

<b>Maricopa County Internal Policy</b>	<b>Title:</b> Use of County and Private Vehicles and Equipment	<b>Number:</b> A2310 <b>Issue Date:</b> 11/1/1991
<b>Policy Category:</b> Transportation  <b>Initiating Department:</b> Risk Management	<b>Approved By:</b> Maricopa County Board of Supervisors and Special Districts	<b>Revision No:</b> 2 <b>Revision Date:</b> 2/6/2013

**I. PURPOSE**

To establish the criteria for and the method by which Maricopa County (County) Employees obtain authorization to use County Department/Special District Vehicles and Equipment and Private Vehicle(s) while conducting County business.

To address the use of County and Private Vehicles and Equipment while on County business.

**II. AUTHORITY**

This policy is authorized by the Board of Supervisors pursuant to A.R.S. § 11-251.

**III. APPLICATION AND ENFORCEMENT**

This Policy applies to all Employees and Elected Officials of Maricopa County elected offices, appointed departments, and Special Districts.

Appointing Authorities are responsible for enforcement of this policy and may discipline Employees who violate this policy with loss of Vehicle Use Permit (VUP), loss of any other authorization granted under this Policy and/or termination of employment.

**IV. DEFINITIONS**

- A. **Appointing Authority:** An elected official, the single administrative or executive head of a Department/Special District, or the designated representative authorized to act in this capacity.
- B. **Certificate of Understanding:** A written statement executed by the Employee stating they have read and understood this Policy
- C. **Department/Special District:** A department is a division of the County and Special Districts which include the Flood Control District of Maricopa County, Maricopa County Library District and the Maricopa County Stadium District.
- D. **Driver License:** Refers to all classes of Arizona Driver Licenses, "D" (operator), "M" (motorcycle) and classes "A" "B" and "C" (commercial).

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- E. **Duty Post:** The place where the Employee spends the largest portion of working time or the place where the Employee returns on completion of special assignment.
- F. **Elected Official:** Persons enumerated in statute and elected in Maricopa County which include Sheriff, Recorder, Treasurer, School Superintendent, County Attorney, Assessor, Supervisors, the Maricopa County Clerk of the Court, Justices of the Peace, Superior Court Judges and Constables.
- G. **Employee:** A person paid a wage, salary, or stipend from public monies in accordance with official entries on County payroll. This includes all classified, unclassified, temporary, contract employees, County Volunteers, Elected Officials and any temporary employee paid through the Maricopa County accounts payable process. For purposes of this Policy, "employee" includes individuals employed by the Superior Court of Arizona, Maricopa County.
- H. **Equipment:** Gasoline, diesel or electric powered machines, and unpowered machines, used for hoisting, excavating, hauling, loading, grading, paving, drilling, cutting, shredding, cleaning and spraying: the operation of which requires a license or certification.
- I. **Overnight Use Permit:** An authorization pursuant to this Policy that permits an Employee with a Vehicle Use Permit (VUP) to take a Vehicle home overnight.
- J. **Private Vehicle:** A Vehicle legally in the possession of an Employee.
- K. **Public Safety Employee:** Limited to the following Employees: any Employee eligible to participate in the Public Safety Personnel Retirement System (see A.R.S. §38-842(24)) or the Corrections Officer Retirement System (see A.R.S. §38-881(13)), or an Employee engaged in probation officer activities. Also included are Employees of the County Attorney's Office, the Office of Public Defense Services and Air Quality identified by their Appointing Authority.
- L. **Risk Trust:** The Revised Restated Declaration of Trust for Maricopa County, Arizona Self-Insured Trust approved by the Board of Supervisors according to applicable state law.
- M. **Vehicle Use Permit (VUP):** An authorization granted pursuant to this Policy that allows an Employee to operate County Vehicles and Equipment and Private Vehicles used on County business.

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N. **Vehicle:** A device, the operation of which requires an Arizona Driver License, by which a person or property is or may be transported on or off a highway/roadway, excluding devices moved by human power or used exclusively on stationary rails or tracks. This includes all owned, leased, borrowed, or rented Vehicles.

O. **Vehicle Use Application:** The documents an Appointing Authority and Employee are required to submit when seeking to receive a Vehicle Use Permit (VUP).

P. **Volunteer:** A person who, of their own free will, provides services to the County without receiving a wage, salary, stipend or other County benefit.

## V. POLICY

### A. General Statements

1. This Policy applies to use of all County Vehicles and Equipment, regardless of the funding source, and to any Private Vehicles or Equipment used by Employees to conduct County business.
2. This Policy shall be read in conjunction with all other applicable County transportation-related Policies.
3. County Vehicles and Equipment are only to be used for County business and are not to be used for the personal convenience or profit of Employees.
  - a. County Vehicles may be used in off-duty employment by law enforcement personnel, including transportation to and from the off-duty employment, if the law enforcement individual is on-call by the County and has approval from their Appointing Authority or their designee.
4. Employees shall not permit a non-employee to operate or be a passenger in a County Vehicle or Equipment.
  - a. Public Safety Employees, transporting non-County Employee passengers in the course of business are exempt from this provision.
5. Departments/Special Districts shall, at all times, account for all County Vehicles/Equipment in their use.

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6. County Vehicles and Equipment shall be used only to conduct County business unless specifically permitted by this Policy. County Vehicles and Equipment shall not be used to run personal errands or make stops for personal reasons. County Vehicles may be used for meals/breaks when those breaks are taken between business destinations and adds limited incidental mileage to the vehicles.
7. Appointing Authority or their designee shall inform Risk Management immediately when an Employee with a Vehicle Use Permit (VUP) and/or Overnight Use Permit has transferred out of the Department/Special District, if Employee duties no longer require the permits, or if Employee is no longer employed with the County.
8. Employees shall be cooperative and truthful in all stages of the Application process required by this Policy.
9. Employees shall immediately inform their Appointing Authority and Risk Management, and Elected Officials shall inform Risk Management, of any change in the status of their Driver License, such as cancellation, expiration, refusal, revocation or suspension.
10. It is the County Manager's, or their designee's, obligation to perform the following:
  - a. Review accident reports involving County Vehicles or Equipment or Private Vehicles used on County business with Risk Management on a regular basis to determine preventability.
  - b. Establish Application procedures for both the Vehicle Use Permit (VUP) and the Overnight Use Permit.
  - c. Develop all training to be completed by applicants seeking a Vehicle Use Permit (VUP) or Overnight Use Permit.
  - d. Establish training and procedures to be completed by all Employees seeking to have a Vehicle Use Permit reinstated in the event the Vehicle Use Permit (VUP) is revoked or suspended.
  - e. Establish training for all Employees involved in an accident involving a County Vehicle or Equipment or a Private Vehicle used on County business.
  - f. Periodically run Arizona Motor Vehicle Department records searches on all Employees holding a Vehicle Use Permit (VUP) to determine if Employee's Driver License is valid as stated in the application process.

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**B. Conduct While Operating Vehicles or Equipment (County or Private Vehicles) on County Business**

1. Employees are required to follow all applicable State and Federal laws, including but not limited to: seat belt laws, traffic laws, insurance requirements, etc. Employees operating emergency vehicles shall comply with the requirements of A.R.S. § 28-624.
2. Employees are prohibited from using a cell phone (unless a hands free device is used to operate the cell phone) or other mobile electronic device (e.g., Smartphone, tablet, or laptop) while driving a County Vehicle/Equipment or while driving a Private Vehicle on County business. This prohibition includes, but is not limited to, texting, emailing, reviewing documents, and placing phone calls.
  - a. Employees operating an authorized emergency vehicle, as outlined in A.R.S. § 28-624, and while in the performance of their official duties are exempted from this prohibition.
  - b. Employees of Vector Control Nighttime Operations are also exempt from this prohibition while viewing the laptop connected to the fogger guidance system as long as they are not exceeding 5 mph.
3. In accordance with Smoke Free Arizona (A.R.S. §36-601.01), smoking is prohibited in all County Vehicles and Equipment and in any Private Vehicle used on County business if more than one person is in the Vehicle.

**C. Use of County Vehicles Overnight**

1. County Vehicles may be used for overnight use, including domicile-to-duty (take home) travel subject to Appointing Authority's approval.
2. Appointing Authorities shall maintain a list of all Department/Special District Vehicles authorized for overnight use by Employees.
3. Employee must have a valid Overnight Use Permit and Appointing Authority approval to use a County Vehicle overnight.
4. Employee is responsible to report all domicile-to-duty and return trip mileage incurred by Employee in a County Vehicle to their Appointing Authority. Appointing Authority shall send all Department/Special District Employee mileage reports to County Payroll on an annual basis.

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Employee shall be responsible for all personal income taxes related to such usage.

5. The County Vehicle shall not be parked on a public street overnight whenever possible and secured in a manner which minimizes the possibility of damage, vandalism or theft.
6. Employees shall not remove the vehicle from Maricopa County borders overnight without prior approval from Employee's Appointing Authority.

#### **D. Out-of-County Use of County Vehicles**

Employees operating a County Vehicle to conduct County business may travel up to 75 miles outside the border of Maricopa County without additional authorization. All travel beyond 75 miles from the County border must be authorized in advance by Employee's Appointing Authority.

#### **E. Requirements for Use of Private Vehicles for County Business**

1. Employees must comply with all relevant sections of this Policy.
2. Approved County travel by Employees using a Private Vehicle and all associated mileage reimbursement requests must comply with the County General Travel Policy A2313.
3. Employee must have permission from the owner of the Private Vehicle for its use and must follow all applicable County transportation Policies and State and Federal laws.
4. Repairs made to a Private Vehicle while on, or as a result of approved travel, will not be reimbursed by the County.
5. An Employee operating a Private Vehicle on County business must comply with all relevant County policies and the terms of the Risk Trust.
6. The Private Vehicle will have at least the minimum liability and property insurance coverage required by Arizona Statute and the Risk Trust. As outlined in the Risk Trust, Employee's private insurance will stand as primary liability coverage and the County will reimburse up to \$500 of Employee's private insurance deductible relating to the incident

#### **F. Employee Involved Vehicle Accidents or Citations**

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1. An Employee operating a County Vehicle or a Private Vehicle while on County business who is involved in an accident shall:
  - a. Remain at the scene of the accident until appropriate authorities release them.
  - b. Call 911 if someone is injured.
  - c. Call and report the accident to local law enforcement authorities if no one is injured.
  - d. Obtain the name, address and driver license information from all other persons involved in the accident.
  - e. If possible, obtain the name, address, telephone number and email address of any witnesses.
  - f. If the accident occurs in a County owned Vehicle/Equipment, and Employee is requested to give proof of insurance, explain that by statute the County is exempt from having to provide this information: A.R.S. §28-4003.
  - g. If the accident occurs in a Private Vehicle, provide the appropriate information as required by law.
  - h. Only discuss the accident with law enforcement authorities investigating the accident, Risk Management or an attorney representing the County. If in a Private Vehicle, communication with private insurance is subject to Employee's discretion.
  - i. Call and report the accident to their Appointing Authority or their designee, Risk Management and the County Equipment Services Department (if accident involved a County Vehicle or Equipment).
2. The Appointing Authority and/or the Equipment Services Department shall ensure that the accident requirements of this Policy and appropriate contract information are placed in all County Vehicles and Equipment.
3. Employees are solely responsible for any citation and/or conviction for illegally operating or illegally parking a Vehicle while conducting County

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business. Any expense, cost, penalty, fine or other consequence from such citation or conviction shall be the sole obligation of the Employee.

## G. Application Procedures

1. Vehicle Use Permit (VUP) Applications, appropriate for the Vehicle or Equipment to be used, and/or applications for Overnight Use Permits shall be granted only if:
  - a. Employee maintains a valid Driver License.
  - b. Employee has completed or is enrolled in the County's defensive driving course or other required training.
2. Vehicle Use Permits (VUPs) shall be valid for no more than 24 months from the date issued. Expired Vehicle Use Permits (VUPs) must be renewed in accordance with this Policy.
3. Overnight Use Permits shall be valid for no more than 12 months from the date issued. Expired Overnight Use Permits must be renewed in accordance with this Policy.
4. Employees possessing a valid "blue card" on November 28, 2012 are exempt from reapplying for a Vehicle Use Permit until such time as the "blue card" expires or is withdrawn.
5. To obtain, update, or renew a **Vehicle Use Permit** (VUP), the following steps must be completed:
  - a. **Employee:** Employee shall complete a Vehicle Use Permit (VUP) Application, which shall be accompanied by the following documentation:
    - i. Valid Driver License and/or valid Driver License endorsements for Employee. Out-of-state Driver Licenses and endorsements require proof of Employee's official three (3) year driving record from the state of licensure.
    - ii. Evidence that Employee completed or is enrolled in all required County defensive driving training.

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- b. **Appointing Authority:** The Appointing Authority or their designee shall make a copy of Employee's Driver License and/or valid Driver License endorsements for Employee, sign Employee's Application (where appropriate) and submit it to the County Manager or their designee.
  - c. **Risk Management:** Upon receipt of an Application meeting the requirements above, Risk Management shall obtain Arizona Motor Vehicle Division records for the Employee applicant.
  - d. **Final Approval:** The County Manager or their designee may approve all Vehicle Use Permit (VUP) Applications meeting the criteria set forth in this Policy.
6. To obtain or renew a County **Overnight Use Permit**, the following steps must be completed:
- a. **Employee:** Employee must have a valid Vehicle Use Permit (VUP).
  - b. **Appointing Authority:** Employee's Appointing Authority shall certify, by selecting the "Overnight Use" box on the VUP Application, that overnight use by Employee is necessary to accomplish a valid County objective and that overnight use is a cost effective means to accomplish that objective.
  - c. **Final Approval:** The County Manager or their designee may approve all County Overnight Use Permit applications meeting the criteria set forth in this Policy.