

Policy Title: Driving on County Business

Policy Number: Part 5 Staff Policies, Chapter 1 Rules, Section 3

Type of Policy: Administrative

Adopting Resolution: ~~CC25-046~~

References: Resolutions CC01-515, CC08-169, CC09-451, CC13-170, CC16-116, CC17-262, CC18-066, CC18-384, CC19-367, CC20-089, CC20-289, CC21-194, CC25-046; Treasury Regulation 1.274-5(k)(6)(ii), Commercial Driver's License Policy, Vehicle Options for Elected Officials Policy, Smoking in County Vehicles and on County Property Policy, Commercial Driver's License Policy, Personnel Rules

Effective Date: ~~February 25, 2025~~

Adoption Date: ~~February 25, 2025~~

Administrative Revision Date: Not applicable

Policy Custodian: County Manager

Compliance: All employees

Purpose: To set standards for driving county vehicles and/or personal vehicles for county business.

A. Definitions

1. Discretionary MVR Violations are MVR Violations that are serious in nature, but with the approval of the Department Director, the Driver may still drive on county business.
2. Driver means all persons driving on county business, including employees, interns and volunteers.
3. Motor Vehicle Record (MVR) is the state issued document of the Driver's past three years of driving history.
4. Unacceptable MVR Violations are MVR Violations that are serious in nature and immediately revoke the Driver's eligibility to drive on county business.
5. Vehicle means any personal or county-owned automobile, truck, van or sport utility vehicle, motorcycle or motorized equipment requiring a license to operate.
6. Violation is any conviction of a vehicle-related crime or traffic infraction in the Driver's past three years of driving history.

B. Applicability & Eligibility

1. This policy applies to all county Drivers.
2. Drivers must be 18 years of age or older.
3. Employment offers shall not be extended to people that are required to drive on county business but are not eligible per this policy.
4. Safety and Compliance shall review Drivers' MVRs periodically for eligibility to drive on county business.
5. Any employment position that has "Safety Sensitive Position" listed in the Classification Specifications will be required to submit to a pre-employment drug screen and be placed in the County's monthly random drug testing pool.
6. Drivers who will be driving on county business in either a county or personal vehicle shall have a Colorado Driver's license within 30 days of hire or beginning to serve as an intern or volunteer. Exception: Any nonresident who is temporarily residing in Colorado for the principal purpose of furthering such nonresident's education, is at least eighteen years of age, has a valid driver's license from his or her state of residence, and is considered a nonresident for tuition purposes by the educational institution at which such nonresident is furthering his or her education.

C. Unacceptable MVR Violations

1. Drivers may not have one (1) or more of the following in the past three (3) years
 - Involved in race/speed contest
 - Left scene of an accident
 - Attempted to flee or elude police
 - Vehicular homicide, manslaughter, or assault
 - Any felony involving the use of a vehicle
 - Any violation of state or local law relating to vehicle traffic control arising in connection with a fatal accident
 - More than one (1) Discretionary MVR Violation (See Section D)
2. Drivers with a suspended, revoked, or canceled license may not drive on county business.

3. Drivers with Unacceptable MVR Violations may not drive on county business, which may also lead to dismissal from employment.

D. Discretionary MVR Violations

1. Drivers may not have more than one (1) of the following MVR violations in the past three (3) years)
 - Reckless driving
 - Passed a stopped school bus
 - A suspended, revoked, or canceled license
 - DUI, DWI, and/or DWAI
2. Drivers with a Discretionary MVR Violation may be granted eligibility to drive on county business by the Department Director, with Safety and Compliance consultation.
3. Drivers with a Discretionary MVR Violation who are required to hold a Commercial Driver's License for their position may be granted eligibility to drive on county business by the Department Director and Safety and Compliance.
4. The Department Director and/or Safety and Compliance may require the Driver with a Discretionary MVR Violation to take an online or a behind-the-wheel course(s). Any course may be at the Driver's expense and will be taken in the timeframe prescribed by the Department Director and/or Safety and Compliance.
5. If the Discretionary MVR Violation is a DUI, DWI, or DWAI, the Driver may NOT transport children on county business for three (3) years from the date of the Violation.
6. If the Discretionary MVR Violation or Unacceptable MVR Violation took place during the performance of county business, a county Driver may NOT drive on county business for three (3) years.
7. If the Discretionary Moving Violation is a DUI, DWI, or DWAI that took place during the performance of county business, and the Driver is an employee, the Driver shall be terminated. If the Driver is an intern or volunteer, the Driver shall not continue to serve in that capacity.

E. Violations and Citations

1. Drivers must immediately report all citations and violations received while driving on county business and all Discretionary and Unacceptable MVR Violations received while driving on personal time to their supervisor (or volunteer coordinator).

2. Drivers must immediately report all suspension, revocations, or cancellations of their license to their supervisor (or volunteer coordinator).
3. Supervisors (or volunteer coordinators) shall immediately report all known Violations to Safety and Compliance.
4. Drivers who fail to report such Violations will be subject to disciplinary action that may include revocation of driving privilege or dismissal from employment.
5. Tickets. The Driver shall be responsible for any traffic or parking tickets incurred while driving on county business, except load violations beyond the driver's control.

F. Driver Responsibility

1. County Vehicles

- a. Drivers shall report immediately any known unsafe condition(s), mechanical problems, and any damage to a county vehicle to the Fleet Services Division, the Airport's fleet unit if the vehicle is owned by the airport, or the Sheriff's fleet unit if the vehicle is owned by the Sheriff.
- b. Drivers shall not let unauthorized individuals drive county vehicles.
- c. Drivers shall not use county vehicles for personal purposes except for travel to and from lunch or incidental/personal errands that may be permitted pursuant to the "de minimis" usage exemptions in IRS Publication 15-B, Employers Tax Guide to Fringe Benefits.
- d. If a county fleet vehicle is returned in a condition that requires extensive cleaning due to operator neglect or abuse, the Driver's division may be charged for cleaning the vehicle.
- e. Drivers shall report accurate vehicle mileage at the fueling stations and on the Motor Pool Reservation Sheet. Failure to report mileage accurately may result in loss of privileges and disciplinary action as provided for in the Personnel Rules.
- f. All county vehicles, except those used by Elected Officials per The Vehicle Options for Elected Officials Policy, are equipped with a live GPS tracking unit, which may include video recording of the exterior and interior of vehicles and equipment. The GPS units track vehicle speed, location, diagnostics, hard stops, hard starts and hard cornering. The data is fed back to a software system that allows Fleet, Safety & Compliance and Division Directors to monitor the fleet.

2. Personal Vehicles

- a. If a personal vehicle is to be used for county business, the Driver shall:

- 1) maintain auto insurance in accordance with state law,
 - 2) provide proof of insurance to Safety and Compliance upon request, and
 - 3) maintain the vehicle's operating condition in accordance with all State and Federal Laws and Regulations.
- b. A Driver who chooses to drive their personal vehicle on county business may submit their claims to their own insurance company. The county does not pay for damage to personal vehicles or deductibles on insurance policies.
 - c. Motorcycles may not be used for county business.
 - d. County logos shall not be applied to personal vehicles unless otherwise approved by the Department Director.
 - e. Executive Officers (as that term is defined in the Jefferson County Personnel Rules) who receive a monthly vehicle allowance as taxable income may not be reimbursed for mileage nor drive a county vehicle.

G. Driving Standards

1. Drivers shall be held to a high standard and abide by the following rules when driving on county business:
 - a. Use child safety seats and seatbelts in accordance with State law when transporting children,
 - b. Require all occupants to wear seatbelts,
 - c. Do not use vehicles that are unsafe to operate,
 - d. Do not offer rides to hitchhikers,
 - e. Lock vehicle doors and remove keys when parked,
 - f. Adhere to local, state and federal driving laws and obey warning signs, and
 - g. Do not exceed the speed limit.

2. Parking Expenses and Tolls

The county may reimburse parking and toll expenses for county business related trips. The county will not reimburse for parking and tolls associated with commuting or personal use.

3. Mileage Reimbursement for Personal Vehicles

- a. The intent of mileage reimbursement is to compensate the employee for out-of-pocket costs incurred (i.e. fuel, oil, wear and tear) while using their personal vehicle for county-related business.
 - b. Mileage will be reimbursed only to the driver of the vehicle at the county's set mileage rate. A Claim Voucher, indicating the date, destination, purpose and mileage traveled must be submitted.
 - c. Mileage to and from a seminar, conference, training session or other county-related business event will be reimbursed to the extent the distance exceeds the normal commute to the employee's work environment. For example, if an employee normally travels 20 miles round trip to work, and the round-trip distance to a conference is 30 miles, the employee may be reimbursed for 10 miles.
 - d. A Personal Vehicle may not be used to travel if the estimated mileage will exceed the cost of round-trip airfare.
 - e. Drivers may not use a County Procurement Card to purchase fuel for their personal vehicle without advance, specific approval from their supervisor.
4. Reimbursement for County Motor Pool Vehicles
The county will pay/reimburse for fuel, oil and maintenance costs associated with the use of a county motor pool vehicle. The county will not reimburse for mileage when a county motor pool vehicle is used.
5. Other Modes of Transportation
- a. The county may reimburse for reasonable transportation costs from other modes of transportation, such as bus, light rail, taxi services, vehicle sharing services such as Uber or Lyft, etc. in instances where the cost of using such service is comparable to mileage reimbursement and parking.
 - b. Supervisor approval is required for reimbursement of other transportation costs.

H. Commuting

- 1. In accordance with IRS regulations, commuting mileage is considered taxable income. Employees may not use Fleet or Motor Pool vehicles to shorten the commute by parking at a county building that is closer to their place of residence and driving to the work location of record in the county vehicle.
- 2. County vehicle options and IRS provisions for commuting for Elected Officials are found in the Vehicle Options for Elected Officials Policy.
- 3. Commuting in Fleet or Motor Pool vehicles is not permitted except as specified below:

- a. The law enforcement exception to the IRS regulations allows Sheriff, Coroner, and District Attorney law enforcement officers to commute in county vehicles without taxation on the value of the benefit if they meet the requirements of Treasury Regulation 1.274-5(k)(6)(ii), which requires that the employee (1) be full-time employee of a unit responsible for the prevention or investigation of crime, (2) be authorized by law to carry firearms, execute search warrants, and to make arrests, and (3) regularly carries a firearm. Officers may not use the county vehicle for vacation or recreation trips.
- b. Employees who are responding to active operational emergencies outside of county business hours may be permitted to use county vehicles to drive to/from their homes. These operational emergencies must be in locations where it is impractical to obtain a county vehicle prior to responding. The employee must have written approval from the Department Director. These employees are prohibited from using these vehicles during non-work hours for personal use except pursuant to the “de minimis” usage exemptions in IRS Publications.