



Adopted October 13, 2020 BOT Res #2020-211

## **VEHICLE USE & PROCEDURE POLICY**

### **A. Municipal Vehicles**

It is the policy of the Village of Pleasantville to authorize the acquisition and utilization of vehicles for use by officials and employees of the Village, in the conduct of their employment responsibilities, either during the work shift or on a twenty-four (24) hour on-call basis. Village vehicles are not personal vehicles and are not for personal use. Village vehicles should be viewed as belonging to the citizens of the Village of Pleasantville and are assigned solely for purposes consistent with providing services to those citizens.

### **B. Expense Reimbursement**

It is the policy of the Village of Pleasantville to reimburse employees for reasonable expenses which they incur as a result of personal automobile use on Village business. Receipts must be submitted in order for an employee to be reimbursed for such expenses. Expense reimbursement is intended for travel outside the Village of Pleasantville. Employees will not be reimbursed for personal automobile use within the Village without advance approval of the department head, or unless specifically authorized by a collective bargaining agreement.

## **PROCEDURE**

### **A. Garaging of Vehicles**

All municipal vehicles, except those authorized for twenty-four (24) hour use, shall be garaged at the end of each day in assigned municipal parking lots. No vehicles, except those authorized for twenty-four (24) hour use, are to be taken home at the end of the workday.

**B. Assignment of Municipal Vehicles**

The assignment of municipal vehicles during work time use is based upon job responsibilities. Department Heads that have municipal vehicles available for this purpose may assign such vehicles in a manner consistent with departmental workload and employee function. Department Heads are responsible for the vehicle use, maintenance, including cleanliness, and storage. Department Heads shall ensure that vehicles are routinely washed, the interior cleaned, and the preventative maintenance schedule is observed. Department Heads are responsible to the Village Administrator for a full accounting of all municipal vehicles usage. The assignment of vehicles may be rescinded with reasonable notice by the Village Administrator for work-related reasons.

**C. Assignment of Municipal Vehicles for 24 Hour Use (Vehicle Approved for Commuting Purposes)**

1) The assignment of vehicles for twenty-four (24) hour use will be made by the Village Board, and will only be considered for employees who require a vehicle for the ordinary and necessary discharge of their job functions. Criteria, which will be used in the determination of eligibility for 24-hour vehicle use, include:

- requirement for frequent emergency availability;
- issuance of a pager or other communication device;
- emergency or other equipment contained in the vehicle; and

Such assignment may be rescinded with reasonable notice by the Village Board or Administrator for work-related reasons.

2) When commuting, vehicle use is limited to travel to and from the residence and place of work. The vehicle should be driven over the most direct route taking into account road and traffic conditions. The vehicle should not be utilized for travel outside a direct commuting route for personal reasons.

- 3) Whenever a position becomes vacant, the authorization for 24-hour use for commuting shall be reevaluated.

Employees assigned municipal vehicles on a 24-hour basis will be given a copy of this policy and will be required to sign a confirmation of receipt.

4) Qualified Non-Personal Use of Village Vehicles – see IRS Regulations for Use of Municipal Vehicles:

- a) Employees who drive marked or unmarked police vehicles must be authorized to carry a weapon and have the power to arrest and, therefore, are not subject to imputed income taxation.
- b) Other employees authorized to commute in a Village vehicle may be subject to imputed income regulations as set forth by the Internal Revenue Service, which considers a certain portion of the vehicle use (namely the commute) to be income for the purposes of income taxation. The Finance Department shall be responsible for determining any tax liability and will be provided with the names of all employees authorized to use Village vehicles for commuting purposes, and the normal, one-way commuting distance, each by December 1.

### **Operation and Maintenance of Vehicles**

All employees are required to adhere to the following minimum rules of operation of municipal vehicles:

1. Speed Limits: Strictly observed, excepting emergency vehicles.
2. Use of Safety Restraints: Seat belts, shoulder harness, and other restraints should be worn at all times vehicle is in motion, by driver and all passengers.
3. Rules of the Road: All traffic, driving and road regulations are to be strictly observed.

4. Use of Alcohol or Controlled Substances: Alcohol, illegal drugs, or prescription medication which may interfere with effective and safe operation are strictly prohibited prior to and/or during the operation of any Village vehicle.
5. Gasoline is supplied exclusively through the Village facility for Village-owned vehicles except authorized long-distance travel.
6. Maintenance responsibilities will be assigned to the Department of Public Works.
7. Hands-free cell phone use via Bluetooth technology only.

## **E General Vehicle Use Regulations**

Municipal vehicles may only be used for legitimate municipal business.

Municipal vehicles will not be used to transport any individual who is not directly or indirectly related to municipal business. Passengers shall be limited to Village employees and individuals who are directly associated with Village work activity (committee members, consultants, contractors, etc.) Family members shall not be transported in Village vehicles.

Employees who operate municipal vehicles shall have a valid New York State motor vehicle operator's license and of the class required for the specific vehicle being operated.

Vehicles should contain only those items for which the vehicle is designed. The Village shall not be liable for the loss or damage of any personal property transported in the vehicle.

Employees are expected to keep municipal vehicles clean, and to report to their supervisor any malfunction or damage.

Employees assigned vehicles for commuting purposes are expected to park such vehicles in safe locations.

Employees who incur parking or other fines in municipal vehicles will generally be personally responsible for payment of such fine unless the payment of such fines is approved by the Village Administrator.

Employees who are issued citations for any offense while using a municipal vehicle must notify their supervisor immediately when practicable, but in no case later than twenty-four (24) hours. Failure to provide such notice will be grounds for disciplinary action in accordance with section J of this policy.

An employee who is assigned a municipal vehicle and who is arrested for or charged with a motor vehicle offense for which the punishment includes suspension or revocation of the motor vehicle license, whether in his/her personal vehicle or in a municipal vehicle, shall notify his/her supervisor immediately when practicable, but in no case later than twenty-four (24) hours. Conviction for such an offense may be grounds for loss of municipal vehicle privileges and/or further disciplinary action.

No employee may use a municipal vehicle for a distance greater than 125 miles from the Village of Pleasantville within New York State or for out of state use without advance approval of the Village Board or Administrator.

#### **Reporting of Accidents**

Whenever a municipal vehicle is involved in an accident, or subject to damage, or in the event an employee's personal vehicle is damaged during an approved, work-related trip, the employee operating the vehicle is required to immediately notify his/her immediate supervisor. When the estimated damage exceeds \$1000.00, an Accident/Incident Report shall be filed with the Pleasantville Police Department.

#### **F. Registering and Insuring a Vehicle**

Department Heads should forward all original copies of titles and registrations to the Village Clerk. Village Clerk will coordinate all insurance coverage.

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#### **H. Expense Reimbursement – Personal Vehicles**

1. Expense reimbursement is intended for travel outside the Village of Pleasantville. Employees will not be reimbursed for the use of a personal automobile within the Village without advance approval of the

department head or unless specifically authorized by a collective bargaining agreement.

2. When an employee is authorized to use a personal automobile for work-related travel, he/she shall be reimbursed at a rate established by the IRS.

a. The mileage rate is intended to include the costs of gasoline, repairs, insurance, and general wear and tear on the automobile.

b. In addition to the mileage rate, the Village will reimburse employees authorized to travel outside the Village, driving personal or municipal vehicles, for tolls and reasonable parking expenses, when receipts are provided. Employees will not be reimbursed for tolls which would normally be paid by the employee during his/her normal commute to work.

c. In order to be reimbursed for personal automobile use, employees shall complete vouchers to be submitted to the Department Head for approval prior to submission to the Board of Trustees for payment of claim.

#### **I. Special Circumstances**

This policy is intended to provide a basic framework governing the use of personal and municipal vehicles in the Village of Pleasantville, and, as such, cannot contain procedures governing every situation that might arise. Employees seeking clarification of or exemption from the provisions of this policy should contact the Village Administrator who will provide such clarification and may authorize exceptions to the policy under mitigating circumstances.

#### **J. Sanctions**

Failure to comply with any and all provisions of this policy may result in disciplinary action up to and including removal of Village vehicle privileges, suspension, and/or termination from Village service.

**End of Policy Statement**