

96Appendix E

Vehicle Use Policy

The purpose of this policy is to prevent the Town from being subjected to increased liability from the unauthorized use of Town vehicles and/or equipment. Damages resulting from any unauthorized use or caused by unauthorized persons may not be covered under the Town's liability insurance and any damages paid by the Town insurance carrier may cause a significant increase in the Town's premiums or the loss of coverage entirely.

Municipal Vehicles are not Personal Vehicles and are not for personal use. Municipal Vehicles should be viewed as belonging to the Town and are assigned solely for purposes consistent with providing services to the Town and its citizens and visitors.

When on Town Business Town employees should use available Municipal vehicles when possible. When not possible the Town will reimburse employees for expenses (mileage at the IRS standard mileage rate, tolls and reasonable parking expenses), which they incur as a result of Personal Vehicle use on behalf of the Town. For reimbursement employees must complete and submit the required forms with appropriate supporting documentation and/or receipts in a timely manner. Employees will not be reimbursed for commuting between their homes and offices or other regular work locations or any other personal use. Expense reimbursement is not considered to be a wage or salary item.

Certain positions require employee access to Municipal Vehicles on a 24-hour on-call basis and thus are granted commuting privileges. Commuting privileges are granted by the Department Head. Employees who are assigned Municipal Vehicles that meet eligibility criteria as defined under 26 CFR 1.274-5T (this includes marked and unmarked police vehicles used by Police Chief, Lieutenant(s) Detectives, and Code enforcement officers) will not be subject to imputed income taxation as a result of the vehicle assignment. Employees who are 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 will have the value of the personal use of the Municipal Vehicle included in the employee's taxable income with the value of this benefit calculated by multiplying the annual miles driven for personal commuting purposes by the Internal Revenue Service's standard mileage rate. Employees who drive a Municipal or use a Personal Vehicle use on behalf of the Town must acknowledge (sign and date) that they have read the Town of New Paltz Vehicle Use Policy (See Schedule E).

Schedule E

Town of New Paltz Vehicle Use Policy

Municipal Vehicles may only be used for legitimate municipal business.

Copies of licenses must be on file with the Comptroller and the Town insurer, prior to the operation of a Town owned vehicle.

Individuals assigned a Municipal Vehicle with commuting privileges may make "incidental personal uses" such as stopping at a grocery store or going to the bank, on his/her way home, but only if the stop does not add mileage to the trip.

Operators should exercise sound judgment at all times when using assigned Municipal Vehicles and should avoid the appearance of misuse.

Municipal Vehicles will not be used to transport any individual who is not directly or indirectly related to municipal business. Unauthorized passengers are not allowed to ride in Town vehicles. Under no circumstances are non-town employees permitted to ride or drive in Town-owned vehicles. Passengers shall be limited to Town employees and individuals who are directly associated with Town work activity (committee members, consultants, contractors, etc.). Family members shall not ordinarily be transported in Municipal Vehicles. Police Officers transporting individuals in the performance of their normal job duties are exempt from this provision.

The Town shall not be liable for the loss or damage of any personal property transported in the Municipal Vehicle or for any personal property while using their Personal Vehicle for work-related travel.

Unless expressly exempted by law, employees are to ensure that they and all passenger(s) in a Municipal Vehicle wear seat belts at all times, if the Municipal Vehicle is so equipped.

Employees may not operate Municipal Vehicles or Personal Vehicles being used for work-related travel under the influence of alcohol, illegal drugs, or any controlled substances. Employees are prohibited from possessing illegal drugs or controlled substances in a Municipal Vehicle or in a Personal Vehicle being used for work-related travel (police officers who are required to carry prohibited items in performing their normal job duties are exempt).

Employees are expected to keep Municipal Vehicles clean and to report any malfunction, damage, needed repairs or other vehicle problems to their supervisor immediately.

Employees operating a Municipal Vehicle or a Personal Vehicle while on work-related travel shall obey all applicable traffic and parking regulations, ordinances, and laws.

Employees who incur parking or other fines/citations while operating or using an assigned Municipal Vehicle or using a Personal Vehicle on work-related travel, will be personally responsible for payment of such fines/citations.

Drivers misusing Town vehicles may be held personally liable for damages to persons or property, as well as their own legal expenses and defense, since the driver is acting outside the course and scope of permitted Town business. Drivers who misuse Town vehicles are also subject to disciplinary action by the Town.

When an employee using a Municipal Vehicle or Personal Vehicle on work-related travel is involved in a motor vehicle accident, the operator must obtain the following information:

Name(s), address(es), and driver's license number(s) of the other driver(s);

Name(s) and address(es) of the owner(s);

Registration number(s) of the other vehicle(s) involved;

Name(s) and address(es) of other driver(s) insurance company(ies);

Name(s) and address(es) of any witness(es) to the accident,

and immediately report details to the employee's immediate supervisor.

When any person has been injured and/or when vehicles have suffered damage, the local or state police must be called to the scene.

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

Town of New Paltz Vehicle Use Policy – Acknowledgement

I, _____ (print name), as an employee of the Town of New Paltz, hereby acknowledge that I have received, read, understand, and agree to abide by the Town's Vehicle Use Policy. If assigned a Municipal Vehicle and or use a Personal Vehicle for work-related travel, I shall comply with the respective provisions of the policy or those portions of the policy not specifically regulated by law or collective bargaining agreement or individual agreement/contract. Once signed, the Town will retain this form for records purposes.

Employee Signature: _____ Date: ____/____/____

*Department Head Signature: _____ Date: ____/____/____

*If an individual is assigned a Municipal Vehicle with commuting privileges the Department Head signature is also required