



## CITY OF NEW BRAUNFELS POLICIES AND PROCEDURES

**PROCEDURE(S): CITY VEHICLE POLICY**

**EFFECTIVE DATE: MAY 20, 2019**

**REVISION DATE(S):**

### CITY VEHICLE POLICY

#### **Driver Safety & Vehicle Operation**

1. The City defines a vehicle as any passenger car, truck, motorized equipment (see following section), or similar type as defined by the Texas Motor Vehicle Law which is owned, leased, rented, or otherwise under the care, custody, or control of the City of New Braunfels, including police and fire vehicles.
2. Motorized equipment includes, but is not limited to golf carts, backhoes, bulldozers, mowers, tractors, loaders, graders, and similar equipment.
3. To operate any City vehicle, or any other motor vehicle in the course of City business, an employee must:
  - a Have a valid Texas operator's license for the class of vehicle to be driven;
  - b Have a record of no more than three moving violations and/or chargeable accidents within a 24-month period;
  - c Have no record of DWI or DUI convictions in the preceding 24-month period;
  - d Be at least 18 years old; and
  - e Be otherwise qualified under federal and state regulations to drive the vehicle in question.
  - f If a question arises regarding driving ability, comply with requirements outlined in the City of New Braunfels Employee Handbook, Section ---- Fitness for Duty.
4. Driving records of employees who operate motor vehicles in the course of City business will be examined on an annual basis by Human Resources
5. Acceptable Driving Record: Applicants and/or Employees shall not have 10 or more points on their driving record (obtained through a State issued MVR) within a 24-month period to operate City vehicles or personal vehicles on City business. Multiple violations from the same incident will be counted as highest singular violation (not stacked or cumulative). Points are assigned as stated below:



## CITY OF NEW BRAUNFELS POLICIES AND PROCEDURES

### PROCEDURE(S): CITY VEHICLE POLICY

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Violation	Points Assigned
License suspension/revocation	10
DUI or DWI	10
Endangering the lives of others involving use of motor vehicle	4
Racing, reckless, negligent or careless driving	4
Any speeding violation	3
Any chargeable bodily injury or property damage accident	3
Any standard moving violation: stop, failure to signal, following to close	2

*Points are only recorded in the case of a conviction, guilty plea or any adjudication other than guilty. If a defendant is found not guilty of a violation, no points will be recorded. Failure to maintain an acceptable driving record per policy will result in a voluntary resignation of employment due to the inability to perform the driving duties of the job.*

6. Driver Training: Supervisors shall arrange for employees who drive a city vehicle or their own vehicles to conduct City related travel/work to attend a Defensive Driving Course (no less than every three years). Additionally, supervisors may require drivers who demonstrate questionable driving capabilities, habits or are involved in a preventable accident to attend driver training.
7. Citations: Employees are responsible for paying any violation(s) fines out of the employee's personal funds for traffic citations received while operating a City vehicle.
8. Employees who operate motor vehicles in the course and scope of their employment must notify their supervisor:
  - a When their driver's license becomes invalid or suspended for any reason. Such employees will immediately be prohibited from operating any vehicles on City business.
  - b Immediately during regular working hours (or by the next working day if after hours) when any ticket or citation for any moving violation of state law or a local ordinance is received. This notice must be in writing and include:



## CITY OF NEW BRAUNFELS POLICIES AND PROCEDURES

### PROCEDURE(S): CITY VEHICLE POLICY

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1. Driver's full name and license number;
  2. Date of the incident;
  3. Nature of the violation;
  4. Whether or not the violation was committed in a commercial vehicle; and
  5. Location of the offense.
9. An employee shall operate any vehicle used for City business in a careful and prudent manner and shall obey the laws, policies, regulations, and procedures of the state, City, and any political subdivision pertaining to such operation. An employee's operation of a vehicle shall, at all times, set a proper example for other persons.
10. Requirements for Use of Personal Vehicles on City Business: Any employee using a personal vehicle on City business shall be required to maintain auto liability insurance of at least the minimum required by state law.
11. As required by law, passenger restraint systems must be worn by the driver and passenger when a vehicle is in operation. The driver is responsible for ensuring compliance by all occupants. If the restraint system is inoperable, the vehicle cannot be used until it is repaired.
12. Department Pool Vehicles: Employees are encouraged to use "pool" vehicles in lieu of personal vehicles while on company business. Only authorized employees may operate pool vehicles. If an employee is not sure if they are eligible to operate a vehicle, it is their responsibility to verify their eligibility with Human Resources, or their supervisor, prior to use.
- Pool vehicles may be checked out by the Department Fleet Representative.
  - The vehicles must be signed in and out by the responsible party, or their designee:
    1. If the person checking the vehicle out is not going to be the driver, the driver must be listed on the checkout form.
    2. The date and time the keys are picked up and returned must be recorded.
    3. The overall mileage, fuel tank, and condition of vehicle must be recorded before and after each use.
    4. The driver must evaluate the general condition of the vehicle before each use (i.e. tire condition, body damage, lights and signals are functional, etc.)
    5. If the driver identifies any issues they are to return the keys immediately and report the issue.



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### PROCEDURE(S): CITY VEHICLE POLICY

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- Authorization to Ride in City vehicles: No unauthorized passengers will be allowed to ride in City vehicles including family members or friends.
- Stickers, Decals and/or emblems: No unauthorized stickers, decals or emblems will be placed on City vehicles or equipment. Authorized identification decals and/or emblems shall be placed on the vehicles and equipment in a consistent manner.
- Driver eligibility lists are maintained by the Human Resource department, and when requested, can be provided to department leadership. A [driver evaluation form](#) must be completed prior to an employee operating a City vehicle. If an employee transfers from a non-driving position to a driving position, a driver evaluation must be completed. Authorization to operate a City vehicle is given by the Human Resources department. Once authorized, the employee will be added to the eligibility list.
- Maintenance and Repairs: Vehicle operators will report any needed repairs, maintenance, or other condition requiring fleet service work. In order to maintain a safe fleet, departments will adhere to the fleet maintenance schedule for all assigned and/or pool vehicles.
- Exceptions and Grandfather Clause: Employees hired before the implementation of this policy who would become immediately ineligible to operate City vehicles under it may be grandfathered if they did not become ineligible due to a serious (10 point) violation. If an employee did commit a serious violation, the following procedures will be followed:
  - a The employee may immediately be removed from their position if its primary functions involve operation of City vehicles and be reassigned to a non-driving position, if feasible. Reassignments must be reviewed and approved by the City Manager.
  - b Decisions on reassignment will be handled on a case-by-case basis and involve review of the employee's work history, overall driving record, and safety record.
  - c A reassigned employee will receive payment based on the classification of their new position immediately after the reassignment.
  - d If the employee cannot be reassigned, he/she will be separated from employment within thirty (30) days from when the employee was determined to be ineligible for his/her position.



## CITY OF NEW BRAUNFELS POLICIES AND PROCEDURES

### PROCEDURE(S): CITY VEHICLE POLICY

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If the employee continues within the City in any position, driving checks on the employee will continue normally as described in this policy. Grandfathered employees will be considered as starting with a clean record immediately upon implementation of the policy. The City Manager has the authority to grant exceptions to this policy.

### Take Home Vehicles

Take home vehicles are subject to the Driver Safety & Vehicle Operations section, as referenced in the previous section.

#### A. Eligibility Criteria

1. Responds to emergency calls from home, is on call-back or stand-by status, and/or is called back frequently.
2. Lives within the extraterritorial jurisdiction (ETJ) of the City of New Braunfels.
  - a. If the employee lives outside of the ETJ, the business need to take home the vehicle must be approved by the City Manager.
3. Has completely executed the Take Home Vehicle Request Form and filed with the Human Resources Department [Please reference Appendix B: Take Home Vehicle Request Form].
4. The employee has primary responsibility for responding to emergency situations which require immediate response to protect life or property and/or the employee needs a special vehicle and/or carries specialized equipment other than communications equipment in order to perform their work outside of normal working hours.
5. Needs a vehicle to perform essential functions of the job.
6. Is otherwise deemed in the best interest of the City.

#### B. Terms of Use

1. The utilization of a take home vehicle at a part-time job coordinated through the Police Department is permitted in accordance with the "Extra Jobs" Policy under the Police Department.
2. Supervisor approval must be obtained before a City owned take home vehicle is operated



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outside of Comal, Guadalupe, Bexar, Hays or Travis Counties.

3. In some circumstances, the use of a take home vehicle may be considered a taxable fringe benefit under IRS regulations. These operators will be taxed in accordance with IRS Publication 963. Designated Police and Fire vehicles and vehicles taken home for the purpose of responding to emergencies are exempt.
4. The City Manager has the authority to grant exceptions to this Policy.