



ADMINISTRATIVE REGULATION

Effective Date: August 1, 2011

Administrative Regulation: 1-46

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Supersedes: July 6, 2022

Approved By: William H. Ashton II

Subject: **Employee Use of Town Vehicles and Equipment**

I. Purpose

The purpose of this Administrative Regulation is to establish guidelines for the use of town vehicles and equipment. It will address general vehicle use, assigned take-home vehicles and ad-hoc take-home vehicles.

II. Applicability

This policy applies to all employees and officers of the Town of Herndon.

III. Policy

It is the policy of the Town of Herndon that town owned vehicles and equipment are to be used only for official town business and purposes that can reasonably and directly relate to an employee's function with the town.

Only town employees are permitted to operate town vehicles and equipment. Whenever feasible, employees will use a town vehicle in the performance of their official duties. If a town vehicle is not available, the employee may receive reimbursement for using a private vehicle at the mileage rate authorized by the Internal Revenue Service (see Administrative Regulation 5-1).

Only those employees who are approved by Human Resources may operate town vehicles. Approved driver status may be revoked by the town, at any time, for any reason.

Seatbelts must be worn in accordance with VA Code section 46.2-1094.

Patrons and customers are to be transported in town vehicles only, personal vehicles may not be used for this purpose.

The town is a drug free workplace. The following is prohibited when operating a town vehicle and equipment: smoking or vaping, possession or use of any alcohol, possession or use of any illegal substance, the use of any controlled substance or other substance which impairs judgment and driving ability.



ADMINISTRATIVE REGULATION

IV. Electronic Device and Cell Phone Use

Electronic devices and cell phones are **NOT** to be used while operating a town vehicle or equipment. If usage of a device is needed, the driver shall pull off the road to a safe location in order to utilize the phone or device.

If GPS is needed, set the GPS prior to leaving the parking space.

The following is prohibited while operating a town vehicle or equipment: talking on the phone, sending or reading text messages, accessing or viewing or any other activity related to connecting to the internet, receiving or responding to email, accessing phone messages and all other functions provided by the device.

In accordance with VA Code section 46.2-1078, using headphones, headsets, ear buds, or any Bluetooth device worn in **BOTH** ears is prohibited.

The use of town radios is permitted.

Sworn officers are exempt from the prohibitions of section IV Electronic Device and Cell Phone Use, due to the nature of their job.

V. Vehicles During Business Hours

If a business need arises, an approved driver with the approval of their supervisor, manager or department head, may use a town vehicle during business hours for expressed business purposes.

Employees shall not operate town vehicles for the purpose of conducting private business or enterprise or any other personal use. However, it is recognized that a minimum amount of personal use during the course of a scheduled shift to include meal breaks are permitted, within close proximity to the work site, as determined by the employee's supervisor.

VI. Take-Home Vehicles

The Town Manager is responsible for authorizing the use of take-home vehicles. Authorization is made based on needs and purposes that benefits the town and not the employee. The criteria used to determine eligibility is based on the potential for emergency call back and the potential for use outside the normal workday. The Town Manager will approve the use of all take-home vehicles periodically.

Town vehicles taken home overnight must be locked and secured in the responsible employee's garage, driveway or other designated parking space, which is in close proximity to the employee's residence. The town is not responsible for personal property stored or left in a town vehicle.

ADMINISTRATIVE REGULATION

Employees who are regularly assigned a take home vehicle are not permitted to use the vehicle for any task or errand that is not directly related to their employment, unless the vehicle is considered a qualified use vehicle. **Qualified use vehicles** are those not designed, by reason of their nature, to be likely for personal use, such as police vehicles. Employees who are assigned a qualified use take-home vehicle are permitted to use that vehicle for de minimis errands or stops during their commute.

Employees who are assigned take-home vehicles are subject, on a quarterly basis, to the appropriate tax liability associated with this benefit. Violations of the policy may result in taxable personal use income. A copy of the approved take-home list will be forwarded to the Director of Finance for withholding of the appropriate tax, if necessary.

Employees who are not assigned a take-home vehicle may take a town vehicle home if there is a need such as:

- When the employee is required to return to work that same evening for a meeting.
- When it is logical for the employee to travel directly from home to a meeting or conference the next business day.
- In circumstances where it is in the best interest of the town that an employee have use of a vehicle.

Department heads may authorize the use of a take-home vehicle for the expressed business purpose of traveling to trainings, seminars, courses or meetings for five nights or less. If there is a greater need, the Town Manager must authorize.

VII. Accidents

All accidents involving town vehicles or equipment must be reported immediately to your supervisor, regardless of fault, severity, or property damage.

In accordance with town policy, any accident resulting in property damage will be considered reasonable suspicion for testing.



William H. Ashton II
Town Manager