

Chapter 167

VEHICLE USE POLICY

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[HISTORY. Adopted by the Board of Selectmen of the Town of Bow on 3-24-2015, Ord. No. 15-03.]

§ 167-1. Purpose.

The purpose of this policy is to set forth the guidelines for reimbursement or compensation for employees use of personal vehicles; the guidelines under which Town vehicles will be authorized to Town Personnel; and the guidelines under which Town vehicles may be used.

§ 167-2. Departments affected.

The provisions of this policy apply to all Town employees.

§ 167-3. Definitions.

For the purposes of this chapter, the words used herein shall have the following meanings:

AUTOMOBILE ALLOWANCE – The amount approved by the Town Manager to compensate an employee for regular and routine use of a personal automobile. Automobile allowance is considered to be a salary item and, as such, is subject to taxation.

EXPENSE REIMBURSEMENT – The payment for approved expenses relating to personal automobile use upon receipt of written documentation. Expense reimbursement is not considered to be a salary item.

MUNICIPAL VEHICLE - Those automobiles, trucks, vans, or other self-propelled equipment owned, rented, or leased by the Town of Bow and licensed for travel on a public way.

PERSONAL AUTOMOBILE - That automobile owned or available for private use by the employee.

§ 167-4. Policy.

- A. Municipal Vehicles: It is the policy of the Town of Bow that certain positions require employee access to municipal vehicles, either during the work shift or on a 24 hour on-call basis. Town vehicles are not personal vehicles and are not for personal use. Town vehicles should be viewed as belonging to the citizens of Bow and are assigned solely for purposes consistent with providing services to those citizens.
- B. Expense Reimbursement: The Town will reimburse employees for reasonable expenses (as defined in § 167-5. A. (3)) which they incur as a result of personal automobile use on behalf of the Town. Receipts and the Local Travel or Purchase Voucher Form must be submitted in order for an employee to be reimbursed for such expenses.
- C. Automobile Allowance: It is the policy of the Town of Bow that in event that an employee is required to use his or her personal automobile extensively on a year-round basis, and that employee has not been assigned a municipal vehicle, the Town Manager may authorize the payment of an automobile allowance. Such stipend may be rescinded with 90 days' notice, and will not be paid in combination with personal automobile expense reimbursement unless authorized by the Town Manager.
- D. An employee who operates an assigned vehicle or a private vehicle for Town business must have the appropriate valid driver's license, a current state safety inspection sticker and current license plates for the vehicle.

§ 167-5. Procedures.

A. Expense Reimbursement - Personal Vehicles

- (1) Expense reimbursement is intended for travel outside the Town of Bow. Employees will not be reimbursed for personal automobile use within the Town of Bow without advance approval of the Town Manager. The Town Manager shall maintain a list of positions approved for reimbursement under this section.
- (2) When an employee is authorized to use a personal automobile for work-related travel, he or she shall be reimbursed at the business mileage rate as determined by the Internal Revenue Service. The mileage rate is intended to include the costs of gasoline, repairs, insurance, and general wear and tear on the automobile.
- (3) In addition to the mileage rate, the Town will reimburse employees authorized to travel outside of Bow, driving personal or municipal vehicles, for tolls and reasonable parking expenses, when receipts are provided. Employees receiving automobile allowances will not be reimbursed for tolls but may be reimbursed for reasonable

parking expenses. Employees will not be reimbursed for tolls which would normally be paid by the employee during his or her normal commute to work.

- (4) Employees who are reimbursed for work related travel, or who receive an automobile allowance, shall provide a copy of a valid driver's license, and a vehicle registration and proof of automobile insurance coverage for the vehicle that they are driving.
- (5) An employee who uses his or her personal automobile to travel from home to a temporary assignment, rather than his or her regularly assigned work location, shall be allowed personal automobile expenses between home and the temporary assignment, or between the temporary assignment and the regular work location, whichever is less.
- (6) Employees will not be reimbursed for commuting between their homes and offices or other regular work locations.
- (7) In order to be reimbursed for personal automobile use, employees must complete the Local Travel or Purchase Voucher Form. This form should be submitted to the department head for approval prior to submission to the Finance Director for payment.
- (8) Automobile Accidents: In the event that an employee's personal vehicle is damaged during an approved, work-related trip, and the damage is not due to the gross negligence of the employee, the Town will reimburse the employee, upon receipt of verification of payment of a deductible (comprehensive or collision) to cover part of the cost of repair, up to a maximum of \$250 or the amount of the deductible, whichever is less, per occurrence.

B. Assignment of Municipal Vehicles

- (1) The assignment of municipal vehicles during work time is based upon job description. Municipal vehicles available for this purpose will be assigned by the department head in a manner consistent with departmental workload and employee function. The assignment of vehicles may be rescinded at any time by the Town Manager. The list of assigned vehicles will be maintained by the Town Manager.
- (2) Assigned and take home vehicles shall not be used on a non-Town part-time job or driven to and from a part-time job not associated with the Town organization.

C. Assignment of Municipal Vehicles for 24 Hour Use (Vehicle Use Approved for Commuting Purposes).

- (1) The assignment of vehicles for 24 hour use will be made in writing by the Town Manager, and will only be considered for employees who require a vehicle for the ordinary and necessary discharge of their job functions. Criteria which will be used in the determination of eligibility for 24-hour vehicle use include: Officially designated

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on-call status; Requirement for frequent emergency availability; Issuance of a pager or other communication device; Emergency or other equipment pertinent to the position contained in the vehicle; and/or if no Town facility is available for garaging the vehicle in a safe and convenient location. Such assignment may be rescinded in writing at any time by the Town Manager.

- (2) Vehicle use is limited to travel to and from the residence and place of work. Town vehicles shall not be used for private or personal business, except for incidental stops during travel to and from the work place. The vehicle should be driven over the most direct route taking into account road and traffic conditions.
- (3) Whenever a position becomes vacant, the authorization for 24 hour use shall be reevaluated. The Town Manager will maintain the listing of assigned and take home vehicles.
- (4) Employees assigned vehicles for 24 hour use involving a commute of more than 25 miles one way shall reimburse the Town for the additional fuel cost as determined by the Finance Director.
- (5) Employees' assigned municipal vehicles on a 24 hour basis will be given a copy of this policy and will be required to sign a confirmation of receipt. The Town Manager will maintain an electronic listing of employees assigned take-home vehicles by department. The list shall be updated and forwarded to Finance in early December to insure the appropriate amount is deducted from each employee's paycheck in accordance with IRS requirements. The determination of this taxable benefit is made by Finance based on the rules set forth by the IRS in Publication 15-B, Employer's Tax Guide to Fringe Benefits.
- (6) **Imputed Income Taxation:** Employees who are assigned marked and unmarked police vehicles, and/or marked municipal vehicles carrying tools and meeting certain other eligibility criteria will not be subject to imputed income taxation as a result of the vehicle assignment.
- (7) Other employees authorized to commute in a Town vehicle may be subject to imputed income regulations as set forth by the Internal Revenue Service, which considers a certain portion of the vehicle use (namely the commute) to be income for the purposes of income taxation. The Finance Department shall be responsible for determining any tax liability and will be provided with the names of all employees authorized to use Town vehicles for commuting purposes, and the normal, one-way commuting distance, each December 1st.

D. General Rules Governing Municipal Vehicle Use

- (1) Municipal vehicles may only be used for legitimate municipal business.

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- (2) Municipal vehicles will not be used to transport any individual who is not directly or indirectly related to municipal business. Passengers shall be limited to Town employees and individuals who are directly associated with Town work activity (committee members, consultants, contractors, etc.) or those participating in the Public Works Snow Plow Ride-Along Program, Police Department Citizen Observer/ Ride-Along program and the Fire Department Observer Program.
- (3) Vehicles should contain only those items for which the vehicle is designed. The Town shall not be liable for the loss or damage of any personal property transported in the vehicle.
- (4) Employees are expected to keep municipal vehicles clean, and to report any malfunction or damage to their supervisors immediately.
- (5) Employees' assigned vehicles for commuting purposes are expected to park such vehicles in safe locations.
- (6) Employees must wear seatbelts in vehicles so equipped during operation of the vehicle.
- (7) Employees may not operate municipal vehicles under the influence of alcohol, illegal drugs, or prescription drugs or medications which may interfere with effective and safe operation.
- (8) Employees driving municipal vehicles shall obey all applicable traffic and parking regulations, ordinances, and laws. Employees who incur parking or other fines in municipal vehicles will generally be personally responsible for payment of such fines unless the payment of such fines by the Town is approved by the Town Manager.
- (9) Employees who are issued citations for any offense while using a municipal vehicle must notify their supervisor immediately when practicable, but in no case later than 24 hours. Failure to provide such notice will be grounds for disciplinary action.
- (10) An employee who is assigned a municipal vehicle and who is arrested for or charged with a motor vehicle offense for which the punishment includes suspension or revocation of the motor vehicle license, whether in his or her personal vehicle or in a municipal vehicle, must notify his or her supervisor immediately when practicable, but in no case later than 24 hours. Conviction for such an offense may be grounds for loss of municipal vehicle privileges and/or further disciplinary action.
- (11) No employee may use a municipal vehicle for out of state use without advance approval of the Town Manager.

E. Special Circumstances

This policy is intended to provide a basic framework governing the use of personal and municipal vehicles in the Town of Bow, and, as such, cannot contain procedures governing every situation that might arise. Employees seeking clarification of or exemption from the provisions of this policy should contact the Town Manager who will provide such clarification and may authorize exceptions to the policy under mitigating circumstances.

§ 167-6. Failure to comply.

Failure to comply with any and all provisions of this policy may result in disciplinary action up to and including removal of Town vehicle privileges, suspension, and/or termination from Town service.