

CHARLES COUNTY GOVERNMENT

Safety Manual

Chapter 24: Vehicle and Driver Policy

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(Chapter 24 of the Safety Manual was revised to incorporate all the Standard Operating Procedures pertaining to the use of County-owned vehicles.)

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ATTACHMENTS

- A Passenger Waiver
- B Take Home Vehicle Policy Authorization
- C Risk Management Bulletin
- D Vehicle Fringe Benefit Calculation Rules and Procedures
- E Application to Drive County Government Vehicle
- F Pool Vehicle Mileage Form
- G Vehicle Accident Report Form
- H General Liability Form

CHARLES COUNTY GOVERNMENT SAFETY MANUAL

Chapter 24: Vehicle and Driver Policy

24.0 VEHICLE AND DRIVER POLICY

24.01 Objective, Scope and Responsibilities

The County Commissioners have a sincere concern for the welfare and safety of County employees and the public it serves. We acknowledge our obligation, as an employer, to provide the safest possible working conditions for employees and as a government service organization, to provide a safe environment for the public that we serve.

To reach to goal of a vehicle accident-free work force, County management and supervisory personnel must provide leadership and adequate supervision, job training, vehicle safety instructions, vehicle maintenance and inspection, and secure prompt medical care if the need arises.

In an effort to achieve this goal, Charles County developed a Fleet Management Program. The Vehicle and Driver Policy as well as the Commercial Driver's License (CDL) Testing and Procedures are a part of this program. The program provides direction through administration and management to all departments utilizing County vehicles.

Most accidents are preventable, and with that conviction, we have instituted the "Charles County Government Vehicle and Driver Policy" and have directed Department Heads, supervisors, and employees at all levels of the County work force to make vehicle safety a matter of continued concern. All employees are expected to cooperate, develop and maintain an effective vehicle safety program within their respective departments.

All employees of the Charles County Government are charged with the responsibility of cooperating with, and supporting vehicle safety awareness.

24.02 Administration and Coordination

The overall administration and coordination of the Vehicle and Driver Policy will be the responsibility of the Safety Officer. The Safety Officer will annually review the Vehicle and Driver Policy and make recommendations to the County Administrator. This report should consist of:

- 1) Accidents with personal injuries; accidents without personal injuries; awards program; defensive driver program; alcohol and drug testing, including cost, training, etc., and any other information deemed pertinent.

- 2) Maintenance and inspection programs are the responsibility of the Department of Public Works, Public Facilities Division.
- 3) Records of all vehicles relating to inspections, safety equipment, maintenance, mileage, etc., are the responsibility of the Department of Public Works.
- 4) The Department of Human Resources is responsible for maintaining copies of all employee records relating to awards, counseling, training, and disciplinary actions.

24.03 Information Requirements

All County departments/agencies are required to maintain the following:

- 1) List of approved operators and the equipment which they are approved to operate.
- 2) Number and type of vehicle accidents and moving violations.
- 3) Vehicle assignment and purchase of vehicles.
- 4) Names of employees who have completed the National Safety Council 6-hour Defensive Driving Training.

24.04 Marking of County Vehicles

Except as authorized by the County Administrator, all County vehicles should have the County seal permanently attached.

Except as authorized by the County Administrator, all County vehicles will have the following signs permanently attached:

- 1) "Safe driving is my responsibility. How am I doing? Call (301) 645-0687"
- 2) "Charles County Crime Solvers 886-411-TIPS"

Only stickers and/or markings approved by the County Administrator will be permitted on County vehicles.

Except as authorized by the County Administrator, all County vehicles will be identified with department designation and number, e.g., C-33 or radio designation (as in the case of Emergency Services).

Employees should not modify County vehicles in any manner.

Regular and routine maintenance will be the responsibility of the Department of Public Works. Billing of services will be made to the using agency.

All vehicles will be fueled at county pumps when possible.

24.05 Vehicle Policy Statement

A) Purpose

To establish policy for the assignment and use of County-owned vehicles which will provide Department heads and supervisors with operational and administrative guidance with which to manage the use of County vehicles.

Furthermore, this policy is established to provide reliable, safe, and timely transportation for County employees when in performance of County business.

This policy pertains to all County employees and elected or appointed officials operating County vehicles, with the exception of the Charles County Sheriff's Department.

Additional requirements may pertain to various identified driving categories as defined in this Safety Manual. Vehicle safety awareness and driver responsibility affects all County employees in delivery of services to the public.

B) Policy

- 1) It is the policy of the County to provide County-owned vehicles for OFFICIAL USE only.
- 2) No vehicles should be assigned as a fringe benefit of employment.
- 3) The Department of Public Works will be the County Vehicle Coordinator for the purpose of completing all necessary documents for the proper assignment, reassignment and disposition of vehicles.
- 4) *All* County employees and elected or appointed officials whose duties require driving County-owned vehicles will attend a mandatory Vehicle Policy Orientation which is part of the Safety Manual.
 - a) Orientation sessions will be conducted for all new hires. Current employees will also be required to attend additional orientation sessions, as deemed necessary, due to changes in policy and procedures and/or MVA law. Upon completion of driver's orientation, employees must complete an "Application to Drive Charles County Government Vehicle" form noting license level required. Supervisors should ensure employees under their direction have been orientated to the Safety Manual, specifically Chapter 24, prior to authorizing the employee the duties of operating County vehicles.
- 5) County-owned vehicles will be assigned based on availability. Vehicles will be assigned on a full-time basis to specific employees based on departmental requirements.
 - a) County vehicles are to be used for official County business only. Personal use of these vehicles is prohibited unless written permission has been given by the County Administrator. Meals or commuting are exceptions.

- b) Vehicles will be the responsibility of the agency to which they are assigned.
- 6) Travel to and from the operator's place of residence for those operators assigned vehicles on a 24 hour basis is considered official business.
- 7) Employees driving County vehicles are required to comply with all State and local laws regarding the use of mobile communication devices while driving. If a mobile communication device must be used by an employee while driving a County vehicle, a hands-free device must be used. Drivers are encouraged to keep mobile communications device use to a minimum. Whenever possible, employees should not make or receive calls while driving. Only in the case of an emergency is the use of a hand-held mobile communication device without a hands-free device permitted.
- 8) Abuse of the assignment of a County-owned vehicle or failure to comply with any of the conditions of this policy will necessitate reevaluation of such assignments by the affected departments.
- 9) Employees operating County-owned vehicles must exercise a level of discretion that will avoid any implication of abuse.
- 10) Only employees, approved passengers, or agents of Charles County Government are to be transported in County-owned vehicles. Volunteers, when acting in official capacity, and/or business contacts, should be considered agents of the County. Approved passengers cannot ride in a County vehicle unless they have signed a waiver (Attachment A) or as an authorized participant in the Department of Emergency Services, Emergency Medical Services Division "Ride-Along Program."
- 11) All traffic and parking laws are to be obeyed, and the vehicle is not to be operated above safe driving speeds for road conditions.
- 12) All violations and/or fines will be the responsibility of the driver involved.
*Exception: Maryland law for Emergency Vehicles.
- 13) Employees are not encouraged to use their personal vehicle for official business due to several reasons:
 - 1) A personal vehicle may not be covered under an employee's personal automobile policy when used for local government business unless such use is reported in writing to his or her agent; and
 - 2) Local government business auto coverage will NOT pay for damages to an employee's personal vehicle.
 - 3) The County will not reimburse employees for their deductible as a result of any accident involving an employee's personal vehicle used for County Government business.

Employees should understand that their personal auto insurance stands first in line to cover any liability loss resulting from an accident while on local government business.

14) Global Positioning System (GPS) - The purpose of the GPS tracking of County Vehicles is an effort to maximize the value of the County's assets while reducing the cost of the vehicle fleet and providing a mechanism to monitor driving activities and behavior.

The system will allow supervisors to dispatch vehicles to maximize the efficiency of fleet, confirm or deny allegations of misconduct/abuse/traffic violations, and/or auto damage claims. This policy and the system are not intended to be punitive or used to monitor individual employees, although unsafe and unauthorized vehicle usage may lead to disciplinary action.

The Standard Operating Procedure (SOP) "Vehicle GPS Tracking Policy" (DPW.3.003) shall take precedence in the event of a conflict with this chapter of the "Safety Manual".

24.06 Take Home Vehicle Policy

A) Purpose

To establish a policy for the County Commissioners and all Charles County employees who are issued a County vehicle and are authorized to commute to and from work in a County vehicle.

B) Policy

1) Employees and elected or appointed officials are issued County vehicles at the request of the Department Heads and at the discretion of the County Administrator with approval of the County Commissioners, who has determined that such an action is imperative to the successful operation of County programs or the health, safety, and welfare of citizens or employees. Such approvals will be documented on the form entitled "Charles County Government Take Home Vehicle Policy Authorization" (Attachment B).

2) County vehicles shall be used for County business only except for *deminimus* use. Vehicles shall be driven in accordance with all conditions set forth in this Safety Manual. Any infractions of the policy may subject the employee to disciplinary action.

3) Personal use of County vehicles, equipment, and property is strictly prohibited, except as authorized herein and when used to commute to and from work as authorized by the County Administrator.

4) The Chief of Vehicle Maintenance will maintain the inventory of all take home vehicles and assignments and such records maintained in his/her office.

5) Employees who are assigned a vehicle who live outside the geographical boundaries of Charles County may be granted permission by the County Administrator to drive their assigned vehicles to and from work.

6) Employees living outside of the State of Maryland - Employees living outside of the State of Maryland will not be provided a take home vehicle. (Attachment C - Risk Management Bulletin, Local Government Insurance Trust.)

7) An annual update of take home vehicles may be conducted to ensure compliance with all proper documentation.

8) Only employees, approved passengers, or agents of Charles County Government are to be transported in County-owned vehicles. Volunteers, when acting in official capacity, and/or business contacts, should be considered agents of the County. Approved passengers cannot ride in a County vehicle unless they have signed a waiver (Attachment A).

C) Procedures

1) Employees who are issued County vehicles will acknowledge this policy, which documents the employee's understanding of this policy and his/her commitment to abide by all conditions state by completing and signing the attached form.

2) In accordance with Internal Revenue Service regulations, all employees must complete the form entitled "Worksheet for Computing Auto Fringe Value of County-Owned Vehicle" (see Section 24.07) each quarter of the special reporting and submit this form to the Department of Fiscal and Administrative Services, Payroll Office. Employees will be financially responsible for the taxable benefit of being allowed to commute in a County vehicle, unless otherwise exempt by the provisions stated in the worksheet.

3) Employees that fail to comply with the payroll reporting deadlines established each calendar year, and subsequently reminded each quarter, and following after then (10) days of non-compliance, will have fueling privileges revoked until such compliance as directed by the County Administrator.

D) Take Home Approval Criteria

1) Contract/Appointed Employees - Employees who entered into a contract with the County indicating that a take home vehicle is a condition of employment.

2) Limited Use Vehicle - A vehicle that may be used by an individual on a daily basis and may be taken home. The use of the vehicle is limited to County business only. The use of the vehicle for personal matters is strictly prohibited. However, incidental stops may occur while driving the County vehicle IE: cleaners, grocery store, convenience store, generally stops no more than one half (1/2) mile off normal route.

3) On-Call Employees - Employees receiving On-Call Pay from the County may be given access to a take home vehicle on a limited case by case basis by respective Department Heads with notification to the County Administrator.

4) Exempt Employees - Exempt status employees, not qualified for On-Call Pay by the Personnel Policy & Procedures Manual, may be provided a take home vehicle on a case by case basis as determined for County need and County cost saving.

E) Violations

Any violations of this policy may result in the loss of use of the assigned vehicle and/or disciplinary action under the "Personnel Policy & Procedures Manual".

F) Exceptions

These procedures may be waived at the discretion of the County Administrator. Any and all exceptions to this policy must be approved in advance.

G) Key Terms

Taxable Benefits - Non-cash benefits provided to an employee shall be included as employment income.

LGIT - Local Government Insurance Trust.

24.07 Vehicle Fringe Benefit Calculation Rules and Procedures

The information contained throughout this section is current as of the date of this manual's adoption. The latest "Vehicle Fringe Benefit Calculation Rules and Procedures" are located on the Payroll Web Portal under "Important Information, Vehicle Certification Form Instructions".

A County vehicle used by an employee for business or personal use is a non-cash benefit. The use of a County vehicle for business purposes is not taxable, but personal use of a County vehicle is taxable unless specifically excluded by a section of the Internal Revenue Code. Personal use of a County vehicle includes commuting to and from the employee's home and work station. Charles County is required to report the taxable personal use of a County vehicle as taxable wages on the employee's Form W-2 and withhold all appropriate taxes. There are three calculation rules to compute the value of an employer-provided vehicle: the commute rule, the cents-per-mile rule, and the annual lease value rule (Attachment D). Those employees required to report the non-cash value of personal use of a County vehicle are required to choose the appropriate method. The majority of County employees will use either the commute or the cents-per-mile method. In some cases, the employee may have to use the lease value rule.

A) The Commute Rule:

This method values the commuting use at \$1.50 per one-way commute (\$3.00 per round trip) for each employee commuting in a County vehicle regardless of the number of miles driven.

The commute Method may only be used if:

- Vehicle is owned or leased by the employer.
- Vehicle is provided to the employee for business use.
- Employer requires the employee to commute in the vehicle for valid non-compensatory business reasons.
- Employer has a written policy prohibiting personal use other than commuting.
- Employee does not use the vehicle for personal purposes, other than commuting and De minimis personal use.
- Employee is not a control employee. Control employees may not use the commute value method.

A control employee is either an elected official, or an employee whose compensation is at least or exceeds that of a federal employee at Executive Level V (\$145,700 in 2012).

Employees who use the Commute Rule are to calculate their fringe benefit values by multiplying the number of one-way trips by \$1.50. When completing the worksheet include only the number of work days that the vehicle was actually driven to and from work. If more than one employee commutes in the vehicle, the \$1.50 one-way rule applies to each employee.

Procedure to Complete Employer-Provided Vehicle Certification Form:

Employees eligible to use this method should complete the Personal Information, Part II B - Method 1: Daily Commuting Value Computation. Part III - Total Auto Fringe Value and place the total amount in the Auto Fringe Value block at the top of the form. When completing the worksheet include only the number of work days that the vehicle was actually driven to and from work.

B) The Cents-Per-Mile Rule:

This method allows the commuting use value to be determined at the rate of 55.5 cents per mile for 2012. The standard rate includes gasoline, insurance and maintenance. Control employees may use the cents-per-mile valuation rule.

The Cents-Per-Mile Method can be used if:

- Vehicle is regularly used for County business (50% or more each year), or the
- Vehicle is generally used each workday to transport at least three employees to and from work in an employer sponsored commuting vehicle pool, or the
- Vehicle is driven by an employee at least 10,000 miles per year.
- Vehicle (passenger automobile) has a fair market value of \$15,300 or less (16,200 for trucks or vans) in 2012.

If you do not know the purchase price and year of your vehicle, please contact the Asset Accountant at 301-396-8864 (x2864).

Procedure to Complete Employer-Provided Vehicle Certification Form:

Employees who use the Cents-Per-Mile Rule must determine the number of commute/personal miles driven in the vehicle. The vehicles fringe value is calculated by multiplying the commute/personal miles by the IRS standard mileage rates.

Employees eligible to use this method should complete the Personal Information, Part II C – Method 2: Cents-Per-Mile Computation, Part III – Total Auto Fringe Value and place the total amount in the Auto Fringe Value block at the top of the form.

C) Annual Lease Value Rule:

The Annual Lease Value Rule is for control employees who are assigned a County vehicle having a fair market value (FMV) greater than \$15,300 (2012), or who otherwise cannot meet the requirements under the Cents-Per-Mile Rule. This method is based on a four-year lease term. Therefore, except in the case of a vehicle transfer from one employee to another, the annual lease value once calculated, must remain in effect for a period that begins with the first date that the annual lease value was first applied and ends December 31 of the fourth full calendar year following that date. The annual lease term for any subsequent four-year period must be calculated in the same manner.

Procedure to Complete Employer-Provided Vehicle Certificate Form:

The calculation for the annual lease value method requires six steps:

- 1) Determine the fair market value of the vehicle, exclusive of fleet discounts, as of the first day it was made available.
- 2) Using the fair market value as of the first date vehicle was made available to the employee, determine the annual lease value from the IRS table reproduced on the Employer-Provided Vehicle Certification Form.
- 3) Divide the number of commute/personal miles driven during the year to determine the commute/personal usage percentage. Multiply commuting percentage by the annual lease value.
- 4) Maintenance and insurance costs are included in the table of annual lease values, but the cost of fuel is not. If the County pays for fuel, this cost must be computed separately and added to the lease value to determine the employer paid fuel value. Multiply the commute/personal miles by 55.5 cents per commute/personal miles.
- 5) Calculate total annual lease value by adding the Annual Value for Personal Value and Employer Paid Fuel Personal Usage.

6) Employees eligible to use this method should complete the Personal Information, Part II D – Annual Lease Value, Part III – Total Auto Fringe Value and place the total amount in the Auto Fringe Value block at the top of the form.

D) Qualified Non-personal Use Vehicles:

The IRS regulations exempt those employees who drive the following types of vehicles from the requirement to be assessed a fringe benefit value (but only if all of the provisions attached to the exempted category are met):

Types of non-personal use vehicles that qualify for this tax-exempt treatment include:

- 1) Clearly marked police and fire vehicles, if the employee is required to use the vehicle for commuting and who, when not on a regular shift, is on call at all times and if any personal use (other than commuting outside of the limit of the police officer's arrest powers and the fire fighter's obligation to respond to an emergency) is prohibited by such governmental unit.
- 2) Unmarked law enforcement vehicles used by "law enforcement officers" provided that any personal use, including commuting, must be authorized by the County and must be incident to law enforcement functions such as (a) being able to report directly from home to a stakeout or surveillance site, or (b) to an emergency situation. Use for recreation and vacation trips cannot qualify as an authorized use.
- 3) Ambulances and hearses used as such.
- 4) Any vehicle designed to carry cargo that has loaded gross weight of more than 14,000 pounds.
- 5) Delivery trucks with seating only for the driver or only for the driver plus a folding jump seat.
- 6) Dump, flatbed or garbage trucks.
- 7) Forklifts, combines or cranes.
- 8) Passenger buses (capacity of at least 20 passengers).
- 9) Special utility repair trucks (not van or pickup) designed to carry heavy tools, testing equipment or parts. Permanent interior construction, shelves, racks required. Employer must require employee to commute for emergency call-outs to respond to emergency situations for purposes of restoring or maintaining electricity, gas, telephone, water, sewer or steam utility services.

10) Pick-up trucks and vans that have been specifically modified in a way that makes substantial personal use unlikely. Such trucks or vans must have permanently affixed decals or special painting or other advertising for the employer's business. In addition, they must meet the following qualifications:

- A pickup truck must either be specially equipped (e.g., a hydraulic lift gate, power winch, electric generator, boom or crane used to tow cars), or actually be used primarily for off-road transporting in connection with construction, manufacturing, farming, mining, etc.
- A van must have seating for no more than the driver and one other person and must have either permanent shelving filling most of the cargo area or an open cargo area that constantly (during working and nonworking hours) carries merchandise, material, or equipment used in the employer's business.

Procedure to Complete Employer-Provided Vehicle Certification Form:

Employees eligible for exemption from the IRS regulations, as described above, should complete the Personal Information at the top of the form and complete Part II A - Qualified Non-personal Use Vehicles "IRS EXEMPT - NUMBER _____" (complete the blank with the number from the exempt categories listed above.)

Employee's Personal-Use of a County Vehicle - Please Note New Reporting Periods:

An employee's personal use of a County vehicle is taxable income. In an effort to reduce a large year-end tax withholding, a quarterly withholding will be implemented for calendar year 2012. The reporting periods for the personal-use value of a County vehicle will be reported quarterly as listed below:

<u>Reporting Period</u>	<u>Certification Form Due to Payroll</u>	<u>Pay date Applicable</u>
November 1, 2012 -January 31, 2012	March 1, 2012	March 23, 2012
February 1, 2012 - April 30, 2012	June 1, 2012	June 29, 2012
May 1, 2012 - July 31, 2012	September 4, 2012	September 21, 2012
August 1, 2012 - October 31, 2012	December 3, 2012	December 28, 2012

IMPORTANT: This is a "Non-Cash Fringe Benefit and will be treated as paid on a quarterly basis and all appropriate taxes will be withheld. This does not pertain to vehicles exempt under IRS regulations.

Should you have any questions, please contact the Payroll Office at 301-645-0573, 301-645-0646 or 301-645-0589.

24.08 Pool Vehicle Use – County Government Building

A) Purpose

To establish a uniform policy for the assignment and use of County-owned pool vehicles at the County Government Building.

B) Procedure

1) Responsibility

The Building Security Officer located in the County Government Building will be responsible for the assignment of pool vehicles.

2) Assignment

In order to be authorized to drive a County-owned vehicle as per Chapter 24, Vehicle and Driver Policy of the Safety Manual, the driver must have the following:

- a. Attended a mandatory Vehicle Policy Orientation.
- b. Approved *“Application to Drive Charles County Government Vehicle”* form (Attachment E).
- c. Possess a valid driver’s license.
- d. Have an “acceptable” driving record with MVA record on file with the safety officer.
- e. Completed a mandatory Defensive Driving Course within one (1) year after beginning employment and complete a Defense Driving Course every five (5) years thereafter. If an employee is driving a County-owned vehicle and is involved in an accident, the employee must take the defensive driving course within ninety (90) days following the accident unless a course has been completed within the last twelve (12) months.

To reserve a Pool Vehicle, employees must reserve a pool vehicle on GroupWise Address Book (under Resources). In the event either GroupWise or a pool vehicle is unavailable, employees can contact the Building Security Officer directly at 301-885-1310. Keys will be located with and assigned by the Building Security Officer.

Prior to operating a pool vehicle, the employee will complete a pre-trip inspection and document it on the pool vehicle mileage form (Attachment F). When vehicles are returned, the form will be completed for the post trip requirements and returned with keys to the Building Security Officer.

Pool Vehicles must be returned to the assigned parking lot at the end of an employee’s usage and keys returned to the Building Security Officer. Staff is not allowed to keep the vehicle

overnight or during the weekend without permission. Special authorization to keep a County vehicle overnight may be given to or made through the Division Chief or Director of your Department. A copy of the approval must be given to the Building Security Officer.

3) Accidents

See Section 24.14, Vehicle Accident Reporting Procedures in the Charles County Government Safety Manual.

4) Maintenance

Routine maintenance is tracked by means of the County's Computerized Fleet Analysis (CFA) program which tracks maintenance intervals by computer software at the fueling station. The Administrative Associate will be notified when a preventive maintenance (PM) is required. The vehicle maintenance staff will pick-up vehicles from the County building.

Should the operator note any mechanical deficiencies or safety concern with a pool vehicle the operator shall complete the Vehicle Condition Report (VCR) and deliver vehicle to the Department of Public Works, Vehicle Maintenance facility located at 1001 Radio Station Road. If the repair or safety concern is significant, the vehicle should not be driven and the Vehicle Maintenance Superintendent notified immediately at 301-932-3481 (x4481).

5) Fuel

Fuel for the pool vehicle is obtained at:

Public Works Department - Audie Lane, La Plata 5 Days per Week 7:00 AM - 3:30 PM

Charles County Sheriff's Department - US 301, La Plata 24 hrs. - 7 Days per Week

Old Waldorf State Police Barracks - Sub Station Road, Waldorf 24 hrs. - 7 Days per Week

Matawan Wastewater Treatment Plant - Rt. 225, Mason Springs 5 Days per Week
7:00 AM-3:00 PM

Procedures on how to fuel vehicles are as follows:

A fueling procedure is located in each vehicle.

County vehicles must be refueled by the driver of the vehicle when the gas tank is half empty or less, prior to returning the vehicle to the assigned parking area.

It is the responsibility of the operator to return the vehicle after each use in clean condition. If the exterior of the vehicle needs washed, please leave the vehicle at Vehicle Maintenance Shop, Department of Public Works, 1001 Radio Station Road, La Plata.

6) Reporting of Travel

All mileage traveled in County-owned vehicles is to be recorded on the Pool Vehicle Mileage Form.

7) Violation of Policy

Any violation of this policy may prevent future use of a County pool vehicle.

8) Exceptions

Any and all exceptions to this policy/procedure must be approved in advance by the County Administrator.

24.09 Requirements for Approved "Application to Drive County Vehicle"

No County employee shall operate a County vehicle without possessing a valid driver's license and an approved "Application to Drive Charles County Government Vehicle" form (Attachment E).

A) As new employees are selected for positions which require operating a County-owned vehicle, applicants will provide a complete certified driving record, at applicant's expense. Only original certified records will be accepted. The record must include types of vehicles the applicant is qualified to operate and a record of violations and/or convictions to date. This certified driving record will be required before an offer of employment is extended. An offer of employment will not be extended to those applicants with unacceptable driving records. The following criteria has been adopted to assist in the review process for prospective vehicle operators and to authorize use of local government vehicles:

1) Definitions:

a) **Acceptable:** Motor vehicle records are considered acceptable provided the operator does not exceed a maximum of (2) two moving violations during the past three (3) years.

Exception: A Single motor vehicle violation involving the use of alcohol, illegal drugs, refusal to take an alcohol or drug test, or the misuse of legal, over-the-counter medication will constitute an unacceptable record.

b) **Unacceptable:** Motor vehicle records will be considered unacceptable if the operator:

- 1) Has three (3) or more moving violations during the past three (3) years;
- 2) Has a suspended or revoked license;

- 3) A single motor vehicle conviction or plea of Nolo Contendre involving the use of alcohol, illegal drugs, refusal to take an alcohol or drug test, or the misuse of legal, over-the-counter medication, or the acceptance of Probation Before Judgment (PBJ) for any of these violations;
- 4) Notwithstanding 1) above, demonstrates a pattern of unsafe vehicle operation as evidenced by a history of citizen complaints, moving violations, or a single infraction of such severity (e.g., eluding a police officer; evading responsibility; failure to yield to a pedestrian in a crosswalk, reckless driving, etc...) as to cast doubt on the individual's judgment or trustworthiness to operate a County vehicle.

B) All employees who receive a moving violation have an obligation to report such to the Safety Officer immediately.

The Charles County Government Safety Office will be notified immediately upon any violation, conviction or consent to a Probation Before Judgment in any case involving an allegation of a violation set forth above. When this notification is received, the County Safety Office will forward to the appropriate Department Head notice of any record which indicates:

- 1) A moving violation (i.e., speeding, passing on the solid line, failure to keep right, etc.);
- 2) Any notice of suspension for any reason;
- 3) Notice of Driving While Intoxicated (DWI) or Driving Under the Influence (DUI), or PBJ consent for any violation;
- 4) Failure to undergo breath analysis or drug testing; or,
- 5) Immediate notice of employee who fails random breath test and/or drug analysis test.

C) Employees are not encouraged to operate their personal vehicle for County business.

24.10 Disciplinary Actions

A) Notification of violations, convictions, PBJ, incidents or accidents by the employee or through the Computerized Motor Vehicle System will be handled by the Department based on the severity of the violations, convictions, PBJ, incidents or accidents in accordance with the Charles County Personnel Policy and Procedures Manual disciplinary procedures.

- 1) Departments may refer violations, incidents or accidents to the Accident Review Committee to determine preventable or non-preventable.

B) An unacceptable driving record *may* result in termination for those positions requiring a valid driver's license. The Human Resources Director will ensure that any discipline is consistently applied throughout the government based on the nature and circumstances of the driving infraction and the employee's past performance.

C) The authorization to operate a motor vehicle is subject to management approval by Charles County Government. The possession of a valid driver's license or an acceptable motor vehicle record/accident history *does not* constitute a guarantee of *continued vehicle operator status/employment*.

D) A single motor vehicle conviction or plea of Nolo Contendre involving the use of alcohol, illegal drugs, refusal to take an alcohol test or the misuse of legal, over-the-counter medication will constitute an unacceptable record. Driving privileges will be suspended until the verdict from the courts.

24.11 Driver's Safety Training and Education

A) It is mandatory that the Defensive Driving Course be completed within one (1) year after beginning employment with the Charles County Government.

B) Employees required to maintain a valid driver's license, are required to attend a Defensive Driving Course every five (5) years or sooner if driving pattern requires.

C) Employees are required to attend a Defensive Driving Course at the employee's expense should that employee accumulate two (2) violations. The only recognized Defensive Driving Course will be the National Safety Council's six-hour driving course, or its equivalent. Attendance will be verified.

D) The Safety Office will coordinate and schedule Defensive Driving Classes.

E) Emergency vehicle operators will receive Emergency Vehicle Operator training (EVOC) before operating any emergency vehicle in the emergency mode. All emergency vehicle operators will abide by the Department of Emergency Services. (EMS Division SOG # OPS-01).

24.12 Motor Vehicle and Safety Work Practices

A) General Safety Rules

1) Employees driving County vehicles are responsible for the safe use of the vehicle. Employees must operate vehicles in a safe, courteous manner to prevent property damage and injury to themselves and others. Department Heads are responsible for enforcing the general safety rules.

B) Seat Belt Rules

1) All occupants of County-owned vehicles, or any vehicle used on County business, must wear seat belts, when provided. "County business" means any job related duty while being paid or reimbursed by Charles County Government. This includes business travel during non-work hours.

2) Wearing seat belts means properly using the complete safety belt system available in the vehicle.

3) County vehicles with defective safety belt systems may not be used until repaired. Employees must report defective vehicles to supervisors.

C) General Rules and Principles Applying to All Vehicle Operators

- 1) Concentrate while driving. Stay alert.
- 2) Keep informed of current State motor vehicle laws and be personally responsible for complying with the laws.
- 3) Drive defensively.
- 4) When involved in an accident, notify 9-1-1, *insist that a police accident report be filed and immediately notify your supervisor of the accident, no matter how minor.* Communications (9-1-1) will notify the Safety Officer anytime a County vehicle is involved in a motor vehicle accident and the Safety Officer will respond to conduct an investigation for the County.
- 5) Any operator charged with a traffic law violation shall notify his supervisor and the Safety Officer immediately upon return to work. (This includes, but is not limited to DUI/DWI, reckless driving, moving violations, etc.)
- 6) NO HITCHHIKERS or unauthorized passengers.
- 7) Ensure the safety of passengers. This includes boarding and leaving the vehicle.
- 8) If an employee feels fatigued or incapable of safely operating a motor vehicle, he must request relief from a supervisor.
- 9) Never press for the right-of-way.
- 10) OPERATING COUNTY VEHICLES UNDER THE INFLUENCE OF ALCOHOL, ILLEGAL DRUGS, OR MISUSED PRESCRIPTION DRUGS IS STRICTLY FORBIDDEN AND WILL RESULT IN TERMINATION. Driving while under the influence of alcohol (driving while intoxicated, drunk driving, drinking and driving, drink-driving) or other drugs, is the act of operating a motor vehicle (and even a bicycle, boat or ATV) after having consumed alcohol, to the degree that mental and motor skills are impaired.
- 11) Employees must ride only on the vehicle seats provided and not ride on loose materials or equipment carried on trucks. Riding on truck tailgates is also prohibited.
- 12) Employees must not ride on trailers except when performing a job function.
- 13) Transmitters in trucks and cars must not be used while the gasoline tank of the vehicle is being filled.

- 14) All ignition systems must be turned off and no smoking/no cell phone use is permitted while fueling.
- 15) Follow the County's preventive maintenance schedule.
- 16) Avoid conditions or practices that interfere with your normal skill and judgment as a driver.
- 17) Observe traffic conditions before opening vehicle doors.
- 18) Do not carry loose tools and equipment or allow debris to accumulate on the floor of any vehicle. Under no circumstances may loose tools or equipment be carried on the seat or window ledge of any vehicle.
- 19) Truck drivers must see that all required flags and lights are properly placed on loads.
- 20) No mobile equipment shall be towed by County vehicles without the use of an approved tow bar and safety chains. This will not apply to the towing of a disabled power driven vehicle to clear a street or highway. The tow bars on rear of trucks must not be used as a step.
- 21) Smoking in County vehicles is prohibited.
- 22) All operators of any vehicle one ton or larger will complete and document a pre-trip inspection in a driver's vehicle inspection report, at the beginning of each shift. Drivers/operators are personally responsible for inspecting vehicles/equipment prior to use. The tires, wipers, lights, etc., are to be checked for visible defects.
- 23) All operators of equipment will complete and document a pre-trip inspection in a driver's vehicle inspection report, at the beginning of each shift. Equipment is defined as, but not limited to; tractors, bobcats, backhoes, self-propelled mowers, dozers, loaders, excavators, graders, gradalls, forklifts, etc. Any observable defects, damage, or mechanical problems are to be reported immediately to the employee's supervisor.
- 24) Supervisors will perform a weekly inspection of equipment using a single driver's vehicle inspection report for all trucks and equipment within their realm of supervision. The vehicle/equipment is to be restored to proper operating condition before it is to be driven on any public road/highway.
- 25) If an employee discovers a mechanical problem after beginning use of a vehicle/equipment, the employee should park in the safest location possible and contact his/her supervisor.
- 26) The Department of Public Works will be solely responsible for complying with federal motor carrier regulations 49 CFR 396. This regulation mandates a documented

annual vehicle inspection report for all vehicles for 26,001 lbs. These inspections must be completed on the proper form.

27) All inspection forms will be maintained in accordance to the file retention policy as dictated by the County Commissioners. Storage will be the responsibility of the vehicle maintenance superintendent and stored for the life of the vehicle plus two years.

D) Car and Truck Operation

1) When leaving a non-emergency vehicle, the operator shall perform these procedures:

- a) Stop the engine and remove the ignition keys.
- b) Turn off the lights.
- c) Lock doors and roll up windows when leaving vehicle unattended.
- d) County Government is not responsible for the loss, damage, or theft of personal property left in County vehicles.

2) The driver of a vehicle shall be courteous towards other operators and pedestrians. He shall operate his vehicle in a safe manner and shall yield the right-of-way to pedestrians and other vehicles when failure to do so might endanger any person or another vehicle.

3) Drivers of County owned vehicles/equipment are continually under close scrutiny by the public and are vulnerable to criticism. By careful adherence to the rules, regulations and policies listed, we can keep criticism to a minimum.

4) The driver shall stay a sufficient distance behind when following another vehicle utilizing the "three second rule" as dictated by the National Safety Council's eight-hour defensive driving course, so he can safely stop the vehicle in the clear distance ahead. He shall reduce speed on corners and curves so that the vehicle can be brought to a safe stop within the range of vision.

5) Employee's driving County vehicles are required to comply with all State and local laws regarding the use of mobile communication devices while driving. If you must talk on your cell phone, pull to a safe area and park while talking. Drivers are encouraged to keep mobile communication device use to a minimum.

E) Stopping on Highway

1) Stopping on the highway shall be avoided. When it is absolutely necessary to stop on the highway, extreme caution shall be used. Warning lights and signals shall be used.

- a) Rotating beacon shall be used, if vehicle is so equipped.
- b) Tail lights and emergency flashers shall be used.

F) Visibility

- 1) During periods of poor visibility, all employees operating County-owned vehicles must operate vehicles with vehicle headlights on.

24.13 Safety Equipment

A) Safety equipment to be maintained in each county vehicle:

- 1) One (1) fire extinguisher
- 2) One (1) first aid kit
- 3) One (1) reflector kit consisting of three (3) triangles.
- 4) One (1) Accident Reporting Kit
- 5) Photocopy of vehicle registration
- 6) LGIT self-insurance certificate.

B) Responsibility for Purchasing Required Equipment

It is the responsibility of the Department to which the vehicle is assigned to purchase the required equipment. The responsibility for checking equipment and notifying the departments of shortages is the Department of Public Works who will replace equipment, charging respective departments for replacements.

24.14 Vehicle Accident Reporting Procedures

All accidents must be *immediately* documented on a Vehicle Accident Report Form (Attachment G) by the close of the business day and should be signed by the Director of that department. A copy of the Vehicle Accident Report must be provided to the Risk Management Accountant and a copy to the Safety Officer.

A) Personal Injury

Reporting procedures for personal injury accidents are as follows:

- 1) Following any accident which occurs while driving a county-owned vehicle, drivers are required to notify 9-1-1 and request the Charles County Sheriff's Office respond to the scene.
- 2) If a driver alleges an injury and is unable to call, his immediate supervisor will be responsible for making the call and completing all accident reports, including the Employer's First Report of Injury, Supervisors Accident Report Form, and a LGIT Vehicle Accident Report Form.
- 3) The Safety Office and the Risk Management Accountant should be informed of all vehicle accidents *immediately so that response to the scene may be made.*

- 4) Follow up with a Vehicle Accident Report Form to the Risk Management Accountant and Safety Officer within 24 hours. Vehicle Accident reports may be faxed to 301-934-3757 and 301-645-0639.

B) Property Damage

- 1) Following any accident which occurs while driving a county-owned vehicle, drivers are required to notify 9-1-1 and request the Sheriff's Office and Safety Officer response to the scene.
- 2) Print or type the required information on the Vehicle Accident Report Form.
- 3) In cases involving property damage (damage to vehicles not in motion such as hail or wind damage, personal injury to non-employees, etc.), the applicable General Liability form should be completed (Attachment H).

***Vehicle accident reporting kits will be in all County vehicles and will consist of the following: Two (2) Vehicle Accident Report forms, one (1) General Liability Report form, an Accident Site Diagram and a blank sheet of paper.*