

Subject: COUNTY OWNED & TAKE HOME VEHICLES

Date: March 28, 2018

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Replaces Procedure Date: December 21, 2011

PURPOSE: To establish policies and procedures and criteria for county-owned vehicles use by employees for work and commuting.

STATEMENT OF POLICY: It is the policy of Pinal County to properly use public funds and to comply with federal tax law when allowing employees to commute to and from work in county-owned vehicles.

SCOPE: This policy applies to all Pinal County, Superior Court, and Clerk of the Superior Court employees.

DEFINITIONS: The following terms shall have the following meanings:

1. Control Employee- An elected official or an employee whose compensation is at least as great as a federal government employee at Executive Level V.
2. Designated Parking Area- A County parking facility or lot which has been identified by an employee's department director as an acceptable overnight location for parking the employee's assigned county vehicle.
3. Duty Post- The office or site an elected official or County employee reports to perform the largest portion of the work day or work time.
4. Emergency Response- An employee has primary responsibility for immediate response to protect life or property or an employee has primary countywide custodial control of resources used during emergency response.
5. Employee- An employee of Pinal County, the Pinal County Superior Court or the Clerk of the Pinal County Superior Court.
6. Executive- Any Elected or Appointed Official
7. Law Enforcement Officer- An individual who is employed on a full-time basis and who is responsible for the prevention or investigation of crime involving injury to persons or property (including apprehension or detention of persons for such crimes), who is authorized by law to carry firearms, execute search warrants, and to make arrests (other than merely a citizen's arrest), and who regularly carries firearms (except when it is not possible to do so because of the requirements of undercover work). The term "law enforcement officer" may include an arson investigator if the investigator otherwise meets the requirements of the foregoing sentence. *Treas. Reg. § 1.274-5(k)(6)*.

8. Motor Pool Vehicle- A vehicle issued from Fleet Services.
9. Occasional Overnight Use- County employees take home county-owned vehicles for conducting county business away from the employee's normal place of work and outside an employee's normally scheduled work hours no more than once per month.
10. Public Safety Officer- An individual serving a public agency in an official capacity as a law enforcement officer described in 28 C.F.R. part 32.3, or as a firefighter, chaplain, member of a rescues squad or ambulance crew, or a disaster relief worker. *T.D. 9483; Treas. Reg. § 1.274-5(k)(3); 28 C.F.R. part 32.3*

POLICIES

1. Use of county-owned vehicles is neither a privilege nor a right of any employee.
2. The need for communication access (car radio, etc.) shall not normally be considered adequate justification for a county vehicle assignment
3. Based upon criteria in this policy, use of county-owned vehicles must be authorized by the elected official, presiding judge, county manager or assistant county manager
4. Employees are not to use the vehicles for personal purposes other than for commuting or de minimis personal use (such as a stop for a personal errand on the way between a business delivery and the employee's home).
5. Emergency Response take home vehicles may be assigned on a continuous overnight basis to county employees who have primary responsibility to respond to emergencies which require immediate response to protect life or property and cannot use alternate forms of transportation to emergencies; and cannot pick up county-owned assigned vehicles at designated sites without impacting the employer's ability to respond to emergencies which require immediate response to protect life or property. This includes marked patrol vehicles used by law enforcement officers.
6. Re-authorization of Take Home Vehicles: Take home vehicle assignment period shall not be greater than one year unless re-authorized by an Elected Official, Presiding Judge, County Manager or an Assistant County Manager.
7. Special Equipment Vehicles: Take-home vehicles may be assigned if an employee needs specialized equipment or a special-vehicles to perform county work. If special equipment is used as justification the following information must be provided:
 - a. The necessary special equipment must be described.
 - b. Explanation of why a county vehicle is required to transport the special equipment.
 - c. How the vehicle is used.
 - d. Why the vehicles cannot be picked up at the designated county parking area.
 - e. Description of the type and nature of emergencies that requires the use of such equipment.

8. Occasional overnight usage of county-owned vehicles is permitted. Such occasional usage of county vehicles may occur when an employee conducts county business away from the employee's normal place of work and outside the employee's normally scheduled work day. Occasional overnight usage typically is no more than once a month.

COUNTY OWNED VEHICLE ADMINISTRATION RESPONSIBILITY

General

1. Elected Officials, Presiding Judge, County Manager and Assistant County Managers shall be the responsible parties in charge of implementing the provisions in this policy.
 - a. Authorizing or denying requests for the assignment of a county-owned vehicles used for commuting from their employees.
 - b. Notifying the Fleet Services Director and Finance Director in writing each time a new take-home vehicle assignment is authorized or a take-home vehicles assignment is removed.
2. The Fleet Services Director shall:
 - a. Suspend fuel card and vehicle privileges of employees who have failed to comply with the county-established policies governing vehicle usage and safety, preventative maintenance scheduling, fuel card usage, accurate odometer reporting and the timely submission of vehicle use log.
3. The Finance Department shall:
 - a. Monitor take home vehicles and determine what if any tax fringe benefit exists.
 - b. Determine if detailed mileage logs are required and notify employee and Elected Officials, Presiding Judge, County Manager and Assistant County Managers.
4. The County Manger is authorized to use GPS monitoring devices in county-owned vehicles to ensure compliance with IRS regulation and state and federal law.

Recordkeeping and Vehicle Re-Authorization

1. The Finance Department shall develop and maintain central records of all vehicles assignments. At a minimum, the recordkeeping shall contain assignment and take-home authorization by department, division, employee name, position title, vehicle make, model, vehicle number and mileage data.
2. The records shall be maintained in one location within the Finance Department and shall be readily available to the County Manager, Internal Auditor, Human Resources Director and general public upon request.
3. By December 31st of each year, the Elected Official, Presiding Judge and Assistant County Managers shall make available to the County Manager an updated list of take home vehicle

assignments by department, division, employee name, position title, the basis for which authorization was granted and re-authorize take home vehicles.

Presiding Judge, Elected Officials, County Manage, Assistant County Manager and Department Directors Responsibilities

1. Provide a copy of the policies, procedures and criteria governing county-owned vehicles used for commuting and work to employees.
2. Maintain updated and current lists of authorized take home vehicles within their departments.
3. Provide immediate writing notification to the Finance Director and Fleet Services Director whenever individual employees no longer have assigned take home vehicle authorization using the Assignment of County Vehicle form.
4. Notify the Fleet Department in writing whenever an employee with a take-home vehicle assignment/authorization is changed, including a change in vehicle or vehicle description and/or is permanently assigned a different vehicle.
5. Departmental records shall include the names of employees and the time period and type of usage approved. Unless otherwise directed by the Finance Department, directors shall require employees to log their vehicle usage on the log form. The log shall be sent bi-weekly with payroll, to the Finance Department.
6. Ensure that employees comply with the county's established policies including those governing vehicle usage and safety, vehicle preventative maintenance scheduling fuel car usage, accurate odometer reporting and the timely submission of Vehicle Use Log.

Employee Responsibilities

1. Complete the Vehicle Use Log form (Appendix B) for the assigned vehicle and submit a copy to the Elected Official or Department Director biweekly, with payroll.
2. Provide Risk Management and Department Director with a photo copy of their respective Arizona State driver's license and insurance verification upon request.
3. Employees with county-owned vehicles used for commuting and work must comply with established policies and procedures including vehicle usage and safety, preventative maintenance scheduling, fuel card usage, accurate odometer reporting and the timely submission of Vehicle Use Log. The Fleet Services Director shall suspend privileges for failure to comply with the provisions of this policy.
4. Failure to provide necessary information and complete forms in a timely manner will result in the loss of county-owned vehicle.