

811. **VEHICLE USE POLICY** (*Amended Effective 09-24-2019*)

PURPOSE

To provide guidelines for vehicle use while on County business.

SCOPE

This policy applies to all employees and departments of Klamath County.

POLICY

- ◆ **Valid Driver's License Required:** Generally, all authorized persons operating a County vehicle or a personal vehicles while on County business must possess a current, valid driver's license. The County reserves the right to require proof of such license in a manner determined suitable by the County.

Suspended License: No employee may operate a County vehicle or operate a personal vehicle while on County business with a suspended driver's license. Any employee who normally operates a County vehicle or who operates a personal vehicle on County business shall notify their supervisor immediately if their driver's license has been suspended.

Provisional License: An employee obtaining a provisional license to operate vehicles while that employee's normal driver's license has been suspended, must provide proof of such provisional license to the Human Resources Department and the Risk Management Department. The Human Resources Director and Risk Management Department shall determine whether the employee may operate a County vehicle or operate his/her personal vehicle on County business under the provisional license.

- ◆ **Valid Pilot's License Required:** The pilot must hold a current federal pilot certificate of competency, current medical card and have registered with the Oregon Department of Aviation. Klamath County reserves the right to require proof of the current federal pilot certificate of competency, medical card and state pilot's registration.
- ◆ **Use of Personal Vehicles:** Operators of personal vehicles on County business must have full liability insurance (personal injury and property damage) in at least the minimum limits required under state law. The County reserves the right to require proof of such insurance in a manner determined suitable by the County.
- ◆ **Operating Expenses:** Employees using their personal vehicle on County business will be reimbursed at the per mile rate as established by the Board of County Commissioners for such use providing authorization to use their personal vehicle has been approved by the employee's department head or his/her designee. Proper documentation for all business miles in accordance with IRS recordkeeping requirements and must be submitted in accordance with the Travel and Expenses reimbursement policy.
- ◆ **Use of County Vehicles:** Only County employees may operate a County vehicle as authorized by the employee's Department Head. Persons who are not employed by the County shall not be allowed to ride in a County vehicle unless it is specifically for the benefit of Klamath County or as approved by the employee's Department Head. County vehicles shall be operated only in the conduct of County business except in the event of an emergency. An employee utilizing a County vehicle in an emergency on non-County business shall notify their supervisor of such incident as soon as it is reasonably practical.
- ◆ **Commuting with County Vehicles:** For the exclusive benefit of the County, certain Klamath County employees are authorized to operate a County vehicle for commuting between their place of residence and their job site. A listing of positions authorized for such use is attached to this policy as Addendum 811-A. In no event shall such vehicle be utilized for personal use at any time, except as outlined in the section of this policy entitled *Use of County Vehicles*. It shall be the responsibility of the Department Head to ensure that this policy be strictly

adhered to. Unless otherwise excludable under specific requirements of IRS Reg. §1.274-5T(k); Reg. §1.132-5(h), personal use of County vehicles will be valued and reported using the Automobile Lease Valuation Rules outlined in the Fringe Benefit Valuation Rules found in IRS Publication 15-B. The employee must complete an Employee Election for Transportation Fringe Benefits form and submit periodic reporting to payroll for calculation of taxable income related to personal use miles.

- ◆ **Smoking in County Vehicles:** Smoking in county vehicles is also prohibited.
- ◆ **Maintenance of County Vehicle:** It shall be the responsibility of the Department Head to insure that County vehicles assigned to his/her department are serviced and maintained in good mechanical condition.
- ◆ **Use of Private Aircraft:** Operators of private aircraft on County business must carry their own insurance coverage. Klamath County does not provide any coverage for any loss or damage to a private or rental aircraft. Klamath County reserves the right to require proof of insurance in order for the County to determine if there is adequate coverage for both the employee and the County.
- ◆ **Safety:** County employees operating a county vehicle or a personal vehicle on County business shall operate such vehicles in a safe and competent manner and in strict compliance with all traffic laws and regulations; the driver and all passengers must wear seatbelts; headlights should be used during all hours for improved safety; and hitchhikers may not be picked up under any circumstances.
- ◆ **Usage of Cellular Devices :** It is illegal in Oregon for drivers to operate a vehicle while using a cellular telephone or other device for voice, text, email, PDAs or other electronic messaging. Exceptions to this law include use in agriculture, public safety or medical personnel or volunteers. If the need arises and an employee uses a cellular telephone they are required to use the hands free feature (as defined by ORS 811.507(1)(b)), while operating a vehicle on county business and/or during county time. Employees are not permitted to read or respond to emails or text messages while operating a motor vehicle on county business and/or on county time. Employees should plan calls to allow placement of calls either prior to traveling or while on break time. Refer to *Section 511. Computer Systems and Electronic Technology, Devices and Services* for complete policy regarding
- ◆ **Accidents/Vandalism/Theft:** An employee involved in an accident while operating a County vehicle or a personal vehicle on County business must notify his/her supervisor and the Risk Management Department immediately. The employee must complete a *Klamath County Incident & Accident Report Form (Form KCHR #9)* within 48 hours of the incident. This form is available on the County's website at www.klamathcounty.org or from the Risk Management Department. An employee operating a personal vehicle on County business is required to use his/her own insurance to cover accidents, vandalism and theft.
- ◆ **Traffic Violations:** An employee who receives a traffic citation while operating a County vehicle or while operating a personal vehicle on County business is responsible for all fines, court costs, etc. An employee who receives any traffic citation or is in any accident involving the alleged use of alcohol or other intoxicants or drugs while operating a County vehicle or while operating a personal vehicle on County business, must notify his/her supervisor, the Human Resources, and the Risk Management Department within 48 hours of the incident.
- ◆ **Use of Intoxicants:** No person may operate a vehicle under this Policy if that person has consumed alcohol or other intoxicants within four (4) hours of the time of operation of said vehicle. No person shall operate a vehicle under this Policy if that person's blood alcohol level is determined to be 0.04% or greater.
- ◆ **Risk Management Approval:** At least one time per year, Risk Management shall obtain records for all County employees operating County vehicles or who operate personal

vehicles on County business. Risk Management may obtain such a record at any other time that he/she feels is necessary.

Risk Management shall review each driving record to determine if the County employee should be allowed to operate a vehicle under this policy. At a minimum the County requires an employees' driving record to be free of any violations for reckless driving, hit and run, driving under the influence of alcohol or drugs, and no more than one moving violation within a three year period; however, requirements may vary based on the requirements of a position. If, in the department's discretion, it is determined that any employee has a driving record which would potentially cause the County to be at greater risk than normal, the employee and the Department Head or Elected Official in charge of that employee shall be notified in writing that the employee is prohibited from operating a vehicle under this Policy. The employee and/or his/her Department Head or Elected Official may request an informal meeting with the Human Resources Director and Risk Management to discuss why the employee should be allowed to operate a vehicle under this policy or to determine a course of action or education which would allow the employee to operate a vehicle under this policy. The Human Resources Director and Risk Management shall report his/her decision in writing to the employee and Department Head or Elected Official.

Any employee or his/her Department Head or Elected Official may, within ten (10) days of the date of the written decision of the Human Resources Director and Risk Management, request a hearing before the Board of County Commissioners regarding that decision. The Board of County Commissioners will review the basis for the action and make its determination, which shall be final. During the time of the appeal, the employee shall not operate a vehicle under this policy.

The Human Resources Department and Risk Management Department shall review the driving records of an applicant, if driving is to be a requirement of the position to which the applicant is being considered for employment, prior to such applicant being hired by the County. The decision relative to the employment by the County of such applicant shall be final, subject to the appeal procedure as outlined above.

- ◆ **Violation of Vehicle Policy:** Any violation of this policy or any misrepresentations by an employee may result in disciplinary action up to and including termination of employment with Klamath County.

ADDENDUM 811-A

The following Klamath County positions are authorized by the Board of County Commissioners to use a County vehicle to commute between their place of residence and their job site on a regular basis. The Board of County Commissioners has the authority to amend this addendum to add or delete positions as needed or requested by the Human Resources Director.

ANIMAL CONTROL

Animal Control Officer*

Assistant Animal Control Officers*

COMMUNITY DEVELOPMENT

Building Official

FAIRGROUNDS

As governed by the Klamath County Fairgrounds Board

PUBLIC WORKS

Director - Public Works

Assistant Director - Public Works

Road Superintendent

Road Construction Inspector

SHERIFF'S OFFICE

Sheriff*Lieutena

nt*Investigator*

Resident Deputy*

Deputies as Authorized by the Sheriff*

MAINTENANCE

Director – Maintenance

*Use of a qualified county-owned vehicle, including commuting, is excludable to the employee as a working condition fringe benefit based on specific vehicle requirements. Recordkeeping and substantiation by the employee is not required for this position by IRS Reg §1.274-5T(k); Reg §1.132-5(h). Personal use for commuting is authorized. Personal use other than commuting is prohibited. (See IRS Publication 5137.)