



Policy HR016-Use of County Owned Vehicles

A. This Policy governs procurement, replacement, identification, operation, care and maintenance, insurance, and accident procedures for all County-owned vehicles, including law enforcement vehicles, except where otherwise noted. Such vehicles will be utilized as a fleet. With the exception of law enforcement vehicles, County vehicles are to be available for use by all Departments through cooperation.

B. Law Enforcement Exemption

Certain portions of this Policy shall not apply to law enforcement vehicles assigned to the Sheriff's or Constables' Departments. Portions that do not apply are noted throughout this Policy. Such officials shall formulate their own policies regarding identification and usage of vehicles assigned to their Departments.

Vehicle Procurement/Replacement

A. All County vehicles will be listed by Department. Replacement of these vehicles will follow the below guidelines. Notwithstanding these guidelines, vehicles may be replaced sooner depending on excessive wear and tear or damages incurred by accident or other mishap or later if they are low mileage, well maintained vehicles.

1. Vehicle inventory review will be performed annually.

B. Replacement Policy

Replacement of County vehicles will generally be in accordance with the following guidelines:

6 years and 100,000 miles

- 1. Law Enforcement Vehicles used in patrol ~~3 years/80,000 miles;~~ and
- 2. All other vehicles ~~5 years/100,000 miles.~~ 6 years and 100,000 miles

C. Standard Specifications

Fleet Department

1. Standard specifications will be developed by the ~~County Purchasing Agent~~ for the following class of County vehicles:

- ¾ Ton or higher pickup (diesel) Mid-size sedan
- Full size sedan Full size sedan (police)
- Mid-size S.U.V. (4x4) Passenger van (full-size)
- Full-size S.U.V. Full size S.U.V. (4x4) & (PPV)
- Full size pickup (4x4) Full size Mini-van
- Cargo Van (mini)Cargo Van (full size)



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2. Replacement vehicles will meet standard specifications and be white in color.
3. Exceptions to this Policy and standard vehicle specifications, including vehicle color, are only permitted by Commissioners Court for those vehicles requested by the Sheriff, District Attorney, Constables, and Juvenile Probation Board.

D. Standard Processing of New Vehicles

1. The following items shall be installed in all vehicles upon delivery:

- Appropriate markings
- Safety equipment
- Roadside emergency kit
- Radio
- Inventory tag
- Self-insured liability insurance card
- Emergency/Accident/Malfunction procedure list

E. Disposal of County Vehicles

1. The County will dispose of a County vehicle at the expiration of useful life of such vehicle in order to maximize recovery of the County's initial capital expense. The vehicles will be disposed of in accordance with County's Surplus/Salvage Property Procedures Policy.

Appropriate Markings

A. Marked Vehicles

1. V.T.C.A., Transportation Code Chapter 721 requires all County vehicles, except permitted exception vehicles, to be identified as belonging to the County. Permitted exception vehicles are those requested as such by the Sheriff, Criminal District Attorney and Juvenile Probation Board. These regulations do not apply to permitted exception vehicles.
2. County vehicles, other than law enforcement vehicles and other permitted exceptions, shall be marked with a County seal. The seal shall be permanently affixed, 10" in diameter, in black print on a white background with reflective properties. Magnetic seals are not permitted. The Department or division name shall be printed in 2" lettering located directly below the seal.
3. County law enforcement vehicles will be marked in accordance with the policy adopted by the Sheriff and Constables.



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4. No Elected or Appointed Official's name will be permitted to be placed on any vehicles purchased after the adoption of this policy.

B. Marked County vehicles shall be issued exempt license plates.

Vehicle Operation

General Operating Regulations

1. The following regulations apply to all County vehicles, road equipment, or other heavy equipment (collectively, "County vehicles"), including law enforcement vehicles, unless otherwise noted:
 - a) Use of County-owned vehicles is restricted to Employees licensed by the State of Texas and **eligible to operate the type of vehicle**. Annual license status checks with the Texas Department of **Public Safety** are subject to being periodically conducted by the **Risk-Manager Human Resources Department** to ensure this condition is met.
 - b) Employees operating County Vehicles must abide by all restrictions listed on their individual driver's license and all applicable motor vehicle laws. Seat belts must be worn at all times.
 - c) Employees operating County Vehicles must be in proper work attire and suitably dressed for their position with the County. Department Heads are responsible for ensuring that their Employees comply with this regulation.
 - d) All County Vehicles must be in sound mechanical condition and operated in accordance with State Law. In addition, the interior and exterior of the vehicle are to be maintained in a clean condition.
 - e) Back up alarms must be installed on all County Vehicles that are ~~one-ton or~~ **Larger than a 1 ton**.
 - f) All County Vehicles must be checked before being placed in operation to ensure that tires are properly inflated and all fluids are at their proper levels. In addition, when fueling, shut off engine and, upon completion, log correct information on gasoline logs.
 - g) First aid kits should be maintained in vehicles for use for a minor injury. In addition, County Vehicles should be equipped with safety lights, cones, flags, safety vests, and fire extinguishers.



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- h) Employees operating County Vehicles must, at all times, utilize correct backing procedures and signals to ground crews. They must also make proper use of traffic cones, barricade placement, and traffic control.
- i) Employees operating County Vehicles must always be alert for children at play.
- j) Should a County vehicle become inoperable, immediately pull to the side of the road and contact your Supervisor **and/or the Fleet Department** for towing instructions.
- k) Unattended County vehicles must be properly secured at all times.
- l) County vehicles may not be used to transport loads in excess of those specified by the manufacturer.
- m) County Employees operating County vehicles will be responsible for payment of any moving or other traffic violations, such as those issued for speeding or illegal parking for which they have been convicted.
- n) Except in limited instances, no personal item may be permanently installed, stored, or otherwise used in conjunction with the operation of any County vehicle. Examples include portable radios, cell phones, toolboxes, trailer hitches, and antennas. Exceptions will only be permitted if such personal item is directly job-related **or required for ADA purposes.** ~~and~~ Prior written approval for such installation ~~is obtained from the Employee's department Head. should be submitted in writing to the Fleet Department. Department Heads who grant such authorization must send a copy of the written authorization to the County Purchasing Agent.~~ In addition, the Department Head must advise the Employee that the personal item is being used solely at the Employee's risk. The County will not be responsible for the loss of or damage to any personal item stored, located, placed, or left within any County vehicle.
- o) Window tinting and use of decals, other than those required by a parking garage or lot, may not be placed on any County vehicle. Exempted are law enforcement vehicles used by the Sheriff for "under-cover", K-9" or Mental Health operations. Also exempted are County vehicles used for the transportation of juveniles.
- p) No political advertising may be carried in or placed on any County vehicle.
- q) County Employees shall not permit non-County Employees to operate County vehicles and related equipment such as frequency radios, mobile phones or other similar mobile equipment, except in emergency circumstances or for purposes of repair.



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- r) All passengers in County vehicles must be either County Employees, authorized observers riding in law enforcement vehicles or individuals (including prisoners, arrestees, detainees or probationers) being transported in the furtherance of legitimate County business.
- s) All drivers and passengers in County vehicles must wear seat belts.
- t) No out-of-county travel is permitted unless in conjunction with authorized County business.
- u) No County vehicle may be used for normal commutes out of Galveston County
- v) Personal use of County vehicles for purposes other than lunch breaks and related incidental purposes is prohibited. Examples of prohibited personal use include shopping or the running of personal errands when such shopping or errands are the primary purpose of the trip. Should, during normal work shift, an emergency situation arise and an Employee have to leave work to attend to personal business, the Employee may be responsible for any injuries or damage occasioned by an accident.
- w) Law enforcement vehicles may be driven in conjunction with extra jobs, if such jobs are being performed by peace officers and such jobs are sponsored by or at the request of another governmental entity. Examples include Mardi Gras, ~~Kappa Weekend~~, ~~Jeep Weekend~~, and Ferry detail. In addition, law enforcement vehicles may be used by peace officers to drive to and from extra jobs and for the purpose of transporting individuals arrested as a result of criminal activities observed. No other County vehicle may be used in conjunction with or to commute to and from any extra job.
- x) Use of tobacco products shall not be used in any County vehicle at any time.
- y) Operating a County vehicle while under the influence of alcohol or illegal drugs or while under the influence of legal drugs that impair judgment or motor skills is prohibited.
- z) Department Heads may authorize temporary use of a County vehicle by an Employee of another department **that has been cleared by Human Resources to operate County vehicles.**
- aa) County vehicles, with the exception of law enforcement vehicles responding to a call, may not be used to transport County Employees to business establishments whose primary income (i.e., 51% or more) is derived from the sale of alcoholic beverages.



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Driver's License Background Checks

A. Prospective Employees

1. A traffic violation background check will be performed on prospective Employees whose future job duties will require operation of a County vehicle or leased vehicle, road equipment or other piece of heavy equipment. This Policy applies regardless of whether such duties are a regular part or incidental to the Employees' job.
2. Prospective Employees with one or more convictions or deferred adjudications or who have been placed on community supervision (probation) for Driving While Intoxicated, Intoxication Manslaughter, Intoxication Assault, or Manslaughter that also involved a motor vehicle, any of which have occurred within the immediately preceding three years, should not be considered for employment.
3. Prospective Employees with one or more convictions or deferred adjudications or who have been placed on community supervision (probation) for the sale, possession, or delivery of a controlled substance or marijuana, any of which have occurred within the immediately preceding three years, should not be considered for employment.
4. Prospective Employees with three or more moving traffic violation convictions or motor vehicle accidents within the immediately preceding three years should not be considered for employment.

Contact the Human Resources Department for further instructions and information regarding this section.

B. Current Employees

1. An annual traffic violation background check will be performed on all Employees whose job duties require them to operate a County vehicle or leased vehicle, road equipment, or other piece of heavy equipment, excluding lawnmowers and riding mowers. This Policy applies regardless of whether such duties are a regular part of or incidental to the Employees' job.
2. Employees who undergo driving status changes or personnel movements such as transfers, job reassignments, promotions or demotions that require them to operate similar vehicles or equipment will likewise be required to undergo an annual traffic violation background check.
3. Employees charged with and subsequently convicted of or placed on deferred adjudication or community supervision (probation) of one or more offenses of Driving While Intoxicated, Intoxication Manslaughter, Intoxication Assault or Manslaughter that also involved a motor vehicle will at a minimum, be prohibited from operating a County



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4. vehicle or leased vehicle, road equipment or other heavy equipment during the period of deferred adjudication or community supervision (probation). Should other job assignments not be readily available within the same department, the Employee may also be demoted, suspended without pay or terminated. Convicted Employees who are incarcerated and unable to report to work will be terminated.
5. Employees charged with and subsequently convicted of or placed on deferred adjudication or community supervision (probation) for the use, sale, possession or delivery of a controlled substance or dangerous drug will at a minimum, be prohibited from operating a County vehicle or leased vehicle, road equipment or other heavy equipment during the period of deferred adjudication or community supervision (probation). Should other job assignments not be readily available within the same department, the Employee may also be demoted, suspended without pay or terminated. Convicted Employees who are incarcerated and unable to report to work will be terminated.
6. Employees convicted of and/or involved in a total of three or more moving traffic violation convictions and/or at fault motor vehicle accidents within the immediately preceding two years will, at a minimum, be prohibited from operating a County vehicle or leased vehicle, road equipment or other heavy equipment. This prohibition shall last until the Employee has successfully completed a twelve month continuous period in which they receive no additional tickets for which they are convicted or are involved in a motor vehicle accident. Should other job assignments not be readily available within the same department, the Employee may also be demoted, suspended without pay or terminated.
7. Employees whose driver's license becomes suspended or revoked for any reason will, at a minimum, be prohibited from operating a County vehicle or leased vehicle, road equipment or other heavy equipment during the period of suspension or revocation. Should other job assignments not be readily available within the same department, the Employee may also be demoted, suspended without pay or terminated.

Privilege Take-Home Vehicles

- A. The use of County vehicles for purposes of commuting to and from work ("take-home vehicles") is privilege which is extended to a few non-law enforcement County Employees. As a privilege, it may be revoked at any time for any reason or no reason.
- B. The County recognizes the deterrent effect which law enforcement vehicles help create while being parked overnight in residential neighborhoods. As a result of this benefit,
- C. The County is willing to be more lenient with its take-home policy on such vehicles. Such leniency, however, is not to be interpreted as a waiver of these regulations for the operators of these County vehicles.



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Regulations

- D. In consideration of the privilege of operating a take-home vehicle, County Employees agree to abide by the following regulations:
1. No take-home vehicle may be operated for personal use. This includes any side trips or stops that an Employee might make during a commute to and from their normal worksite or during working hours. Examples include stopping for groceries or running personal errands.
 2. Call status notwithstanding, no County vehicle may be driven after normal work hours other than for purposes of direct commute. County Employees contacted while on call status will be paid mileage to retrieve their County vehicle for a call to service.
 - ~~3. Standard daily commute mileage will be reported and shown as additional compensation for IRS purposes. The County will follow IRS guidelines and use a rate of \$3.00 per day for 260 days. Employees will be issued an IRS Form 1099.~~
 4. Whenever possible, take-home vehicles should be secured after hours in a safe location under cover and out of streets and other right-of-ways. Failure to comply with this regulation may subject the County Employee to personal liability for repairs caused by damage to the vehicle.

E. Defense and Liability Coverage

Employees authorized to drive County vehicles to and from their homes, operating such vehicles in accordance with the provisions of this Policy, are extended defense and liability (but not Workers' Compensation) coverage.

Vehicle Care & Maintenance – Malfunction/Repairs

- A. Maintenance of County vehicle -Routine maintenance of all County vehicles must meet or exceed those maintenance standards listed by each vehicle manufacturer as required for severe service or commercial use.

County vehicles must be routinely washed, waxed, and kept as clean as possible.

- B. Malfunction of County vehicle- Should a County vehicle break down or otherwise malfunction, the following procedure should, to the extent practicable under the circumstances, be followed.



The Employee shall:

1. Pull vehicles to side of the road, or if possible, off the road and onto a well-lit area;
2. Leave vehicle with hazard lights and/or other safety equipment operational;
3. Notify their Supervisor;
4. Contact the **Risk Fleet** Manager for instructions on vehicle towing and repairs; and
5. Attempt no repairs to the vehicle unless otherwise instructed by the Supervisor notified.

C. Repairs to County Vehicles

1. Repairs to County vehicles damaged by accident will, if such damage occurs during the normal course and scope of such Employee's duties, be paid by the County's Self Insurance Fund. Contact the County Legal Services Coordinator to advise them of the accident and the County's ~~Assistant Facilities Director~~ **Fleet Manager** for further instructions regarding repairs.
2. Damage which occurs to a county vehicle operated by an Employee outside the normal course and scope of County duties (excluding authorized commutes) will be the responsibility of the operator of the vehicle.
3. Minor damages such as loss of wheel covers, scratches, broken windshields or windows caused by flying rocks or other debris, marring or chipping of paint, dents, rust or other similar repairs are considered normal wear and tear. Repairs of such items are to be paid out of the appropriate Department's funds. Contact the County ~~Risk Manager~~ **Fleet Manager** for further instructions concerning repairs.

Vehicle Insurance

A. Self-Insurance/Maximum Exposure

The County is self-insured to the extent of its liability under the Texas Tort Claims Act, for automobile accidents involving Employees driving County vehicles. Such liability is limited to money damages in a maximum amount of \$100,000 for each person and \$300,000 for each single occurrence for bodily injury or death and \$100,000 for each single occurrence for injury to or destruction of property.

B. Defense and Liability Coverage

Defense and liability coverage is extended to Employees driving County vehicles who are acting within the course and scope of their duties regardless of the time of day. When an Employee is not within the normal course and scope of his duties and is involved in an automobile accident, the



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County will not provide such Employee with a defense or accept any liability for the collision. In addition, the County will not be responsible for necessary repairs to the County vehicle. Examples of not being within normal course and scope of duties include using a County vehicle for shopping or the running of personal errands.

C. Recommend Third Party Liability Coverage

Employees assigned County vehicles to be used solely during the Employees work hours, are encouraged to purchase, at their expense, insurance (transferred risk policy) that will afford them third party liability coverage at all times. Failure to do so could subject such Employees to possible conviction for driving without insurance and loss of their driver's license in the event they are involved in an automobile accident or a moving traffic violation wherein County liability and defense coverage is not extended. It is recommended that the amount of coverage, at a minimum, conform to the maximum liability limits to which the County might be exposed under the Tort Claims Act.

D. Mandatory Collision, Comprehensive and Third Party Liability Coverage

As a condition of the privilege, Employees assigned County vehicles who are permitted to use County vehicles also for commuting purposes, are required to purchase, at their expense, third party liability coverage insurance and, to the extent available, collision and comprehensive coverage. The amount of liability coverage must meet, at a minimum, the maximum liability limits to which the County might be exposed under the Tort Claims Act. Failure to obtain such insurance could subject such Employees to possible conviction for driving without insurance and loss of his driver's license in the event he is involved in an automobile accident or a moving traffic violation wherein County liability and defense coverage is not extended. In addition, failure to obtain the mandated insurance will automatically forfeit the privilege of authorized use of the vehicle for commuting purposes. Law enforcement personnel are exempt from this Paragraph.

E. Proof of Coverage

1. Copies of original insurance policies (and renewals thereof) shall be furnished to the County ~~Assistant Facilities Director~~. **Legal Services Manager**. Any Employee required to obtain mandatory Collision, Comprehensive, and Third Party Liability Coverage shall notify the County ~~Risk~~ **Legal Services** Manager immediately upon any changes in the status of such Employee's insurance coverage.

F. Collision Insurance

1. The County will, if economically feasible, maintain a Blanket Umbrella Collision and Comprehensive coverage Policy on the following types of vehicles:
Vehicles leased for undercover law enforcement purposes;



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Vehicles permanently assigned to the County but owned by other governmental entities; and Vehicles valued in excess of \$35,000 (Individual Policy).