

Take Home Vehicle	Related Policies:
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this agency for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable State Statutes:	
CALEA Standard:	
Date Implemented:	Review Date:

Before adoption-check Town/City Policies and Collective Bargaining Agreement for Consistency

- I. **Purpose:** The purpose for this directive is to establish Agency policy on the assignment and use of take-home vehicles.
- II. **Policy:** This policy is intended to ensure the safety and well-being of town employees; to facilitate the efficient and effective use of town resources; to minimize the town's exposure to liability; to monitor the use of town owned vehicles; and to comply with regulations relating to town vehicle usage.
- III. **Definitions:**
 - A. **Take-home vehicle:** A vehicle owned by the Town of Canaan and assigned to an employee by the selectboard.
- IV. **Procedure:**
 - A. Assignment of Town Vehicles
 - a. Town vehicles may be assigned to individual employees based on work responsibility. Vehicles may be assigned to an employee, either solely for use during normal working hours or as a take home vehicle when deemed appropriate and resources permit.
 - b. Vehicle assignments to individuals will be reviewed annually during the month of January, or when deemed necessary by the selectboard. Department Heads will maintain vehicle assignment list to include: the employee's name; the vehicle number (if applicable) and make and model.
 - c. When assigning a take home vehicle, the supervisor shall note which of the following two (2) criteria are met.
 - i. Vehicle is equipped with tools and/or instrumentation that are essential in an emergency response situation. The employee responds directly to the scene of

a time sensitive emergency and is trained to use the tools and equipment. If response is on a rotation basis, each employee will only take home the vehicle when he is in "on call" status. Note: Communication equipment alone is not considered a tool or instrumentation for this purpose.

- ii. An employee's responsibilities require that they perform certain job functions on a regular basis outside of their normal assigned schedule, and the documented miles traveled and time per year between job destinations justify the decision.

B. Take home Vehicle

- a. Take-home vehicles are assigned strictly on a volunteer basis. No employee shall be required to have a take-home vehicle as a condition of employment.
- b. The operations of a take-home vehicle to and from work does not constitute work time and the employee is considered off the clock until they arrive at a bona-fide work assignment. Exception would be to emergency vehicles where proper lights and sirens are utilized, and the employee is responding to work.
- c. All employees assigned take-home vehicles will live within 20 miles (based on actual driving distance) of the Community Office Building unless granted a specific exemption in writing by the selectboard.
- d. Employees shall not circumvent the distance provision by obtaining an address within the limits of this policy then frequenting an address beyond the approved distance.
- e. All exemptions shall be in writing from the selectboard. All exemptions will be reviewed annually and will expire December 31st of the year granted.
- f. When an employee who is assigned a take home vehicle moves beyond the 20-mile radius, the employee must immediately notify the selectboard of the change.
- g. Any employee on light-duty or suspension is not authorized a take-home vehicle. The selectboard has the discretion to reassign a take-home vehicle while an employee is out on suspension or while on light duty.
- h. Any employee on annual leave, or other available leave exceeding ten days, will not keep possession of the take-home vehicle during such extended leave. The vehicle shall be parked in a secure location on Town property as noted by the selectboard.

C. Revocation of Take-home Authorization

- a. Take-home authorization may be revoked:
 - i. For failure to comply with the provisions of this policy or when violating the town travel policy.
 - ii. For a change in job assignment, duties, or responsibilities such that a take home vehicle is no longer justified.
 - iii. If the employee has had two (2) accidents in a Town vehicle within an eighteen-month period and found to be at fault/avoidable.
 - iv. If the employee fails to maintain a valid driver's license.

- v. When placed on workers' compensation, or when under medical care in which driving is not permitted.
- vi. If the employee has violated the Town's drug/ alcohol policy.
- vii. As a result of disciplinary action.
- viii. When it is in the best interest of the Town of Canaan as determined by the selectboard.

D. Use of Town Vehicles

- a. Only Town employees are authorized to operate Town vehicles.
- b. Town vehicles are to be used as necessary to conduct business of the Town and its operations. Employees shall not operate Town vehicles for the purpose of conducting a private business or enterprise or any other personal use. However, it is recognized that a de minimus amount of personal use during the course of a scheduled shift to include meal breaks are permitted (as determined by the employee's supervisor).
- c. The use of Town vehicles for overnight and out-of-town travel shall be governed by the rules outlined in the Town's Employee Travel Policy.
- d. All drivers and business travelers must wear seat belts and obey traffic laws.
- e. When cargo, materials or tools are being transported, the vehicle operator is responsible for assuring that all items are properly secured.
- f. Employees are strictly prohibited from operating a Town vehicle while under the influence of alcohol and are likewise prohibited from operating a Town vehicle while using prescription or over the counter medication which may impair their ability to safely operate a motor vehicle.
- g. No employee shall transport alcohol in a Town vehicle. Excluding sworn police officers if the alcohol is being transported in accordance with official duties.
- h. Vehicle interiors shall be kept free of litter and debris. The physical appearance of the vehicle must create a good impression.
- i. The use of tobacco products is not permitted in Town vehicles.
- j. Employees must comply with any preventative maintenance programs which may be required by the Town.

E. Passengers and Animals

- a. Town vehicles are permitted to transport non-employees for Town business or when attending training, conferences, or a Town sanctioned event. Other activities will require prior approval of the selectboard.
- b. No one under the age of 16 is permitted to ride in a Town vehicle unless necessary as a direct result of the job (i.e., the arrest of a juvenile).
- c. Elected and appointed officials, volunteers, interns, and part-time employees are permitted to ride in Town vehicles.
- d. Transportation of animals is prohibited except as necessary during the performance of official public safety business (i.e., K-9, found dogs).

F. Tickets

- a. Any employee receiving a traffic or parking ticket while operating a Town vehicle shall immediately notify their supervisor.
- b. The Town assumes no responsibility or obligation to pay for any tickets issued for a moving or parking violation(s). All fines and cost associated with the ticket are the responsibility of the employee.
- c. The Vehicle and Safety Accident Review Committee shall be provided a copy of all tickets regarding equipment or safety violations from the employee's supervisor/department head.

G. Operator Licensing

- a. Employees operating a Town vehicle shall possess a valid driving license during times of operations.

H. Altering Vehicles

- a. Town vehicles will not be altered in any way without first obtaining written approval of the selectboard to include but not limited to audio equipment, window tinting, lights, changes to the engine/performance of the vehicle, etc. The installation of preapproved police equipment shall be acceptable.
- b. No Town vehicle shall have any personal stickers, signs, flags, or any other similar attachment placed on or affixed to the vehicle unless previous approval or directive has been issued in writing by the selectboard.

I. Vehicle Inspections

- a. All employees will perform a "walk-around" of the vehicle to see if there are any visible problems prior to it being driven each day.
- b. At a minimum of once a day, the employee shall check to make certain that all vehicle safety equipment including headlights, turn signals, brake lights, windshield washers, and all installed emergency warning equipment are functioning properly.
- c. Any vehicle damage beyond normal wear and tear or that includes defects affecting the safe operation of the vehicle must be documented and reported to the employee's supervisor.
- d. Employees must comply with any preventative maintenance programs.

J. Vehicle Accidents

- a. In the case of an accident involving any level of damage, the employee driving the Town vehicle shall immediately notify his supervisor. When the accident involves damage greater than \$1,000 to the Town vehicle, any damage to another vehicle, or an injury, another Law Enforcement Agency shall be notified to obtain a full accident report.
- b. All appropriate paperwork must be completed by the Department Head and submitted to the Safety Committee for review whenever there is damage to a vehicle or equipment owned by the Town.
- c. In the event that the Town employee is determined to be at fault, disciplinary actions may be taken.

- d. The Town shall not be responsible for any increase in the employee's automobile insurance premium as a result of an accident or fines.

K. Use of Electronic Devices

- a. Employees shall refrain from operating handheld cellular telephones or any other device, as outlined in law, while operating a Town vehicle. Employees shall make every attempt to properly park their vehicle or use a hands-free device when using such equipment.
- b. Exception: When in communication during an Emergency Call.

L. Marked Police Vehicles

- a. Officers will dress appropriately when using a marked patrol vehicle.
 - i. Proper attire must be worn. Officers will wear some type of identifying attire if the officer is not in uniform, i.e., Department approved tee/polo shirt and display a badge on person.
 - ii. Officers will equip themselves with police identification, police radio, handcuffs, firearm, and spare magazines.
- b. Officers will monitor the police radio at all times while operating a marked vehicle within Town limits.
- c. Personnel shall follow all other guidelines established through department policy.

M. Safeguarding Issued Equipment

- a. Employees are responsible for safeguarding Town issued equipment associated with their assigned vehicles. This includes (but is not limited to) issued equipment which is normally left in the assigned vehicles. The employee shall ensure that all equipment is safeguarded prior to parking/leaving the vehicle.
- b. The Town will assume no responsibility for personal property stored or left in a Town vehicle.

N. Reporting Requirements

- a. For employees who fall within the provisions of the Internal Revenue Code, the Town will comply with the Internal Revenue Service's regulations regarding the reporting of income. The employee is responsible for complying with all IRS regulations and any other regulatory requirements regarding employer provided vehicles.
- b. Employees must forward a copy of their driver's license to the Human Resources Department and/or their supervisor as requested or when there is a change to their license. In the event of a license suspension, vehicle use privileges will be terminated.
- c. Employees who operate any Town vehicle are responsible for notifying their immediate supervisor of any restrictions, limitations, or other change in their driving status.

EFFECTIVE DATE:

This policy shall become effective upon adoption by the Selectboard.

Adopted this 11 day of January 2021.

/s/ Frank T. Sawicki, Jr.
/s/ Haven L. Haynes, Jr.
Canaan Selectboard

Town of Canaan Selectboard