

ADMINISTRATIVE RULES – CITY OF KNOXVILLE

10 – Vehicle Use Policy

10.01 **INTRODUCTION**

Purpose: The purpose of the Comprehensive Vehicle Use Policy is to provide guidelines and procedures to the operators of City-owned vehicles and equipment for the safe, effective use of that equipment.

Definition of City Fleet: The City Fleet subject to this policy is all vehicles or equipment owned or leased by the City.

Authority of Fleet Management: The Division of Fleet Management, under the authority of the Code of the City of Knoxville, Chapter 2, Article II, Division 10, Section 2-332, is charged with the direction of the acquisition, maintenance, repair, use, and disposal of the City's vehicular fleet and equipment.

Responsibility of Directors and Department Heads: Directors and Department Heads are responsible for identification and justification of vehicle and equipment needs, and for specific assignments and proper usage in accordance with this policy within their departments.

Revisions to Policy: Revisions or changes to this policy may be made by the Director of Fleet Services when appropriate to the best interests of the City of Knoxville, subject to review by the Mayor. Such changes or revisions shall be communicated to the various Directors and Department Heads by the most expedient means.

Violations of Policy: Violations of the Comprehensive Vehicle Use Policy shall be subject to disciplinary action as set forth in the Administration and Civil Service Rules.

10.02 **GENERAL POLICY**

Vehicle Use: The City vehicle is a tool provided for the employee to aid that employee in the performance of his/her duties to the citizens of the City of Knoxville. The City vehicle is to be used only for legitimate City business. Personal use, except as defined in 10.06, is specifically prohibited.

Identification: The policy of the City of Knoxville is to demonstrate to the citizens of the city that their taxes are at work through the presence of the City Fleet. All City vehicles shall bear a Fleet Inventory Control Number, City decal, and government issue license plates. Vehicles assigned to undercover Police operations may be excepted from identification requirements when conditions warrant. Vehicles assigned to the Mayor's Office, Directors, and Department Heads may be exempted from decal and license requirements when appropriate to their function. The Director of Fleet Services, subject to the review of the Mayor, shall determine exempted vehicles.

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Conveyance of Non-City Personnel: The operation by or conveyance of non-city personnel in a City vehicle is prohibited except as required by legitimate city business purposes.

Titles and Licenses: All titles and licensing of City vehicles and equipment shall be processed through Fleet Management. All titles to City vehicles shall be filed in the Vehicle Master File with Fleet Management. Appropriate confidentiality shall be maintained by Fleet Management for assigned undercover vehicles.

Optional Equipment: The policy of the City of Knoxville is to provide vehicles and equipment appropriate for the intended use, equipped with all necessary options for the safety and comfort of the operator. Optional equipment installed to enhance the cosmetic value, provide creature comfort or convenience is contrary to this policy. Requests for optional equipment shall be made in writing to Fleet Management, including justification. The Director of Fleet Services shall approve or deny these requests subject to the review of the Mayor.

Two-Way Radios: Two-way mobile radios are the responsibility of the operating department. Radios shall be mounted as non-destructively as possible and mounting locations are subject to the approval of Fleet Management.

Acquisition and Disposal of Vehicles: All vehicles and equipment acquired by the City of Knoxville shall be under the direction of Fleet Management in coordination with the Purchasing Agent. Sale of surplus vehicles and equipment shall be made in the same manner.

City-County Building Motor Pool: Fleet Management provides sedan motor pool services to City employees for the conduct of City business. Pool vehicles are available primarily for local trips to occasional users who would not otherwise have access to a City vehicle. Pool use may be granted for out-of-town travel, as temporary replacement for another fleet vehicle, and for emergencies and other needs as they arise. All pool use is subject to availability and to approval of Fleet Management and Department Heads. Pool cars are dispatched on a first come, first serve basis or may be reserved in advance by calling 215-2590.

AmeriCorps Members: Notwithstanding the other provisions of this Vehicle Use Policy, AmeriCorps Members (“Members”) engaged in legitimate City business purposes through a contract between the City and a governmental entity may operate a City vehicle at the discretion and authorization of the Director of Fleet Services. Before a Member may operate a City vehicle, such Member will provide the Director of Fleet Services with a copy of the Member’s driver’s license and an official copy of the Member’s motor vehicle record. The Member must also complete the National Safety Council’s Defensive Driving Safety Training with a Knoxville Police Department driving instructor. All other provisions of this Vehicle Use Policy will apply equally to Members operating City vehicles.

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10.03 OPERATOR RESPONSIBILITIES

Valid Driver's License: If for any reason an employee's Operator, Motorcycle, Chauffeur or Special Chauffeur License, as required by State Law, is revoked, suspended, canceled, restricted, or otherwise invalidated, the employee will immediately notify his supervisor and be suspended from operating any City vehicle. The supervisor shall immediately notify Fleet Management.

Seat Belts: The policy of the City of Knoxville is to require mandatory use of seat belts by the operator and passengers in all vehicles so equipped. The operator is responsible for the enforcement of this policy. Removal or disabling of seat belt mechanisms is specifically prohibited.

Operation: The operator shall operate the City vehicle in a safe, lawful, efficient and courteous manner and shall obey all traffic laws, parking regulations, and rules of the road. Traffic and parking violations will be the operator's responsibility and may result in disciplinary actions when warranted. While operating any motorized vehicle or equipment, an employee will at all times be alert and attentive to the operation of the vehicle or equipment and refrain from any activity which impairs the employee's ability to remain alert and attentive.

Maintenance: The operator shall perform all required daily checks and inspection and shall promptly report all problems including body damage, to the appropriate repair shop or to Fleet Management. Service is provided for sedans at the Prosser Garage for quick inspection of coolant fluids, lubricant levels, tire condition, lights and accessories. Sedan operators are required to use this service at least once per month. Chronic problems should be reported to the Fleet Management Office, 215-2529. All maintenance shall be performed by shop personnel only. Emergency road service may be coordinated through repair shops or the Fleet Management Office.

Cleanliness: The operator is required to maintain a clean and presentable vehicle, inside and out. To this end, facilities for sedans, heavy trucks and equipment are located at the Lorraine Street Shop.

Accidents: Operators are required to report all accidents as required in the Accident Reporting Procedures incorporated in this policy, section entitled "Vehicle Accidents and Damage to City Vehicles."

Fuel: The City of Knoxville provides two City-owned fueling facilities to be used exclusively for fueling the City fleet. Locations and descriptions are as follows:

Site #1 - Lorraine Street Compound, open 24 hours, attended by Security Personnel, available to all vehicle types, with regular, unleaded and diesel fuel pumps.

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Site #2 - Safety Building Compound, open 24 hours, unattended, available to sedans, police vehicles, and other light duty vehicles, with unleaded fuel pumps only.

Operators are prohibited from using any other fuel source unless authorized by Fleet Management. Fuel is dispensed and closely monitored through a computerized card-activated system. The fuel card system is coordinated by the Division of Fleet Management. Only authorized personnel will be issued fuel cards. Information on fueling procedures may be obtained by calling 215-2529.

10.04 **PREVENTIVE MAINTENANCE**

Preventive Maintenance: Preventive maintenance is the key to minimum downtime of equipment. All City vehicles are on a flexible preventive maintenance program. Operators are required to deliver vehicles to the appropriate maintenance facility for preventive maintenance as directed.

Scheduling: Preventive maintenance is scheduled by the Fleet Management Office, 215-2529. Every effort will be made to schedule preventive maintenance to minimize the impact on department operations. Operators may call the Fleet Management Office to arrange for rescheduling if conflicts arise.

Warranty, Extended Warranty and Recalls: Repairs covered by warranties, extended warranties and factory recalls shall be coordinated through the Fleet Management Office.

10.05 **SPECIAL POLICY FOR LEASE AND LEASE PURCHASE VEHICLE**

Lease, Lease Purchase Programs: The City has embarked upon a Vehicle Replacement Program in a long-term effort to upgrade the quality of the City fleet. An integral part of the program involves the lease or lease purchase of vehicles and equipment. Lease and lease purchase vehicles entail special responsibilities on the part of the City and its operators.

Ownership: Lease and lease purchase vehicles are not City owned vehicles; they are rented from the leasing company. The operator should exercise special consideration in the operation of these vehicles as the City is responsible for damages beyond normal wear and tear.

Identification: Lease and lease purchase vehicles are designated by the following Fleet Identification Numbers:

Lease-Purchase Vehicles	#020000 - #029999
Lease Vehicles	#010000 - #019999
City-owned Vehicles	#000001 - #009999

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Reassignment: Any lease or lease purchase vehicle is subject to reassignment by Fleet Management in order to meet accrued mileage restrictions imposed by the lessors.

Accidents: Any accidents or other body damage to a lease or lease purchase vehicle shall be reported within one (1) working day to Fleet Management, 215-2529.

Inspection: Lease or lease purchase vehicles are subject to periodic inspection by Fleet Management.

Maintenance and Extended Warranties: Lease and lease purchase vehicles may be covered by comprehensive extended warranties which could be voided by improper or unauthorized repair or service. Operators are instructed to notify the Fleet Management Office of any problems, however minor.

Added Equipment: Add-on or special purpose equipment shall be installed on lease or lease purchase vehicles only with the approval of Fleet Management. Any equipment permitted shall be installed as non-destructively as possible. Installed equipment, in some cases, may become the property of the leasing company.

10.06 DRIVE HOME VEHICLE ASSIGNMENT POLICY

Drive Home Vehicle Assignment Policy: It is the policy of the City of Knoxville to provide, for bona fide noncompensatory city business reasons, the assignment in certain cases of a City-owned vehicle for drive-home or 24-hour use by certain City employees as the nature of their work requires such assignments. Such assignments shall comply with the requirements of the Internal Revenue Service and any other related laws as interpreted by the Department of Finance and Accountability.

The drive home vehicle policy for employees of the City is as follows: Applicable employees may be assigned a City-owned vehicle for drive home or 24-hour use by their Department Directors if one of the following conditions apply:

- a. The employee's job requires that the employee be on standby for answering job-related emergencies from home after normal work hours on a regular basis each week;
- b. The employee's job requires the utilization of a special vehicle equipped with tools to handle special situations and is used by an employee who is "on-call" from home after normal work hours on a regular basis each week;
- c. The employee utilizes a vehicle equipped with a GPS, communications link, and data terminal that dispatches the employee to do work and can reply with results without the need to travel to office or assembly site;
- d. The employee's job requires extensive travel outside of Knox County;
- e. A drive home vehicle was a condition of employment and the Mayor approved such an agreement;

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- f. The employee is in uniformed law enforcement and has been approved by the Police Department, Senior Director of Finance and Accountability, and Mayor to have a drive home vehicle; or
- g. The employee has been approved by the Mayor to have a drive home vehicle.

In each case, it must be determined that the assignment of a City-owned vehicle for drive home or 24-hour use is advantageous to the City. The use of any City-owned vehicle is restricted to purposes required by the employee's job. A City-owned vehicle cannot be used for any personal use other than "de minimis personal use". The term "de minimis personal use" shall have the meaning as defined by IRS rules and regulations and shall generally include only stops for a personal errand between business or business stops and the employee's home. The assignment of City-owned vehicles to employees for any purpose is at the discretion of the Mayor and any policies related thereto may be changed at any time. On an annual basis, each Department Director should submit to Civil Service and Risk Management a list of the employees with drive home vehicles.

Reimbursement mileage may be provided to employees who do not have access to a City-owned vehicle and are therefore required to use a privately owned vehicle for work purposes. Such reimbursement policies will follow the guidelines for the use of privately owned vehicles in Chapter 300-304 of the Federal Travel Regulation guidelines as amended from time to time and will not include any reimbursement for normal commutation mileage to and from the office or work site.

10.07 VEHICLE ACCIDENTS AND DAMAGE TO CITY VEHICLES

All accidents involving damage to City owned vehicles are to be reported immediately regardless of the severity. It is the responsibility of the employee in the event of an accident to:

- A. Stop the vehicle, call an ambulance if necessary.
- B. Call the police to investigate. If, however, an employee of the Police Department is involved, a supervisor or the Accident Reconstruction Team shall be called to make the investigation.
- C. The driver of the City-owned vehicle shall give his/her driver's license information to the other party and state that the City of Knoxville is self insured and all communications regarding losses, injuries, etc., are to be directed to the Risk Management Division of the City of Knoxville, P. O. Box 1631, Knoxville, TN 37901, (865) 215-2111.
- D. If a City vehicle is damaged or disabled as the result of an accident, or if a vehicle breaks down at any time, Fleet Management is to be notified at 215-2529 during business hours, and at 215-1242 between the hours of 4:30 p.m. and 12:00 p.m. and on weekends. Accidents occurring other hours shall be reported to Fleet Management as early as possible the next working day.
- E. The driver shall report the accident to his/her supervisor as soon as the above actions have been completed. The driver shall complete Part I of the City of Knoxville Incident Form, and the supervisor shall complete Part II of the form and

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notify his/her department head and Risk Management within one (1) working day of the accident and send copies as follows:

White Copy	-	Risk Management/Claims
Canary Copy	-	Risk Management/OSHA
Pink Copy	-	Risk Management/Worker's Compensation
Green Copy	-	Fleet Management
Goldenrod Copy	-	Department

Employees or supervisors failing to report damage or incidents involving City vehicles in accordance with this policy may be subject to disciplinary action.

Repairs to City vehicles may not be authorized nor will payment be made to any vendor for any such vehicle repairs until Risk Management has been notified of the damages as required herein and has authorized commencement of repairs.

Department heads are charged with the responsibility of enforcing this policy and ensuring that all of their employees are thoroughly familiar with its provisions.

10.08 **OUT-OF-TOWN TRAVEL**

Policy: The City of Knoxville shall provide City-owned vehicles for out-of-town travel as required for legitimate City business when automotive travel is the most efficient and cost-effective means of transportation.

Vehicles: Vehicles used for out-of-town travel may be assigned other department vehicles or motor pool vehicles when available. Motor pool vehicles may be reserved through the Fleet Management Office, 215-2529.

Gasoline Credit Cards: The Department of Fleet Management will provide major oil company credit cards for gasoline, oil, minor repairs, and miscellaneous vehicle costs only. Receipts shall be obtained and returned with the credit card. Credit cards may be reserved through the Fleet Management Office.

Reimbursement of Employee Expense: Travel Regulations of these Administrative Rules and Regulations states, "Personnel traveling in City-owned vehicles must furnish receipts for gas, oil and any necessary repairs for reimbursement." Employee out-of-pocket expenses with proper documentation may be reimbursed through the Department of Finance and Accountability.

On-Road Repairs or Accidents: Accidents or breakdowns during out-of-town travel shall be reported to Fleet Management by telephone at the earliest possible time. Fleet Management will instruct the employee and will coordinate the appropriate actions required. When such accidents or repairs become necessary after normal business hours the employee shall exercise his/her best judgment and report to Fleet Management no later than 9:00 am of the next working day.

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10.09 APPLICANTS' DRIVING RECORDS

Directors and Department Heads are responsible for reviewing the driving records of prospective employees for suitability (these records are available through the Records Bureau of the Knoxville Police Department).

10.10 COMPLETION OF DEFENSIVE DRIVING COURSE

During their probationary period, all employees required to operate City-owned vehicles and equipment shall successfully complete the National Safety Council's Defensive Driving Course.

10.11 EXECUTIVE ORDER OF THE MAYOR: ESTABLISHMENT OF A VEHICLE ASSIGNMENT AND DRIVE HOME VEHICLE POLICY

A. In order to become and remain in full compliance with recently promulgated rules and regulations issued by the Internal Revenue Service (IRS), the following policies regarding drive-home City vehicles are established:

1. The "special rule" of \$3.00 per round trip commute shall be used in all instances of drive-home vehicle use except as provided in Section A, 2, below. This "special rule," as promulgated by the IRS, allows a flat rate of \$3.00 per round trip commute to be added to an affected employee's gross income and withholding made accordingly. The following requirements must be met to remain in compliance and are hereby made mandatory:
 - a. For bona fide noncompensatory business reasons, the City requires an employee to commute to and/or from work in an assigned vehicle. Vehicles are assigned for such purposes to key employees of the City who are required to be on call and report if needed at any time.
 - b. The drive-home City vehicle may not be used for any personal use other than commuting and "de minimis personal use." The term "de minimis personal use" shall have the meaning as defined by IRS rules and regulations and shall generally include only stops for a personal errand between business or business stops and the employee's home.
 - c. The employee must assist the Department of Fleet Management in keeping adequate mileage records on the forms and in the manner prescribed by said Department in order to ensure future compliance.
 - d. Failure to comply with the provision of subcategory (a), (b), and (c), shall result in the revocations of all drive-home vehicle privileges and may result in further disciplinary action.
2. Those employees deemed to be "control" employees as more particularly defined in IRS rules and regulations or those assigned vehicles for legitimate fringe benefit purposes shall be subject to a separate rule for calculation of the taxable fringe benefit portion of a drive-home City vehicle. "Control" employees generally include employees who are either elected officials or

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executives appointed by the executive branch of government and confirmed by a legislative body. The following requirements must be met:

- a. The affected employee must assist in keeping adequate mileage records as more specifically set forth in Section A , 1 (c) above.
 - b. The Finance Director with the assistance of the Fleet Management Department shall calculate the amount included in an affected employee's gross income on the basis of Annual Leased Value computations provided by the IRS and the percentage of personal use determined from Fleet Management records as accurately as reasonably possible. Year-end reconciliations between the employer and affected employee based upon the actual record of use may result in adjustments for withholding purposes.
3. Exempt vehicles require no calculation for gross income inclusion or withholding. The following vehicles will be considered as qualifying for the IRS's exempt vehicle category:
- a. Clearly marked police and fire vehicles. (Insignia and some type of light bar is necessary as a minimum requirement);
 - b. Unmarked but designated undercover law enforcement vehicles. The Law Department, in consultation with officials of the Police Department, shall make any final determination as to qualifications under this subcategory.
4. For employees subject to the "special rule," withholding will be taken each pay period at the 20% rate required by law. All withholding for other employees will be done quarterly.
5. The following record keeping requirements in addition to those set forth in Section A, and 1 and 2, above are hereby made mandatory:
- a. Subject to the Mayor's final approval, it is the responsibility of the Directors of the various departments to determine when such drive home assignments are required in the best interests of the City, and to make such assignments where necessary.
 - b. The Directors are responsible for assuring that the criteria as herein set forth in the "special rule," "control" employee rule, or as another fringe benefit, is met for each drive-home vehicle assignment.
 - c. The Directors of the various departments shall be responsible for supplying to the Department of Fleet Management a list of drive home assignments including the driver's name, social security number, and fleet identification number of each assigned vehicle.
 - d. Drive home assignments shall be made on a permanent basis wherever possible, with one and only one drive-home vehicle permanently assigned to each employee.
6. These policies are subject to future revision as may be made necessary to comply with future IRS regulatory changes.