



Policy #: Agency Vehicles

Governed by: Administration

Approval Date: September 6, 2016

Last Updated: September 15, 2020

Purpose: The purpose of this policy is to establish a uniform Agency guideline which shall: 1. Ensure the safe operation of Agency owned vehicles. 2. Ensure the safety of drivers, passengers, and the public. 3. Minimize losses, damages, and claims submitted to insurance.

Policy:

Summary: Employees in certain positions may be required to drive Agency or personal vehicles to conduct business on behalf of CEO. Employees must operate vehicles in a safe and responsible manner, and in compliance with all applicable traffic laws.

Driver's License - Any employee who drives an Agency or personal vehicle to conduct Agency business must possess a valid driver's license free from major infractions and acceptable to the Agency's Insurance carrier at the time of hire and throughout employment. The agency will also conduct a motor vehicle records (MVR) check for all current employees whose positions require regular use of a vehicle to perform their job duties. The MVR check will occur on an annual basis, or more or less frequently based on the business needs of the Agency. All requests for information regarding an applicant's or employee's motor vehicle record or background will comply with the requirements of the Fair Credit Reporting Act ("FCRA"). Employees who drive on behalf of CEO are responsible for notifying the Agency immediately of any moving violations or license suspension or revocation. An employee's driving privilege may be suspended for receiving an excessive amount of traffic citations, whether the citations were received while driving an Agency vehicle or not. If an employee's Agency driving privilege is suspended and that employee's position required regular use of a vehicle in order to perform his/her job, the employee will either be reassigned to another comparable position (if available) or he/she will be terminated for being unable to perform the duties of his/her job.

Use of Agency Vehicles - Only authorized employees are allowed to drive Agency vehicles. Agency vehicles should be used for authorized Agency business only, and may not be used for personal or non-Agency related reasons, unless the express permission of the Agency has been obtained.

Mileage Review - The employee must maintain adequate records or sufficient evidence to support the business use of any Agency vehicles. Adequate records include maintaining a log,



statement of expense, trip sheets or other similar record prepared at or near the time of an expenditure or use. Managers will instruct employees regarding the tracking method required for their department or program. Managers are responsible for determining that only the appropriate mileage is approved as business mileage on an employee's expense report.

DRIVER SAFETY REGULATIONS

Vehicle Maintenance – Agency vehicles should be kept in a neat and clean condition at all times. Employees should remove any paper or trash from the vehicle at the end of each trip. Vehicles should be maintained in a safe and secure condition when not in use. Doors should be locked and/or under direct observation. **Smoking is prohibited in all Agency vehicles.**

Employees are responsible for ensuring the vehicle is maintained in safe driving condition. Employees that drive Agency vehicles should check for obvious defects before entering the vehicle. It is the employee's responsibility to notify the Division Director of any needed maintenance or repair work on an Agency vehicle. Division Directors are responsible for ensuring that routine maintenance, vehicle inspections and other maintenance services are performed on Agency vehicles in a timely manner.

Familiarity with Agency Vehicle - Employees who drive Agency vehicles must become familiar with the vehicle before driving. Check the glove box to make sure the registration and insurance cards are there. Check the trunk to make sure there is a proper spare tire. Any non-compliance with the monthly checklist is the employee's and manager's responsibility to rectify. Monthly checklists for vehicles must be filled out and turned in on a monthly basis, along with mileage logs.

Cellular Phones – In accordance with New York State regulation, an employee is not allowed to make or receive calls on a cell phone while operating a vehicle unless a headset or hands-free device is used. Cell phone calls should be made when the vehicle is parked, whenever possible. An employee is not allowed to receive or send a text message while operating an Agency vehicle at any time.

Traffic Violation – Employees must abide by the federal, state and local motor vehicle regulations, laws and ordinances. Employees are responsible for paying any traffic tickets, parking violations, or moving violations received while driving Agency vehicles or personal vehicles for business use.

Safety Belts – Employees and all occupants are required to wear safety belts when the vehicle in operation. The driver is responsible for ensuring passengers wear their safety belts.

Impaired Driving – Employees must not operate a vehicle at any time when his/her ability to do so is impaired, affected, influenced by alcohol, illegal drugs, prescribed or over-the-counter medications, illness, fatigue or injury.



Accidents – Employees must notify the Quality Assurance Coordinator or Vice President of any accident, theft, or damage involving an Agency vehicle or personal vehicle being used for Agency business, regardless of the severity of the damage. Notification must be made as soon as practical, but no later than 48 hours following the incident. A law enforcement officer should be immediately summoned to the scene of any accident involving an Agency employee or vehicle used for Agency business. The employee must cooperate with law enforcement officers who are investigating an accident. No statements or information should be shared with anyone other than the law enforcement officers.

Use of Personal Vehicle for Agency Business – There may be times when an employee is asked to use his/her personal vehicle for Agency business purposes. Employees must have liability insurance (for both bodily injury and property damage) on their personal vehicle if they are asked to use their own vehicle for Agency business; proof of a minimum policy for liability coverage of \$50,000 per person / \$100,000 per accident may be requested by the Human Resource Director at hire and periodically thereafter during employment. The Agency does not assume any liability for injury to members of the public caused by the negligence of an employee driving a personally owned vehicle in the course of Agency business. If an employee does not have liability insurance, he/she must notify his/her manager of this fact and other arrangements will be made, if possible. The Agency is also not responsible for any damage to any employee's vehicle, or loss or damage to personal property contained within the employee's vehicle. In the event that the Agency is brought into a lawsuit involving an automobile accident caused by an employee, the employee's personal insurance coverage will provide protection for the employee and the Agency, followed secondarily by the Agency's insurance program.

The employee will be reimbursed for their expenses for the miles driven in a personal vehicle for Agency business purposes. The reimbursement rate will be equal to the current reimbursement rate. This rate is all inclusive, encompassing reimbursement for gas, maintenance and insurance. The employee must complete a Local Expense form in order to receive reimbursement.

ACCIDENT PROCEDURES: In the event of an accident involving Agency vehicles, the following procedures must be followed: Obtain any medical attention that is necessary. Call necessary emergency personnel, if needed. Call law enforcement officials to report accident.





Exchange information with law enforcement officials only. Information includes Driver's License, Insurance cards, registration (both items must be in the glove box) telephone number and any other information the officer asks for.

Do not admit fault or liability for the accident. Do not share information with other drivers (if applicable).



Employees are required to fill out an Agency accident report and submit it to the Quality Assurance Coordinator or Vice President. Employees must notify the Quality Assurance Coordinator or Vice President of any accident, theft, or damage involving an Agency vehicle or personal vehicle being used for Agency business, regardless of the severity of the damage. Notification must be made as soon as practical, but no later than 48 hours following the incident. A law enforcement officer should be immediately summoned to the scene of any accident involving an Agency employee or vehicle used for Agency business. The employee must cooperate with law enforcement officers who are investigating an accident. **No statements or information should be shared with anyone other than the law enforcement officers.**

Other considerations when involved in a vehicle accident:

-  Do be courteous
-  Don't discuss any conditions or defects of the automobile (except to law enforcement officials).
-  Don't express any opinion or make any statement to anyone about the accident except to law enforcement personnel, your Program Director and the Quality Assurance Coordinator or Vice President.
-  Don't discuss the accident with anyone over the phone or in person except to law enforcement officials, your Program Director and the Quality Assurance Coordinator or Vice President.