

**CITY OF NEW BERN
ADMINISTRATIVE ORDERS
OF THE CITY MANAGER**

ADMISTRATIVE ORDER 1.5
City Vehicle Policy
To: All City Employees
From: Mark Stephens, City Manager
Maintained By: Administration
Date: May 2017
Update to Multiple Previous Policies

Contents

Section 1: Purpose.....2

Section 2: Overview.....2

Section 3: Definitions2

Section 4: Vehicle/Equipment Records3

Section 5: Vehicle/Equipment Acquisition/Disposal.....3

Section 6: Vehicle/Equipment Replacement.....5

Section 7: Utilization6

Section 8: Vehicle/Equipment Maintenance.....7

Section 9: Vehicle Assignment7

Section 10: Take Home/Commuting Vehicles.....8

Section 11: Vehicle Usage9

Section 12: Driver or Operator Qualifications.....13

Other13

Section 1: Purpose

The purpose of the City Vehicle Policy is to ensure that vehicles under the control of the City of New Bern are acquired, assigned, utilized, replaced and maintained in the most efficient and effective manner to conduct City business.

Section 2: Overview

The Assistant City Manager (ACM), supported directly by the Public Works Department and City Garage, is responsible for the management of all vehicles in the City fleet. As such, any situations, policies and/or procedures that are not covered specifically in this policy should be brought to the attention of the Public Works Director or ACM for resolution.

Section 3: Definitions

Authorized passenger(s) - City employees or other individuals involved in conducting City business.

City Vehicle/Equipment - any licensed motor vehicle owned, rented, borrowed, or leased by the City of New Bern and used primarily to transport people or property over roads, highways or City property. Rental vehicles are considered City vehicles when rented by a duly authorized employee and while used for official City business.

Commercial Driver's License (CDL) - a license with three classes to operate the following vehicles:

- a. CDL class "A"
 - i. Any combination of vehicles with a gross vehicle weight rating, GVWR, of 26,001 pounds or more.
 - ii. GVWR of the vehicle or vehicles being towed are in excess of 10,000 pounds.
- b. CDL class "B"
 - i. Any single vehicle with a GVWR of 26,001 pounds or more.
 - ii. Any such vehicle towing a vehicle with a GVWR not in excess of 10,000 pounds.
- c. CDL class "C"
 - i. Any vehicle not described in Class A or B above.
 - ii. Designed to transport 16 or more passengers, including the driver.
 - iii. Used in the transportation of hazardous materials that require the vehicle to be placarded under C.F.R., Part 172, Subpart F.

Commuting - the authorized use of City vehicles by City officers or employees for the purpose of traveling between the employee's official work station and residence.

De minimis - the personal use of a City vehicle that is of so small a value that accounting for it would be unreasonable or administratively impractical. De minimis personal use does not include unauthorized use as defined in Vehicle Usage section (Section 11) of this policy.

Gross Vehicle Weight Rating (GVWR) - defined as the maximum weight value of a vehicle as specified by the manufacturer. The GVWR includes, but is not necessarily limited to, the total of the weights of a vehicle's chassis, body, engine, engine fluids, fuel, accessories, driver, passengers and cargo.

Non-personal use vehicle - any vehicle the employee is not likely to use more than minimally for personal purposes because of its design, including but not limited to:

- a. Clearly marked police and fire vehicles
- b. Unmarked law enforcement vehicles when used for authorized purposes by a full-time law enforcement officer
- c. Delivery trucks
- d. Flatbed, dump and garbage trucks
- e. Specialized utility repair trucks

Official City business or City business - any activity conducted in conformance to these rules and directed and controlled by a City agency to advance the lawful policies and purposes of the agency.

Operator - any authorized City employee, elected official, appointee or other individual as provided by law, who is in control of a City vehicle and who possesses a valid driver's license for the type of vehicle operated.

Specialty use vehicle - City vehicles especially equipped for a specific function or purpose.

Section 4: Vehicle/Equipment Records

1. All vehicles/equipment owned by the City must be properly titled and licensed by the State of North Carolina through the Finance Department's Accounting Division.
2. To the extent possible, all direct costs of owning and operating City vehicles must be fully documented, including original purchase price, sale price, fuel, maintenance and other expenses.
3. The Assistant City Manager, either directly or through delegation to staff, and in consultation with the Finance Department, will conduct appropriate managerial review of vehicle cost and use information annually.

Section 5: Vehicle/Equipment Acquisition/Disposal

1. The City of New Bern may obtain vehicles/equipment through procurement, donation, transfer, seizure, rental and lease. Below describes the process for purchasing and receiving vehicles and equipment:

- a. At the beginning of the Fiscal Year, the Assistant City Manager, in coordination with the Department Heads and Finance Department, will develop a sourcing plan for the year's worth of replacement vehicles. At a minimum, all vehicles that can be sourced from the State Vehicle Contract should be priced on the contract and compared to local pricing and other group purchasing contracts. It is the long-term goal for the majority of regular vehicle purchases to be bid as a package and not sourced individually.
- b. The Assistant City Manager, in coordination with each operating department, will develop and/or approve vehicles/equipment specifications prior to bid submission or requisition. Replacement vehicles/equipment will be similar in design and purpose to the vehicles/equipment being replaced, or improvements to such. Every effort must be made to choose vehicles for qualities of fuel efficiency, safety, and reliability. Significant changes or upgrades to the replacement vehicles/equipment must be reviewed by the Assistant City Manager and the requesting Department must justify and provide any additional funding as part of the budget process.
- c. All purchases must be processed by the City's Purchasing & Warehouse Division and approved by the Finance Department. It is within the functions of the Purchasing and Warehouse Division to ensure vehicle and equipment purchases comply both with the City's Purchasing Policy and the Purchasing Manual. Upon issuance of a Purchase Order, the Purchasing and Warehouse Manager will receive, from Accounting, a "Capital Asset Form" and where applicable the asset tag(s).
- d. Vehicles and equipment should be delivered to the City Warehouse and should be coordinated with the Purchasing and Warehouse Manager. If it is necessary for delivery to occur at an alternate location, contact the Purchasing and Warehouse Manager prior to the scheduled delivery date to make arrangements.
- e. After the City Warehouse has received the item, the equipment or vehicle will be turned over to the City Fleet Maintenance Division to inspect prior to acceptance. If the vehicle is acceptable, the City Garage will install decals, license plates, and if necessary lights and sirens. The "Capital Asset Form" with original signatures will be completed and forwarded to the Public Works Administration office in order to add the asset to the City's insurance policy. Once the insurance has been updated, the invoice and "Capital Asset Form" will be forwarded to Accounting for payment and processing.
- f. Once the Garage is finished with the vehicle it will then be released to the appropriate department only after the vehicle schedule to be disposed of has been turned in to the Garage.
- g. Departments are responsible for turning in a clean orderly vehicle. This helps to ensure better resale value. If the vehicle belongs to the police or fire department, the

City Garage or the individual Departments will be responsible for having the lights, sirens and decals removed prior to resale.

2. Departments must demonstrate a compelling need for expansion of fleet vehicles/equipment and demonstrate that existing agency vehicles/equipment are utilized according to minimum utilization requirements outlined in this policy. All budget requests for vehicles/equipment must be reviewed by the Assistant City Manager as part of the budget review process. The expansion of department vehicles/equipment inventories requires approval by the City Manager.
3. In the event that a department requires temporary replacement vehicles/equipment or additional spare units, the City Garage will provide such units from the current "out of service" inventory when available. The assignment of such vehicles/equipment will not exceed 12 months. If, after 12 months, the department has a continuing need, the department must submit a request as part of the budget process for a new addition to the department's current allocation of vehicles/equipment or return the vehicle to the City Garage.
4. All City vehicles/equipment shall be purchased in accordance with State and City controlling statutes and policies.
5. The City Garage shall track all disposed vehicles and equipment with a disposal log and disposal form. The disposal information will be provided to Public Works for insurance purposes and Accounting for fixed asset tracking. The actual disposal will be managed by the Purchasing and Warehouse Manager (typically utilizing GovDeals).
6. Vehicles/equipment with license capabilities; such as trailers, scooters and other like items are required to be purchased by the rules established in this policy. Vehicles/equipment under 40 horsepower and under \$5,000 will be the responsibility of the departments and will not be governed by this policy.

Section 6: Vehicle/Equipment Replacement

1. Departments and the City Fleet Maintenance Superintendent shall make every effort to ensure that vehicles/equipment to be purchased meet the lowest emission standards for the particular class of vehicle, assuming that the vehicles/equipment still meet the functional requirements.
2. Subject to the availability of funds, replacement vehicles/equipment may only be purchased if current vehicles/equipment are being used according to minimum usage requirements and it can be demonstrated that the:
 - a. Vehicles or equipment to be replaced were destroyed.
 - b. Cost to repair damaged vehicles/equipment are deemed uneconomical and the City's

interests would be better served by disposing of the vehicles/equipment rather than repairing it.

- c. Vehicles/equipment age and/or mileage have rendered the vehicles/equipment in such condition that it cannot reliably, safely and/or economically serve its intended purpose or be used in a reasonable alternative capacity.
 - d. Passenger vehicle to be replaced has reached the minimum use and age criteria as established by the Vehicle Replacement Policy for that class of vehicle.
 - e. Vehicles/equipment in an underutilized or back-up status will automatically be removed from the replacement list unless otherwise justified.
3. Each year, as part of the budget process, Public Works and the user Department will evaluate the vehicles/equipment in the fleet to determine which vehicles/equipment should be replaced by considering the replacement guidelines developed by the Vehicle Replacement Policy. Submissions will be included in the Capital Improvement Plan as needed.
 4. The City Garage will utilize the review process described in the Vehicle Replacement Policy for targeting replacement vehicles. When vehicles/equipment are designated for replacement, they will be placed on a replacement list for Budget approval.

Section 7: Utilization

1. Utilization Exception Reports will be furnished to Department Directors and other appropriate personnel yearly. The minimum annual utilization rates will be 6,000 miles for on-road vehicles or 300 hours for off-road equipment or heavy idle time vehicles.
2. If vehicles/equipment does not meet the recommended utilization level for a fiscal year, the ACM will then meet with all departments to better understand the usage of each vehicle/equipment. The ACM will then place them in 1 of 3 categories:
 - a. ACM and the department both agree to turn in the underutilized vehicle/equipment.
 - b. Department has justified clearly the case to retain the vehicle/equipment and approved by the ACM.
 - c. ACM and the department agree to disagree about the terms of retention of the vehicles/equipment; it will then be sent to the CMO for the final decision.
3. Assistant City Manager will review target minimum usages annually and recommend additions and or changes to the criteria.
4. Should a spare unit require significant repairs that are not economical or in the best interests of the City to complete, the City Garage may take the unit out of service immediately. Furthermore, should the department underutilize spares in accordance with FMD guidelines on an annual basis, the vehicle/equipment are subject to removal

from the department unless reasonable justification is made. The City Garage will work with the department affected to determine alternatives.

Section 8: Vehicle/Equipment Maintenance

1. At a minimum, the City Garage will follow the recommended maintenance schedule for each vehicle/equipment.
2. All maintenance and repairs performed on City vehicles by the City Garage or contracted out to a vendor must be documented and retained for the life of the vehicle and in accordance with record retention requirements.
3. The City Garage shall coordinate all repairs and maintenance on vehicles owned by the City. If a Department handles vehicle or equipment maintenance (i.e. Police Department motorcycles or Fire Department Apparatus Maintenance), a copy of maintenance records and work done should be provided to the Fleet Maintenance Superintendent for centralized record keeping.
4. Preventative Maintenance:
 - a. The City Garage will schedule and perform/coordinate Preventive Maintenance (PM) services on vehicles/equipment in order to comply with warranty requirements, safety issues, and user department's operational needs and, to the extent possible, attempt to accomplish minor repairs prior to major problems occurring. Notifications will be sent to departments at pre-designated intervals. It shall be the departments' responsibility to ensure that the vehicles are made available for these services and if for some reason they cannot be made available, the department must contact the City Garage to reschedule the service.
 - b. If the department fails to reschedule the PM Service and ignores the notice, it will be considered a 'no show.' No shows will be logged by the City Garage by department and a percent of no shows per total scheduled PMs will be established for each department. These figures will be furnished to Department Directors and the Assistant City Manager monthly. Additionally, Department Directors will be copied on the third attempt to reschedule a vehicle for PM. PM no show notices sent in error shall be amended and furnished to Department Directors and Assistant City Manager monthly.

Section 9: Vehicle Assignment

1. The use and operation of City-owned vehicles on the job may be required of certain employees in various departments. Vehicles may be assigned to one or more employees for their primary use during the work day or may be assigned as fleet vehicles available and used for general departmental purposes.

2. At the end of every work day, City vehicles should be parked in their assigned parking area on City property unless specifically exempt by appropriate authority.
3. Permanently assigned vehicles/equipment are dedicated to a single job function or an individual based on travel needs for a semi-permanent time period. City vehicles/equipment shall not be permanently assigned unless they are assigned to:
 - a. Job functions/employees requiring specialty use vehicle/equipment.
 - b. Job functions requiring frequent transportation in the performance of specific duties (e.g. mail, delivery, facility support vehicles, etc.).
 - c. A person specifically identified by a department director.
4. Pool vehicles are general use vehicles available for temporary assignment to multiple individuals. Pool vehicles should be used when available and when it is more cost effective than other options.

Section 10: Take Home/Commuting Vehicles

1. City vehicles may not be used in a commuting capacity solely by virtue of an employee's position, with the exception of non-de minimis personal benefit as defined by the Internal Revenue Service (contact the Finance Department) or if such a commute occurs in conjunction with official travel and is considered occasional and de minimis.
2. Employees may be assigned the use of City vehicles when the best interest of the public is served by providing City employees with safe, dependable transportation for extensive travel during or after working hours, for after-hours response to emergency requests for service, or for other official purposes. Temporary overnight assignment of vehicles may be made by a Department Head to employees going out of town for meetings, conferences, or other official purposes when the best interest of the City will be served by such temporary assignment.
3. For an employee to be authorized for the take-home use of a City-owned vehicle, the employee must possess a valid State of North Carolina driver's license, maintain a safe driving history, live within 5 miles of City limits (as computed by Google Maps and unless specifically authorized by the City Manager), and meet one of the following criteria:

Criteria 1:

- a. Employee's regular duties require frequent use of a vehicle overnight,
- b. Employee has responsibilities that involve after-duty response, evening and weekend duties, public meetings, or other business activities, or
- c. Employee drives a marked police vehicle, which can be parked conspicuously at a place or residence as a crime prevention device for the neighborhood in which they reside

Criteria 2:

- a. Employee is on a rotating paid stand-by status, and
- b. Vehicle is actively being used to respond to after-hours services or emergencies

Criteria 3:

- a. Vehicle is assigned to a supervisory-level employee, and
- b. Employee's responsibilities involve emergency services and routine response to emergency situations, weekend duties, or other business activities.

Criteria 4:

- a. Vehicle is assigned to a non-exempt employee not on regular paid standby, and
- b. Employee's responsibilities involve emergency services and routine response to emergency situations

Criteria 5:

- a. Vehicle is assigned to either non-exempt or exempt employee not on regular standby, and
- b. Vehicle is equipped to serve as a "Specialty Vehicle" such as a Police Department Ready Response Vehicle.

A specialty vehicle must be modified in such fashion as to limit it for one specific purpose and the overnight assignment of such vehicles either in the City or out of the City will be determined upon its need for emergency response or other purposes, which upon its own merit offsets any cost of such overnight use.

- 4. Departments with take-home vehicles are required to perform an annual review of the take-home vehicle assignments to determine if the vehicles still meet one of the take home criteria.

Section 11: Vehicle Usage

- 1. City vehicle/equipment shall be operated only for the performance of City business (other than de minimis use).
- 2. The operator of a City vehicle/equipment must be a City employee, temporary City employee, elected City official, City appointee or other individual as provided by law, who possesses a valid driver's license for the type of vehicle/equipment operated.
- 3. Only authorized passengers are permitted to ride in City vehicles. Non-City individuals

should not be passengers in a City vehicle/equipment unless they are involved in the conduction of City business.

4. Drivers of CDL vehicles are required to perform a written pre-trip inspection report which should be documented accordingly and maintained on file for 60 days. Drivers of non-CDL vehicles should make a visual safety inspection daily. Any deficiencies discovered during any inspection or during a shift should be reported to the supervisor and City Garage immediately.
5. For vehicles with limited or obstructed rear view, extreme caution should be used when backing up. If another employee is available, that person should be used as a ground guide and spotter.
6. Drivers shall use defensive driving techniques at all times. Extra caution is required when driving at night or in inclement weather.
7. City vehicles are highly visible to the public and their use is scrutinized. Thus, poor driving manners and inappropriate use reflect on all City employees. Operators must exercise the highest degree of prudence and courtesy. The following are responsibilities of the operator while driving City vehicle/equipment or private vehicles on City business:
 - a. All occupants shall use safety restraints where equipped.
 - b. Established speed limits and all other traffic regulations must be followed. Parking and moving violation citations are the personal responsibility of the individual operating the vehicle/equipment at the time of the violation.
 - c. Consumption of alcohol or use of illegal drugs is prohibited. Further, operators must not drive while under the influence of alcohol, illegal drugs or any other substance that impairs their ability to drive. Transportation of alcohol in City vehicles is prohibited.
 - d. All forms of smoking (cigarette, pipe, cigar, e-cigarette “vaping,” etc) are prohibited in city vehicles.
 - e. North Carolina General Statutes Chapter 20-137.4A¹ governs use of mobile telephone for text messaging or electronic mail. City staff are required to adhere to these statutes while in a City vehicle.
 - f. Drivers are to ensure that the driving area and sight lines are clear of anything that could prohibit safe use of the vehicle as well as securing all items in the cab of the vehicle.
 - g. No employee shall ride in or on the rear of trucks, trailers, or other vehicles in motion except as specifically provided in Departmental Policies (Fire, Sanitation, etc.).

¹ http://www.ncleg.net/EnactedLegislation/Statutes/PDF/BySection/Chapter_20/GS_20-137.4A.pdf

8. Heavy vehicles and equipment require special treatment due to the weight and driving requirements set forth by State and Federal Regulations. All standards set forth by the State or Federal Government shall be adhered to including, but not limited to the following:
 - a. All procedures listed under "a" through "g" above are to be adhered to for heavy vehicles as well.
 - b. Only authorized personnel shall operate heavy vehicles and specialized equipment. It is the responsibility of the department to ensure that the vehicle is assigned to an employee that is properly trained on the vehicle or piece of equipment.
 - c. Operators shall conduct a check of all systems, safety equipment, and fluid levels prior to operation. Discrepancies will be reported to the immediate supervisor.
 - d. Controls for blades, dumping beds, buckets or arms will be locked into position to prevent movement as the engine is started.
 - e. All operators shall be properly seated before starting equipment. Operators and passengers will wear hearing protection if required.
 - f. No employee shall work beneath hydraulically operated equipment unless a positive locking device or other safety mechanism is engaged.
 - g. Trucks transporting materials will observe specified load limits and design standards. All materials will be tightly secured to prevent movement in transport and cargo in accordance with State and Federal regulations.
 - h. Departments using each piece of heavy equipment are responsible for emergency equipment including a first aid kit, fire extinguishers, etc. which will be stored properly and kept in usable condition.

9. City vehicles/equipment shall be used for City business or de minimis use only. Some examples of unauthorized use are:
 - a. Travel to entertainment facilities.
 - b. Sightseeing or trips for personal pleasure unless the trip is part of the official agenda for a business conference.
 - c. Transporting family members, dependents or friends to school, daycare, medical appointments, social events or other personal activities.
 - d. Conducting other personal business.

However, it is permissible to use a City vehicle/equipment for travel to meals or to attend to other necessities of the operator or authorized passenger when away from their official domicile on City business.

10. When traveling to, from, and on assignments, City vehicles must be driven over the most efficient and/or direct route so not to waste labor, vehicle, and fuel resources.

11. Departments shall investigate complaints for alleged improper operation or use of a City vehicle/equipment. The operator may be subject to disciplinary action if the complaint is

verified.

12. Liability to other persons (bodily injury and property damage) due to employee negligence in the operation of a City vehicle/equipment will be covered by the City provided the employee was operating the vehicle/equipment while conducting City business. The operator assumes full responsibility for bodily injury and damages to the vehicle/equipment and/or third party damages if an accident occurs during any unauthorized use of a City vehicle/equipment.
13. Personal property in City vehicles/equipment is not insured for loss or damage by the City. Coverage for these items may be provided by the employee's personal insurance.
14. Employees involved in accidents or issued citations for any driving offense while in a City vehicle must notify their supervisor as soon as practical, no later than the beginning of the next work shift. Law enforcement should be notified immediately when accidents occur.
15. Departments should investigate accidents involving City vehicles/equipment in an effort to avoid reoccurrence. Employees found to have operated a vehicle/equipment in a careless manner or in violation of state law or departmental policy or procedures may be subject to disciplinary action. Accident should be reported to the Safety Officer in a timely manner.
16. Employees who incur fines in the operation of City vehicles will be personally responsible unless the Finance Director and Department Head (or equivalent) approves payment of such fines by the City.
17. Whether in a City vehicle or privately owned vehicle, employees with City driving privileges, who are arrested for or charged with a motor vehicle offense for which the punishment involves suspension or revocation of a motor vehicle license, must notify their supervisor no later than the beginning of their next work shift. Conviction for such offense may be grounds for severe disciplinary action.
18. City vehicles/equipment should not be used for out-of-City travel, unless specifically authorized by the Department Head or is part of a normal work route.
19. Employees are expected to keep City vehicles clean and report any malfunction or damage to their supervisor immediately. Should damage result through misuse or negligence, the operator may be required to make restitution.
20. Employees are advised GPS Fleet Management Software may be installed in City vehicles to improve field service order response time, reduce fuel consumption, and ensure other best practice efficiencies are maintained.
21. Animals are not allowed in City vehicle/equipment unless they are transported in the

conduct of City business or are required by a passenger's disability.

22. Operators of City vehicles/equipment or private vehicles on City business must adhere to applicable traffic laws and should operate the vehicle/equipment in a safe and attentive manner. The operator should avoid activity that may hinder safe operations such as inappropriate use of a cell phone; eating or reading while driving; and any other activity that may hinder the driver's attentiveness.

Section 12: Driver or Operator Qualifications

Each driver or operator must be properly licensed with the State of North Carolina if operating on City, State, and County roads. Please refer to the Risk Management Policies for further details.

Other

Departments may adopt additional policies provided they do not conflict with the provisions of this policy. The Assistant City Manager will coordinate any amendments or changes to this policy.



Mark A. Stephens
City Manager

5/22/17

Date