor Carrier Safety Administration (FMCSA) Drug and Alcohol Clearinghouse

,	, hereby provide consent to The City of
imited query of the FMCSA Commerci (Clearinghouse) to determine whether dr the Clearinghouse. I understand this employment and shall cease upon my term	, and contractors (collectively the "City"), to conduct a al Driver's License Drug and Alcohol Clearinghouse ug or alcohol violation information about me exists in consent is limited in scope to the duration of my mination, resignation and/or retirement. The City may ate during my employment without gathering any new
• •	conducted by the City indicates that drug or alcoholinghouse, FMCSA will not disclose that information om me.
the Clearinghouse, the City must prohibit r driving a commercial motor vehicle, as Further, this consent is a term and conditi	evide consent for the City to conduct a limited query of me from performing safety sensitive functions including required by FMCSA's drug and alcohol regulations on of employment. Failing to accurately complete this to and including termination of employment.
Employee Name (print)	Employee Signature
Date	Driver's license Number
Department	-

	* 8			

# CLEARINGHOUSE



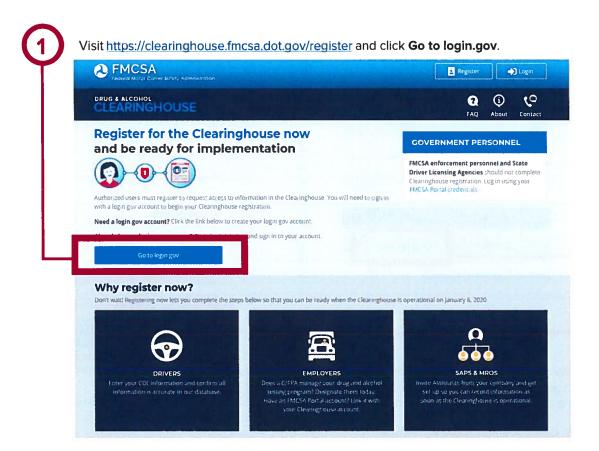
## **REGISTRATION: CDL DRIVERS**

You must complete the registration process before you can respond to employer consent requests or access your driver record in the FMCSA Commercial Driver's License Drug and Alcohol Clearinghouse. The instructions below are for a driver who holds either a commercial driver's license (CDL) or commercial learner's permit (CLP).

## **Create a Login.gov Account**

Accessing the Clearinghouse requires the creation of an account with login.gov, a shared service that offers secure online access to participating government systems, including the Clearinghouse. If you do not have a login.gov account, or would like to create a new one, you will need to follow the steps below.

During the login.gov registration process, after 15 minutes of inactivity, the current page will clear whatever information is entered into data fields.



Email address

Cancel

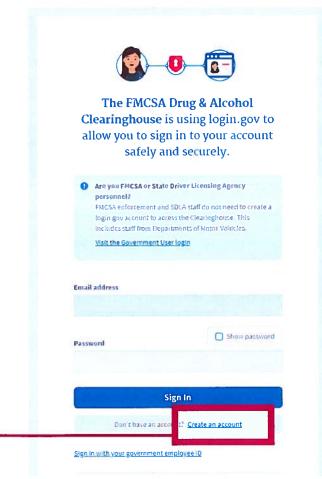
Submit

Security Practices and Privacy Act Statement



On the login.gov sign in screen, click **Create an account**.

Or, if you already have a login.gov account, enter your email address and password on this screen, click **Sign In** and **go to step 10**.



Enter your email address and click Submit.
This is the email address the Clearinghouse will use to send you notifications about your Clearinghouse account. This email address will also be used to identify you in the Clearinghouse, and cannot be modified.

1 Are you FMCSA or State Driver Licensing Agency personnel?
FMCSA enforcement and SDLA staff do not need to create a logan government to access the Clearinghouse. This includes staff from Departments of Motor Vehicles.

1 Visit the Government User login

STEP 1 0F 4
Enter your email address



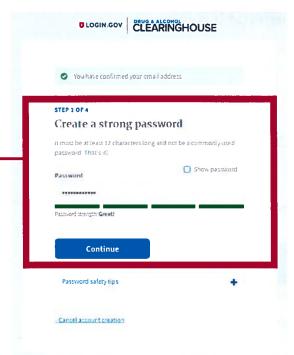
4

Check your email and open the email from no-reply@login.gov, with the subject line Confirm your email.

Click **Confirm email address**, or copy and paste the link into a web browser.

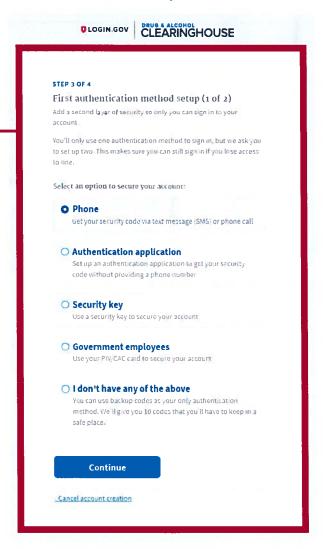


Create a password. This password must be at least 12 characters long. If the password you enter is not strong enough, you will not be able to continue. Enter a strong password and click Continue.



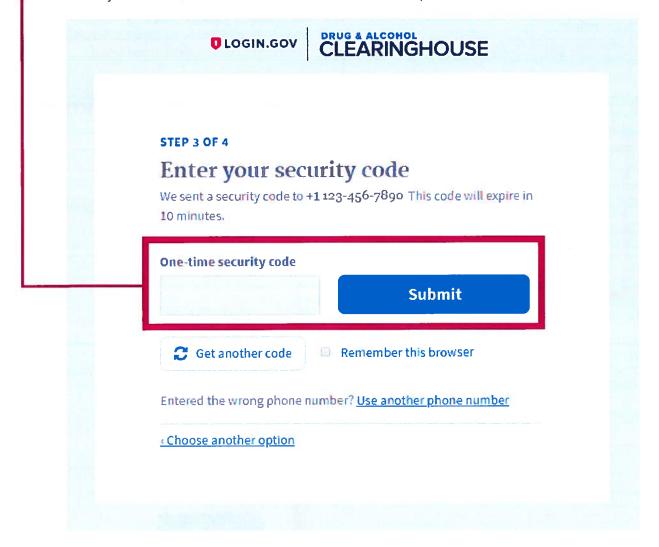
Select an option to secure your account and click Continue.

Login.gov requires the completion of a user verification process to ensure the proper person is using those credentials. Follow the instructions for the method you select.





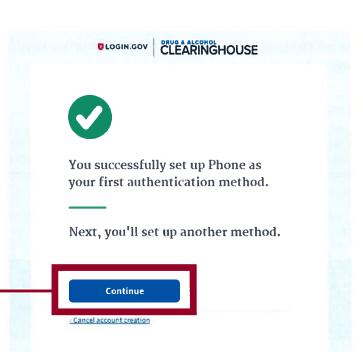
Enter your security code and click Submit. This code will be provided via the method you selected. The screenshot below illustrates the SMS phone method.





(8)

Once you have completed setting up your first authentication method, you will be prompted to set up a second authentication method. You'll only use one authentication method to sign in, but you will need to set up two methods in case you lose access to one. Repeat steps 6 and 7 to set up your second method.



9

You have created your login.gov account. Click Continue to return to the Clearinghouse website and complete your Clearinghouse registration.



This is the only information login gov will share with DOT:

Email address



## **Register for the Clearinghouse**

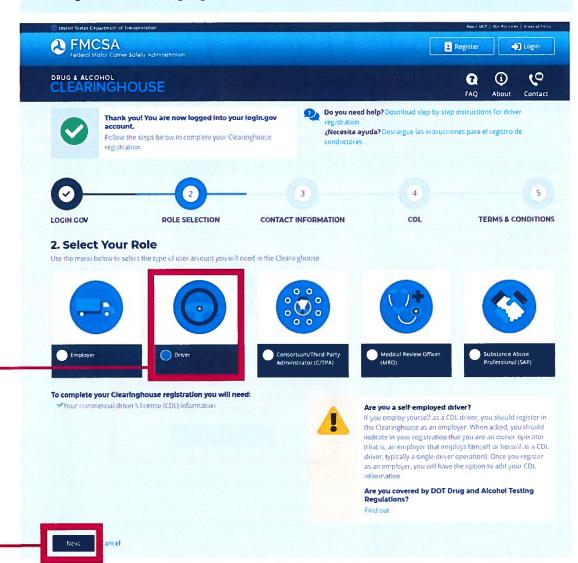
Once you have a login.gov account, you can complete your registration in the Clearinghouse. Follow the steps below.



Select your role (driver), and click Next.

If you are a self-employed CDL driver, do not register as a driver. You will need to register as an employer and, when prompted, identify yourself as an owner-operator (that is, an employer who employes himself or herself as a CDL driver, typically a single-driver operation). View the registration instructions for employers

If you are unsure if you are covered by the Clearinghouse rule, see the box labeled "Are you covered by DOT Drug and Alcohol Testing Regulations?" and click **Find out**.



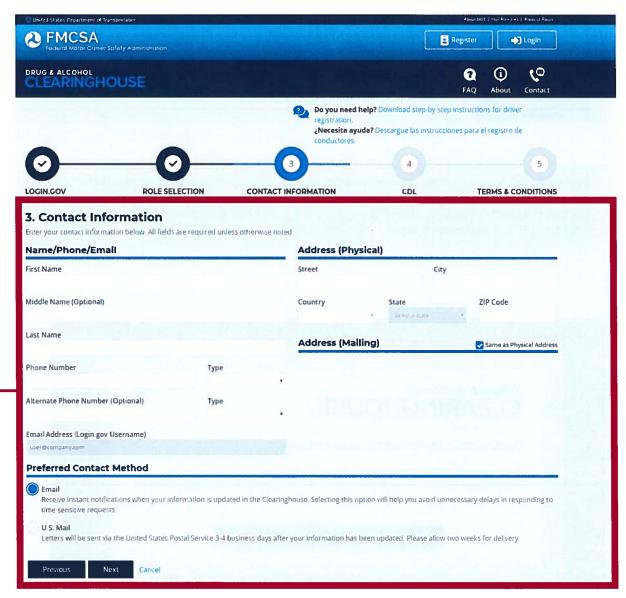
# CLEARINGHOUSE

## **REGISTRATION: CDL DRIVERS**



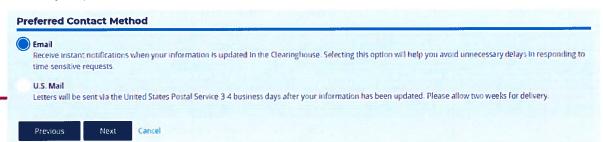
11

Enter your contact information and click **Next.** All fields are required unless otherwise noted. Your email address will be pre-filled with your login.gov username and cannot be modified.

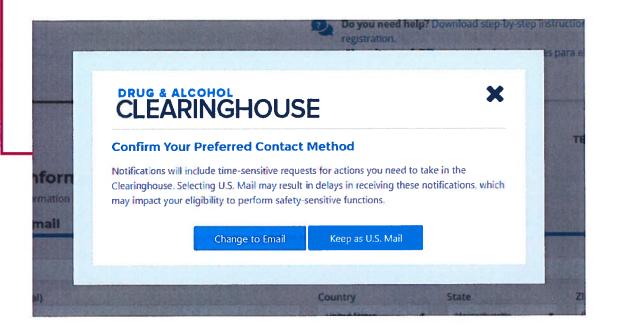




Choose your preferred contact method:



If you select U.S. Mail, you will see a message asking you to confirm this selection. Keep in mind that notifications will include time-sensitive requests for actions you need to take in the Clearinghouse, Selecting U.S. Mail may result in delays in these notifications, which may impact your eligibility to perform safety-sensitive functions. Select either Change to Email or Keep as U.S. Mail.



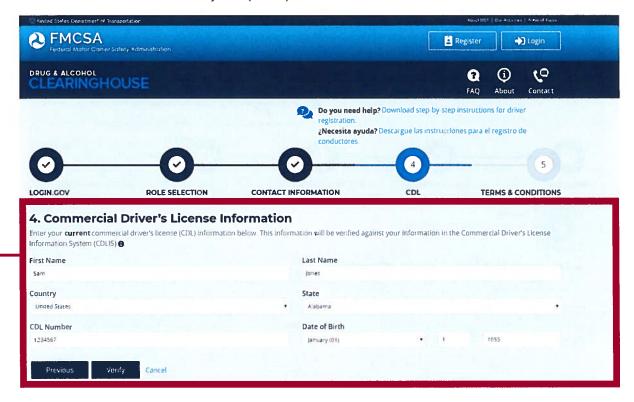
# CLEARINGHOUSE

## **REGISTRATION: CDL DRIVERS**



13

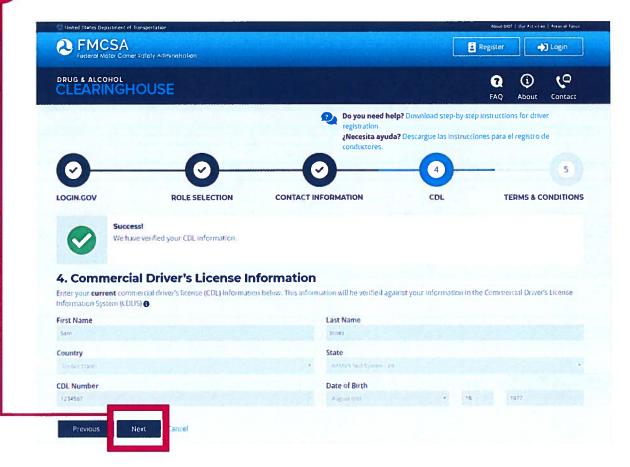
Enter your **current** commercial driver's license (CDL) or commercial learner's permit (CLP) information. Click **Verify**. The Clearinghouse will verify this information against information in the Commercial Driver's License Information System (CDLIS).





**(14)** 

Once your CDL information is verified, you will not be able to edit it. Click Next.



If the Clearinghouse cannot not verify your CDL information, you will be asked to check that you entered it correctly. Make any necessary corrections and click **Verify** again. You will have two chances to enter this information.

If your CDL information cannot be verified, you will need to contact your State Driver Licensing Agency to resolve any potential issues. You may continue with your Clearinghouse registration, but you will not be able to review your driver record or respond to employer consent requests until your CDL information has been verified. You can update this information under "My Profile" in your Dashboard, once your Clearinghouse registration is complete.

To continue and complete your registration, click Next.