



# City of Topeka Policy

## City Vehicles

### CITY VEHICLE POLICY

**Purpose:** To establish a uniform vehicle policy for City officers and employees.

**Applicability:** To all city employees.

**Effective Date:** December 11, 2006

#### 1. PURPOSE AND INTENT

This policy establishes a uniform vehicle policy for City officers and employees. Specifically, it serves as a guideline for mileage reimbursement, use of City-owned vehicles, taking City-owned vehicles to the home, emergency fuel conservation plan, discipline, corrective action and responsibility for enforcement. The intent of this policy is to ensure that employees are using City-owned vehicles for City purposes, lawfully operating City-owned vehicles, to eliminate operating expense, and to assure that employees of the City of Topeka are operating City-owned vehicles consistent with industry best practices, and complying with applicable federal tax regulations.

#### 2. GENERAL CITY VEHICLE PROVISIONS

##### A. Use of City-Owned Vehicles

Employees who operate City-owned vehicles must adhere to the following regulations:

1. City-owned vehicles are to be used only to conduct City business. No personal use of City-owned vehicles shall be allowed except that minimal personal use is permitted for employees authorized to take City-owned vehicles home.
2. All employees who operate City-owned vehicles must have a valid driver's license for the class of vehicle they are assigned to operate. Employees are responsible for knowing all state and local motor vehicle laws, including the latest amendments.
3. All City-owned vehicles shall be smoke free. No smoking shall be permitted in any City-owned vehicle.
4. All employees who operate City-owned vehicles should remove all trash, debris, etc. upon leaving vehicle.



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5. Employees are responsible for paying fines for traffic violations when such fines arise from the operation of a vehicle on City business. The City will not reimburse employees for such fines unless there are extenuating circumstances such as unknowingly driving a City-owned vehicle with defective equipment.
6. Employees must notify their supervisor within twenty-four (24) hours or as soon as practicable about any motor vehicle accident or moving violation including but not limited to DUI, no insurance, and any driver's license suspension which occurred while the employee was driving any vehicle whether City-owned or not. The supervisor must then report such accident or violation to Risk Management within twenty-four (24) hours. All accident damage and operational damage to any City-owned vehicle or piece of equipment must also be reported to the Fleet Services Division, within twenty-four (24) hours or as soon as practicable of the event, to allow the information to be recorded within the asset's perpetual history.
7. Only City employees may be passengers in City-owned vehicles; however, non City employees may be provided transportation if the vehicle is operated by a City employee, the transportation of the non City employee directly relates to City business and falls within the employee's job responsibilities.

### B. **Insurability Guidelines for City Employees Operating City Vehicles**

A City employee shall not operate a city vehicle unless the employee meets the following insurability guidelines. Further no individual applying for City employment which will involve operating a city vehicle shall be offered employment if the applicant does not meet the following insurability guidelines.

1. No City employee who has been convicted of a major traffic violation in the past five (5) years shall operate a City vehicle.

#### *Major violations:*

- Drag racing or speed contest
- Speeding in excess of 20 miles per hour over the speed limit
- Driving under the influence of alcohol or narcotics
- Open alcohol containers
- Reckless driving
- Refusal to take or failure of an alcohol or drug test
- Illegal possession of alcohol or narcotics in a motor vehicle



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- Fleeing or attempting to elude
2. No City employee who has been convicted of more than two (2) minor traffic violations in the past three (3) years shall operate a City vehicle.

*Minor violations:*

- Failure to yield
  - Speeding
  - Illegal passing
  - Defective equipment
  - Stop sign/Stop light violation
  - Improper turn
  - Following too closely
  - Any moving violation
3. No City employee who has been at fault for two (2) automobile accidents in the past three (3) years shall be permitted to operate a City vehicle.
  4. No City employee who has been at fault for one (1) automobile accident and has been convicted of one (1) minor violation in the past three (3) years shall be permitted to operate a City vehicle.
  5. All drivers must be at least eighteen (18) years old.
  6. Supervisors should consult these guidelines when hiring new employees as well as promotions of current employees in positions that require driving a City vehicle.
  7. Appeals from these guidelines shall be submitted in writing to the City Manager.

### C. Use of Personal Vehicles for City Business

#### 1. Mileage Reimbursement

Employees are directed to use City-owned vehicles to conduct authorized City business when possible and expedient. When individuals are unable to use a City-owned vehicle to conduct official business, they will receive compensation for the use of their personal vehicle. Compensation is given at the Internal Revenue Service's (IRS) predetermined per-mile rate.



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Persons claiming reimbursement should fill out the mileage form provided to each department by the Administrative and Financial Services Department. Under normal conditions, City departments will submit reimbursement forms to the Administrative and Financial Services Department.

2. All employees who operate a personal vehicle on City business must have a valid driver's license for the class of vehicle they are assigned to operate. Employees are responsible for knowing all state and local motor vehicle laws, including the latest amendments.
3. Employees are responsible for paying fines for traffic violations when such fines arise from the operation of a personal vehicle on City business. The City will not reimburse employees for such fines.
4. Employees must notify their supervisor within twenty-four (24) hours or as soon as practicable about any motor vehicle accident or moving violation including but not limited to DUI, no insurance, and any driver's license suspension which occurred while the employee was driving a personal vehicle. The supervisor must then report such accident or violation to Risk Management within twenty-four (24) hours or as soon as practicable.
5. All employees who operate their own personal vehicle for City business shall have liability insurance which complies with state law.

### 3. TAKE HOME VEHICLES

It is the City Manager's responsibility to approve all requests for a take home vehicle. The Department Head is responsible for submitting a written request, and obtaining approval before any vehicle can be assigned to an employee as a take home vehicle. Any person approved for a take home vehicle, must agree to comply with all requirements expressed by this policy.

#### A. Procedures

No assigned City-owned vehicle will be used for personal business, unless the event qualifies under the definition of: "*de minimis*" personal use, as defined by the I.R.S. code.

City-owned vehicles are not allowed to be driven to an employee's home unless the employee is subject to and experiences frequent call outs for emergency



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response duties, after normal working hours, or is employed in a capacity that requires frequent evening meetings or engagements pertaining to City business and the vehicle has been approved for take home use by the City Manager.

### B. Responsibilities

Effective immediately, all operating departments will produce and submit to the City Manager a current department vehicle inventory that includes the name of the assigned driver, take home status, and the type of vehicle being driven. Once the list is on file with the City Manager, each vehicle will be evaluated and classified according to its purpose and use. Pooled or shared vehicles will also be listed as “pool,” for an assigned driver. Each department shall review all requests for take home vehicle privileges. The City Manager shall review, approve, or deny the requests, and also keep the departmental vehicle and driver lists on file. The departments are responsible for updating this file, anytime changes are made.

### D. Category of Vehicles

To better define and clarify vehicle roles and assignments, and comply with established legal emergency vehicle definitions, all City-owned vehicles will be classified as one of the following two types of vehicles, and comply with the listed respective requirements and responsibilities for the category.

#### 1. *Category I- Emergency Vehicles*

Are defined as Police and Fire Department vehicles with emergency lights and sirens, and other departmental vehicles that carry emergency response equipment (cranes, welders, generators, tools, etc...), and/or assigned to a role or duty requiring quick response to life threatening, or public service emergencies. Category I vehicles will not be required to maintain monthly driver logs.

#### 2. *Category II- Benefit Eligible Vehicles*

Are defined as other departmental vehicles assigned and driven by staff, including supervisory or management staff, and approved for take home vehicle status by the City Manager. The only personal use permitted for these category vehicles, unless contractual terms of employment provide otherwise; is a direct route between the employee’s place of residence and daily work locations, with the value of the transportation benefit subject to federal and state income, FICA, and Medicare tax, on the value of the benefit. This value must be considered as compensation for tax purposes, as required by federal tax laws.



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All drivers assigned a Category II take home vehicle, will be required to submit monthly vehicle logs to the employee's supervisor. Monthly logs must include and identify the daily-incurred vehicle working mileage, while also showing the actual personal, daily trip mileage entries to and from the employee's residence. Trip mileage for all trips to and from the employee's residence, will be used by the Administrative and Financial Services Department for determination of personal benefit and final yearly compensation levels, as required by tax law.

Signed, handwritten logs will be required, unless the department has installed GPS systems that permit real time vehicle trip tracking, and detailed daily reports containing the needed information. A monthly signed and approved GPS report log eliminates the need for daily driver logs. All departments shall develop plans to implement GPS vehicle tracking systems in the future.

#### 4. **EMERGENCY FUEL CONSERVATION**

##### A. **Purpose and Intent**

The City must be able to supply public services and safety, should the motor-fuel supply become disrupted or impacted by economic conditions, natural disaster, war or terrorism. The City must have an adequate fuel supply to ensure all critical public services in the event of inadequate supply or price increases which threaten the City's budgeted fuel expenditures.

##### B. **Departmental Fuel Conservation Plan**

All departments shall provide the City Manager with a plan detailing fuel consumption. Each plan submitted to the City Manager for approval will communicate the specific strategies the department intends to implement to reduce fuel use for each of the four levels of fuel conservation. Each departmental plan shall become Standard Operating Procedure for the respective department once submitted to and approved.

Each department will be responsible for educating all staff members on this policy and the department's fuel conservation plan before the employee can operate a City-owned vehicle or any mobile equipment.

##### C. **Fuel Conservation Levels**

Level 1 control will become required of all City operations permanently. Should conditions necessitate additional conservation, the City Manager shall inform the Department Heads of the level of conservation which shall be followed.



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### 1. ***Level 1 Implementation (Normal Operations)***

All departments will comply with Level 1 of their fuel conservation plan. Level 1 of the departmental plan approved by the City Manager will permit normal operations with no restrictions on any in or out of town travel for City business, but will specifically identify procedures that are required to eliminate unnecessary fuel consumption. Each department shall eliminate unnecessary trips, eliminate multiple vehicle calls, and/or other ways to reduce fuel consumption. Plans shall include, but not be limited to eliminating the extended unnecessary idling of vehicles, the driving (roading) of heavy equipment to work-sites, or any other operational process where worthwhile fuel savings can be achieved. The reduction in wear and tear and fuel consumption for a piece of equipment being towed on a trailer, versus being driven, will far outweigh the additional cost of trailers or fuel burned by the tow vehicle. The cost of locating, obtaining, and adopting the use of satellite locations is also a viable method of reducing consumption. A thorough study should be completed by each operation.

Departmental plans at Level 1 must be comprehensive, in-depth, and creative to achieve the desired reductions. After departmental plans are submitted and approved by the City Manager, all employees driving or operating vehicles will be trained, signed off, and held accountable for complying with all provisions of the policy.

### 2. ***Level 2 Implementation (Minor Reduction)***

Level 2 of departmental plans shall eliminate any out of town training or conference travel not required as part of their departmental professional certifications or accreditations. In cases where training and travel are necessary, every attempt will be made to postpone the training until the emergency has subsided. When the travel is required, each trip must be approved in writing by the City Manager. Other daytime business hours use of vehicles will be permitted.

### 3. ***Level 3 Implementation (Substantial Reduction)***

Level 3 of departmental plans shall eliminate take home vehicles. In Level 3, only vehicles defined and equipped as an emergency response vehicle, in a critical support role, will be allowed take home privileges. Level 3 of the plan must designate any vehicle classified as an emergency response vehicle for take home privileges. Driving during business hours must be limited to scheduled maintenance operations, emergency responses, of planned pick-up or delivery of critical supplies.



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4. ***Level 4 Implementation (Major Reductions)***

Level 4 of each plan shall specify that only approved emergency response vehicles, specifically designated in the plan, will be permitted to be operated. All other City-owned vehicles normally used during business hours will be parked and taken out of service, until the City Manager reduces the implementation level, or ends the emergency.

5. **DISCIPLINE AND CORRECTIVE ACTION**

Employees shall be subject to corrective or disciplinary action up to and including termination for violations of this policy.

Corrective action may also include removal from driving responsibilities which may result in the reduction in the employee's classification and pay and may result in the removal of the employee from their position with the City.

6. **RESPONSIBILITY FOR ENFORCEMENT**

Department Heads and supervisors shall be entrusted with the day-to-day enforcement of the Vehicle Policy.

THIS POLICY SPECIFICALLY REPEALS AND REPLACES PRIOR CITY POLICIES AND ADMINISTRATIVE MEMORANDA RELATIVE TO CITY VEHICLES.

Approved:

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Norton N. Bonaparte, Jr., City Manager & CEO  
December 11, 2006