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CIRCUIT COURT
DORCHESTER COUNTY

RESOLUTION NO. 507

**RESOLUTION OF THE COUNTY COUNCIL OF DORCHESTER COUNTY,
MARYLAND ADOPTING AN VEHICLES USED FOR COUNTY BUSINESS POLICY**

WHEREAS, the adoption of financial policies is recognized as a best practice in public budgeting; and

WHEREAS, financial policies should be an integral part of the development of service, capital and financial plans and the budget; and

WHEREAS, the County Council desires to develop a policy to define the purposes for which County vehicles may be used and under what circumstances personal vehicles may be used for County business and which establishes driver requirements for using a vehicle in order to conduct County business.

NOW THEREFORE, BE IT RESOLVED, by the County Council of Dorchester County, Maryland that the Fiscal Policy on Vehicles Used for County Business (summarized below) be adopted:

DORCHESTER COUNTY, MARYLAND

Fiscal Policies and Procedures – Vehicles Used for County Business

Adopted *6th day of September 2011*

SECTION I - INTRODUCTION

The County Council of Dorchester County, Maryland approved on *September 6, 2011* by resolution, the following policy on vehicles used for County business.

SECTION II - AUTHORITY AND DELEGATION

Article 25, Section 3 of the Annotated Code of Maryland authorizes the County Council to adopt by Resolution administrative acts. Pursuant to Resolution Number *507* of the County Council of Dorchester County, Maryland this policy shall supersede any previously adopted or practiced policy on vehicles used for County business.

SECTION III – PURPOSE

This policy is to define the purposes for which County vehicles may be used and under what circumstances personal vehicles may be used for County business. This policy also establishes driver requirements for using a vehicle in order to conduct County business.

SECTION IV - APPLICABILITY

This fiscal policy applies to all elected officials and all departments, offices, agencies, boards, and commissions of Dorchester County, Maryland government unless otherwise excluded.

SECTION V – EXCLUSIONS

Sheriff's Office vehicles will be covered under the management of the Sheriff, an elected official. The Sheriff may assign vehicles that can be used for off duty personal use.

SECTION VI – POLICY

Overview:

Dorchester County vehicles shall be used to conduct official County business only and shall not be used to conduct personal business. This policy establishes procedures by which County vehicles are requested and assigned and further defines how a driver shall qualify for use of a vehicle, safety responsibilities and how accidents shall be handled.

Responsibilities:

- A. Approval must be granted by the Department Head and County Manager in order for an employee to be granted take home privileges. If approved, an employee may use the vehicle to commute between home and work. Finance will provide documentation for the employee for their tax returns at the end of the calendar year.
- B. Employees that may drive County vehicles/equipment will be subject to a review of their driving records through MVA.
- C. Department Heads/Elected Officials shall maintain copies of current driver's licenses for any employees required to drive County owned or personal vehicle/equipment on County business. Department Heads shall verify these employees have a valid driver's license annually to assure employees can legally operate a vehicle.
- D. Finance will create mileage logs for County vehicles and the Department Heads/Elected Officials will be responsible for ensuring logs are in vehicles and properly completed. These logs will be randomly inspected for compliance.
- E. Department Heads/Elected Officials will be responsible for authorizing employees to use County owned vehicles and personal vehicles for conducting County business. They will further be responsible for obtaining the County Manager's approval when required by the policy.
- F. An employee given authorization to use a County owned vehicle or a personal vehicle on County business is responsible for the safe and efficient operation of said vehicle and reporting any problems or accidents.
- G. Employees may operate vehicles equipped with GPS or other electronic devices located on them. Employees shall not tamper with, alter or destroy these devices as it may result in discipline up to and including termination.
- H. Department Heads/Elected Officials that have Departmental vehicles equipped with GPS or other electronic devices shall be responsible for monitoring the data provided. If data supports discipline or other departmental operational changes the Department Head/Elected Official shall take the appropriate action or make appropriate recommendations to the County Manager.

Procedure:

A. Definitions

1. MVA: State of Maryland Motor Vehicle Administration
2. MVA Driving Record: Any records provided by Maryland Motor Vehicle Administration
3. Authorized Driver: Employee authorized to drive County-owned vehicle/equipment for purpose of conducting County business. Must possess a valid driver's license for vehicle/equipment being driven/operated
4. County Pool Vehicle: County vehicle available to any authorized driver for the sole purpose of conducting County business. Pool vehicles are generally used for a single trip or specific job assignment short in duration.
5. Employee Assigned Vehicle: County vehicle assigned to authorized driver by Department Head/Elected Official and County Manager.
6. Private Vehicle used for County Business: Vehicle used by employee other than County owned to conduct County business when a County vehicle is not available, or when it is not practical or economical to use a County vehicle. Department Heads/Elected Officials must approve use.
7. Violation: Any violation which results in the MVA assessing points.

B. Eligibility to Drive County Owned /Personal Vehicle on County Business

1. During an employee's term of service, the employee's MVA record shall be periodically checked to ensure eligibility to drive a County vehicle/equipment or personal vehicle on County business.
2. If at any time the MVA record indicates the employee has an invalid, revoked or suspended license the employee will be denied driving privileges for County business.
3. If an employee does not have a valid Maryland driver's license they must have a valid driver's license from another state and provide proof their license is valid. In order to have the privilege of driving/operating a County owned vehicle/equipment the employee must obtain a valid Maryland driver's license prior to being removed from probation. Failure to do so may result in termination.
4. If at any time it is determined that an employee has points on his or her license, the following actions shall be taken:
 - a. 3 points requires counseling and employee shall be put on notice that additional points may result in revocation of privileges or mileage reimbursement.
 - b. 6 points requires a suspension of county owned vehicle use. Employee will be required to use personal vehicle and receive 50% mileage reimbursement.
 - c. 7 points or more suspends the employee's driving privileges for county owned vehicles/equipment or personal vehicle on county business. If employee uses a County owned vehicle/equipment or personal vehicle without proper authorization further disciplinary measures may be taken up to and including termination.
 - d. If an employee's position requires them to drive as an essential function of the job and they are unable to drive due to points, violations, MVA suspensions, MVA revocations, etc. this may result in termination.

C. Driver Training and MVA Records:

1. Employees who regularly drive a County owned vehicle are encouraged to complete a defensive driver training course through the Local Government Insurance Trust. Any costs shall be paid by the employee.
2. Employees may be required to attend defensive driver training if involved in a vehicle accident. This may be at the employee's cost.
3. Privileges to drive a County owned vehicle may be suspended, temporarily revoked or permanently revoked if records obtained from MVA or County policy indicate an employee is not eligible to drive. If employee uses a County owned vehicle/equipment or

personal vehicle without proper authorization further disciplinary measures may be taken up to and including termination. If an employee's position requires them to drive as an essential function of the job and they are unable to drive due to points, violations, MVA suspensions, MVA revocations, etc. this may result in termination.

4. Any authorized driver who is found guilty of a MVA violation or whose license is suspended or revoked must report it to their Department Head immediately. Failure to do so may result in suspension or revocation of driving privileges and/or appropriate disciplinary action. If employee uses a County owned vehicle/equipment or personal vehicle without proper authorization further disciplinary measures may be taken up to and including termination. If an employee's position requires them to drive as an essential function of the job and they are unable to drive due to points, violations, MVA suspensions, MVA revocations, etc. this may result in termination.
5. Any employee driving a County owned vehicle must comply with all federal, state and local laws pertaining to the use of the vehicle. Failure to do so may result in disciplinary action which may include revocation of driving privileges and/or disciplinary action up to and including termination.

D. Substance Abuse Testing:

The County Substance Abuse policy will apply to all employees driving County owned vehicles and/or personal vehicles for County business. Violation of the Substance Abuse Policy may result in revocation of driving privileges and/or disciplinary action up to and including termination.

E. General Requirements Pertaining to all County Owned Vehicles:

1. Unless specifically authorized in this policy all County owned vehicles shall be used only for County business and related activities.
2. Unless authorized by the Department Head/Elected Official or the County Manager all County owned vehicles/equipment should be operated only in Dorchester County.
3. Any driver must complete the mileage log after each use. Typically the log would be completed daily. Department Heads/Elected Officials will be responsible to ensure mileage logs are maintained for periodic review to assure policy compliance. Failure of an employee to complete required mileage logs may result in disciplinary action up to and including termination. Failure of a Department Head/Elected Official to monitor and take required actions may result in disciplinary action up to and including termination.
4. Employees will be personally responsible for any fines, citations, parking violations, etc. received while driving or using a County owned vehicle/equipment and/or personal vehicle while on County business.
5. The privilege of driving a County-owned vehicle/equipment may be suspended or permanently revoked for non-compliance with any requirement of this policy and/or for repeated traffic violations, whether or not the violations involved the use of a County owned vehicle/equipment or were incurred during work hours.
6. Dorchester County Government is not responsible for any personal items left in County owned vehicles/equipment.
7. Cell phone use must be in accordance with all laws, policies and procedures.
8. County owned vehicles/equipment, including tool boxes located on vehicles, must be locked when the vehicle/equipment is unattended. Vehicles/equipment shall not be left unattended or idling for any period of time, and if necessary to leave unattended shall be locked.
9. Authorized drivers shall keep assigned vehicle/equipment clean.
10. Dorchester County Government decal shall be clearly displayed on all County owned vehicles unless otherwise authorized by the County Manager and County Council.

Decals will be placed on vehicles by the Department of Public Works or other entity approved by County Council.

11. Any employee driving a County owned vehicle must comply with all federal, state and local laws pertaining to the use of the vehicle. Failure to do so may result in disciplinary action.
12. County owned vehicles shall be locked at all times when not in use. Personal vehicles being used for County business should be locked when not in use to assure security of any county owned property in the vehicle.
13. Personal vehicles used for County business are not covered by County insurance. Employees must file accident claims through personal automobile insurance company.
14. Reimbursement for the use of a personal vehicle for County business will be in accordance with the approved County travel and expense policies.

F. Improper Use of County Vehicle:

1. An employee may have driving privileges for County owned vehicles suspended or revoked, may be subject to disciplinary action and may be liable to Dorchester County Government for the actual costs resulting from any misuse or illegal use of a County owned vehicle. Listed below are examples of misuses, this list is not all inclusive and is meant as only illustrative:
 - a. Using a County owned vehicle for other than official County business, except as authorized or permitted by this policy.
 - b. Noncompliance with applicable traffic laws.
 - c. Unsafe driving practices.
 - d. Failure to use seat belts or failure to require passengers to use seat belts.
 - e. Failure to comply with any requirement of this policy.
 - f. Improper parking or storage of a County owned vehicle.
 - g. Carrying any persons in the vehicle other than those directly related with official County business.
 - h. Committing acts incompatible with public service, either during or after regular work hours, while using a County owned vehicle.
 - i. Driving a County owned vehicle or personal vehicle on County business while under the influence of alcohol or controlled substances, or any other drugs (prescription or over the counter) that interfere with the safe operation of a vehicle.
 - j. Transporting firearms, illegal weapons, stolen property, alcohol or illegal drugs unless required as part of County business, such as employees of the Sheriff's Office, Corrections, Animal Control, State's Attorney's Office.
 - k. Failure to report an accident or wrongfully leaving the scene of an accident.

G. Driver Safety:

- a. Each employee who operates a County owned vehicle/equipment is required to complete a pre-use safety inspection prior to operation. This shall include checking lights, brakes, turn signals, mirrors, etc. to assure they are operating satisfactorily before using the vehicle.
- b. Employees must report any safety concerns detected during the above inspection to their Department Head. The Department Head will determine if the vehicle is safe to use or needs to be repaired.
- c. Employees should take precautions when having to transport sharp tools or other potentially dangerous equipment. Such equipment should not be carried in the passenger part of any vehicle unless in a covered box or container.
- d. Flammable liquids shall never be carried in the cab of a vehicle other than aerosol containers, such as air horns.

H. Servicing and Maintenance:

- a. Each vehicle shall be regularly serviced and inspected.
- b. If an employee notes minor mechanical difficulty or needed

repairs they shall report it to the Department Head no later than the return to work.

- c. If a vehicle becomes inoperable or unsafe to drive the employee must notify the Department Head immediately. The Department Head shall assess the situation and provide assistance to the employee.

I. Pool Vehicles:

- a. Dorchester County Government maintains pool vehicles for use by employees in circumstances where such use would benefit the efficient and effective operation of County Government
- b. Unless approved by the Department Head/Elected Official and the County Manager, a pool vehicle may not be reserved for overnight use.
- c. The following steps must be completed prior to an employee using a pool vehicle:
 - 1. Approval from Department Head/Elected Official and County Manager based upon date of use, anticipated duration and nature of business requiring overnight use.
 - 2. Department Head/Elected Official will notify employee of approval and assign a vehicle.
- d. If a pool vehicle is not available the Department Head/Elected Official will notify the employee of approval and assign a vehicle.
- e. Pool vehicles shall be refueled prior to returning.

J. Accidents:

- a. An accident is defined as any circumstance involving the use of a County owned vehicle/equipment or personal vehicle being used for County business which results in death, injury or property damage regardless of who was injured, what property was damaged or who was responsible.
- b. If you are involved in an accident the employee must immediately, if able, call 911. The employee must file a police report. If necessary, seek medical aid. The Department Head/Elected Official should be notified as soon as possible. Any required forms must be completed, such as found in the Vehicle Accident Reporting Kit (inside the vehicle).
- c. Department Heads/Elected Officials, if operating a County owned vehicle/equipment, must notify the County Manager as soon as possible. Any required forms must be completed, such as found in the Vehicle Accident Reporting Kit (inside the vehicle).
- d. If an employee is personally injured a First Report of Injury and any other required Workers Compensation paperwork must be forwarded to Human Resources immediately, if possible. If unable to complete paperwork please report the injury to Human Resources to start the claim process to ensure medical bills will be covered. The report should be made as soon as possible and every effort should be made to report within 48 hours.
- e. If the accident occurs in a personal owned vehicle being used on County business, the employee shall report to personal vehicle insurance company. The accident shall be reported to the Department Head/Elected Official. If the employee is personally injured a First Report of Injury and other Workers Compensation paperwork must be forwarded to Human Resources. If unable to complete paperwork please report injury to Human Resources to start the claim process to ensure medical bills will be covered. The report should be made as soon as possible and every effort should be made to report within 48 hours.
- f. Employee should not make any comment(s) or statement(s) to anyone except law enforcement and any County Government representative(s) investigating the accident/injury.
- g. Employees must cooperate with County Government representative(s) or other agents representing the County regarding post-accident reports and immediately forward all

communications regarding claims, including summons or complaints to their Department Head/Elected Official. If necessary the Department Head/Elected Official will advise if the employee needs to follow up with Finance and/or Human Resources.

PASSED AND ADOPTED THIS 6th DAY OF September, 2011

COUNTY COUNCIL OF
DORCHESTER COUNTY

ATTEST:

Jane Baynard
Jane Baynard, County Manager

Jay L. Newcomb
Jay L. Newcomb, President

William V. Nichols
William V. Nichols, Vice President

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Ricky C. Travers
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