

# TOWN OF ELLINGTON

## Policies & Procedures

### Use of Vehicles for Town Business

The purpose of this policy is to provide guidelines for the use of Town owned vehicles and privately owned vehicles when conducting Town business. Town employees/volunteers who require transportation for the performance of their duties will either have a Town vehicle assigned or available to them, or be adequately reimbursed for the use of a privately owned vehicle, when such use is authorized.

Town owned vehicles include any vehicle owned and maintained by the Town, including without limitation emergency service vehicles.

Employees/volunteers requiring transportation in the performance of their official duties are expected to conform to the policies set forth herein. It is the responsibility of the Department Heads and the Fire and Ambulance Chiefs to assure that employees/volunteers under their supervision conform to this policy.

#### Vehicle Use

1. Assigned Vehicles for On-Call Personnel:

Specific employees who are on-call for emergencies are assigned Town vehicles (First Selectman, Director of Public Works, Fire Marshal, Foreman, Assistant Foreman, and Animal Control Officer, Emergency & Risk Management Director, "On-Call Personnel"). The assigned vehicles may be used for commuting to and from work on a regular basis, used for conducting official Town business, used to obtain meals while on duty, driven to evening meetings and used for out-of-town travel on Town business. Under no circumstance shall any family member or any other individual be permitted to drive the Town vehicle assigned to any particular On-Call Personnel.

2. Town Vehicles used to conduct Town business:

If an employee/volunteer requires use of a Town vehicle in the performance of his or her official duties, the employee/volunteer must obtain prior authorization from his or her Department Head, the Fire or Ambulance Chief or the First Selectman. The employee/volunteer shall be referred to as an "Authorized User". The Authorized User must have a valid state issued driver's license for the class of vehicle to be operated and a copy of the Authorized User's driver license must be on file in the employee's personnel file as instructed. The Town reserves the right to obtain a copy of the Authorized User's Department of Motor Vehicle (DMV) driving record from time to time and may, based on contents of record and in its sole discretion, decline to provide a vehicle to such employee/volunteer or terminate an Authorized User's continued use of a Town vehicle, upon reasonable notice.

Passengers, other than other Town employees/volunteers working directly with the Authorized User, are not allowed in the Town vehicle with the Authorized User without prior

authorization from the Authorized User's Department Head, the Fire or Ambulance Chief, or the First Selectman. Only the Authorized User shall be permitted to drive the Town vehicle.

Authorized Users shall park the Town vehicles they are using in the location designated by their Supervisor. Town vehicles are to be used strictly to conduct Town business. Use of Town vehicles to conduct personal business is prohibited.

3. Training

Authorized Users may be required to obtain specified training prior to operating certain Town vehicles, as determined by the Authorized User's Department Head, the Fire or Ambulance Chief or the First Selectman. Ambulance and fire apparatus drivers must receive specific training for the type of apparatus or vehicle being driven, which training shall include a driving test and a written test, and must further provide annual medical clearance for the operation of the apparatus or vehicle. Copies of documents demonstrating satisfaction of these requirements shall be provided by the Authorized User's Department Head or the Fire or Ambulance Chief to the First Selectman's Office.

4. Privately-Owned Vehicles Used to Conduct Town Business:

No employee/volunteer shall use a privately owned vehicle on official Town business unless prior approval is obtained from his or her Department Head, the Fire or Ambulance Chief or the First Selectman.

If use of a privately owned vehicle for conducting Town business is approved, the employee/volunteer must maintain liability insurance on said vehicle at a level not less than \$100,000 per person/\$300,000 combined single limit for bodily injury and/or property damage on a primary basis, and provide evidence of such insurance to the Finance Office or Human Resources, as instructed. The Town carries limits of \$1,000,000 with an additional \$10,000,000 in excess liability insurance. Proof of insurance will be required for mileage reimbursement.

In addition, employees/volunteers are personally responsible and liable for insuring any privately-owned vehicles approved for use for conducting Town business for physical damage claims including but not limited to glass, theft, vandalism and collision. The Town does not provide any excess physical damage coverage; however, if use of a privately owned vehicle for conducting Town business is approved and the employee/volunteer is involved in an accident while using said vehicle on official Town business, the Town shall reimburse the employee/volunteer for the policy deductible up to a maximum payment of \$500. Payment will be made upon receipt of all documentation required including proof of payment from the employee/volunteer's insurance carrier.

Employees shall be compensated for privately-owned vehicle usage (**form attached**) at the prevailing IRS rate per mile.

5. Recordkeeping

Any Authorized User who uses a Town vehicle on Town business shall keep a record on a log to be supplied by the Town or his or her Department Head or the Fire or Ambulance Chief, of mileage, destination, time and purpose of trip. The record log, along with the completed log forms, will be kept with the keys to the vehicle.

6. Financial Responsibility

Authorized Users and On-Call Personnel operating Town vehicles are protected against claims for property damage and/or bodily injury arising out of the use of that vehicle when (a) the party is acting in the performance of his/her duties and within the scope of his/her employment; and (b) the damage is not the result of a willful, malicious or intentional act.

Authorized Users and On-Call Personnel operating Town vehicles outside the performance of their duties and scope of employment and without the written permission of their Department Head, the Fire or Ambulance Chief, or the First Selectman understand and acknowledge they shall be held solely liable and responsible for property damage, including but not limited to the value of wear and tear on the vehicle, and/or personal injury to User or any third party arising out of such unauthorized use.

Employees/volunteers who have been approved for using privately owned vehicles on official Town business are provided liability coverage by the Town on an “excess” basis, secondary to any other collectible insurance. This does not include physical damage coverage to the employee’s vehicle (comprehensive and collision).

7. Conduct in the Use of Motor Vehicles

Employees/volunteers using Town or personal vehicles for conducting Town business shall use appropriate caution in their driving habits and abide by all applicable laws governing both emergency and non-emergency use, including without limitation use of seat belts. Notwithstanding the foregoing, Ellington Volunteer Ambulance Corps employees/volunteers providing hands-on patient care shall only be required to wear seatbelts when doing so does not impede their ability to care for the patient.

Distracted driving is not permitted in a Town vehicle. Distracted driving includes any activity that diverts attention from driving, including talking or texting on the phone, eating and drinking, talking to people in the vehicle, fiddling with the stereo, entertainment or navigation system – anything that takes your attention away from the task of safe driving. Safe driving requires the operator’s full attention.

No smoking is permitted in a Town vehicle. No employee/volunteer shall operate a Town vehicle, or a privately owned vehicle while conducting Town business, without a valid state issued driver’s license from the class of vehicle being operated, while under the influence of alcohol or illegal drugs, or while on a medication that may impair their ability to drive.

A global positioning system device (GPS) may be installed in some Town vehicles for the protection of the individual and the property and to allow for enforcement of Town policies.

8. Markings

All Town vehicles shall be identified by the established appropriate identifying markings on each side of the vehicle except for vehicles assigned to the police and First Selectman. No private equipment, decorations, stickers or advertisements shall be affixed to a Town vehicle.

9. Maintenance of Town Vehicles

Mechanical problems of which an Authorized User becomes aware shall be reported to the Department of Public Works, or the established appropriate service provider, immediately. The Authorized User shall be responsible for monitoring gas and fluid levels and tire pressure while using a Town vehicle.

When not in use, Town vehicles will be properly secured in accordance with the applicable department policy.

Under no circumstance shall a privately owned vehicle be fueled, maintained or otherwise serviced by the Town of Ellington, even if the vehicle is being used for municipal purposes.

The Town reserves the right to charge Authorized Users of Town vehicles for costs of repairs and/or damages beyond normal wear and tear due to their own negligence.

Authorized Users are expected to leave the interior of the Town vehicle in the same condition as they found it; removing all trash and personal belongings.

On all Town vehicles over 12,000 GVW (gross vehicle weight), all Authorized Users will perform a pre-trip inspection (if time and circumstances allow) or a post-trip inspection (if time and circumstances do not allow for a pre-trip inspection) and shall provide a written report of the same on a form to be supplied by the Town or his or her Department Head or the Fire or Ambulance Chief. A copy of such report shall be kept in the vehicle and a copy of such report shall be filed with the Authorized User's Department Head or Fire or Ambulance Chief.

10. Complaints

All complaints concerning Town vehicles, or use thereof by Authorized Users, shall be immediately investigated by the Supervisor. The results of the investigation shall be reported in writing to the First Selectman. The report shall contain the following: Name, address and phone number of the complainant; name and operator's license number of the driver; summary of the complaint; findings of the investigation; remedial action taken, if any.

11. Fines and Charges

Parking fines and moving violations are the sole personal responsibility of the vehicle operator. If any of the same are or shall be required to be paid by the Town, the vehicle operator who incurred the fine shall reimburse the Town for such payment promptly upon issuance of written notice. If any fines, charges or other amounts due to the Town pursuant to this policy are not paid within three (3) months of the date they are incurred, the Town will request authorization to deduct proper legal amount from the employee/volunteer's paycheck or other sums that may be due or become due to said party.

12. Penalties and Discipline

Authorized Users and On-Call Personnel with poor driving records may have the privilege of using a Town vehicle revoked at any time with reasonable notice. Each Authorized User and On-Call Personnel using a Town vehicle shall provide the Town with a copy of his or her driving record annually, if requested by the Town.

13. Accident Reporting Procedures

Employees/volunteers involved in an automobile accident while conducting Town business must follow the following procedures:

1. Remain calm. Do not argue.
2. If possible, move your vehicle out of harm's way. Stop the vehicle and turn off the ignition.
3. Make sure everyone is all right. Call for medical assistance if necessary.
4. Contact the police. By reporting the accident to the police and filing a report, you will help protect the Town from potential liability claims and legal action.
5. Use the Town of Ellington Vehicle Accident Report Form\* (**form attached**) to record the following information:
  - Names, addresses, driver's license numbers and insurance company information.
  - Note weather and road conditions.
  - Record the names and telephone numbers of any witnesses.
6. Take a photograph of the damage if a camera is available and if it is safe and possible to do so.
7. Submit Town Vehicle Accident Report form to the Finance Office. The Finance Office will notify the Town of Ellington insurance carrier.

*\*Town vehicles will contain a supply of the Vehicle Accident Report form to assist the employee with the above procedures.*

Failure to comply with the provisions of the Use of Town Vehicle & Personal Vehicles for Town Business Policy shall result in discipline, up to and including termination.

14. Applicable Collective Bargaining Agreement

Where the terms of this Policy conflict with the terms on an applicable Collective Bargaining Agreement, the terms of the applicable Collective Bargaining Agreement shall control.

15. Return Policy

All Authorized Users or On-Call Personnel shall return any Town vehicle in their possession to the Town immediately upon the occurrence of any of the following events: resignation; termination of employment or volunteer services; loss of license; commencement of a leave of absence; or upon demand following a violation of this Policy.

*Complete Acknowledgement Form on the next page.*

**ACKNOWLEDGEMENT FORM  
Use of Vehicles for  
Town Business Policy**

**Please complete and submit to Human Resources. Attach a copy of your current driver's license.**

I have read and understand the Town of Ellington Use of Vehicles for Town Business Policy and agree to follow all policies and procedures that are set forth therein for the duration of my employment/volunteer association with the Town of Ellington. I am aware that violations of this policy may subject me to disciplinary action, up to and including discharge from employment/volunteer service.

Furthermore, I understand this document can be amended at any time.

_____	_____	_____	_____
Printed Name	Signature	Date	
_____	_____		
Department/Agency	<input type="checkbox"/> Employee	<input type="checkbox"/> Volunteer	