

RESOLUTION NUMBER R- 286243

ADOPTED ON AUG 14 1995

A RESOLUTION ESTABLISHING COUNCIL POLICY
NO. 200-19 REGARDING USE OF CITY VEHICLES BY
CITY EMPLOYEES.

WHEREAS, the City Manager has identified a need for a council policy that sets out conditions for use of City vehicles used by City personnel on a 24-hour basis and provides for insurance coverage available to all passengers in such a vehicle in the event of an accident involving injuries; and

WHEREAS, there are presently approximately 370 City vehicles used by City personnel on a 24-hour basis; and

WHEREAS, the proposed council policy will also provide guidelines and responsibilities for all City personnel in their use of City vehicles; NOW, THEREFORE,

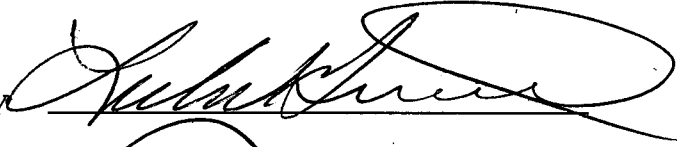
BE IT RESOLVED, by the Council of The City of San Diego, that Council Policy No. 200-19, entitled "Use of City Vehicles by City Employees," as set forth in the council policy filed in the office of the City Clerk as Document No. RR- 286243, be and it is hereby adopted for the purpose of providing guidelines for the use of City vehicles assigned on a 24-hour basis, and for the provision of insurance coverage for the use of those vehicles.

BE IT FURTHER RESOLVED, that the City Clerk be, and he is hereby instructed to insert the aforesaid council policy in the Council Policy Manual.

BE IT FURTHER RESOLVED, that the City Manager be, and he is hereby authorized to expend an amount not to exceed twenty-five thousand dollars (\$25,000) for the purchase of medical coverage insurance for all passengers of City vehicles assigned on a 24-hour basis.

APPROVED: JOHN W. WITT, City Attorney

By



Deputy City Attorney

LJG:lc
06/13/95
Or.Dept:Risk.Mgmt.
R-95-1873
Form=r.estcp

PROPOSED COUNCIL POLICY

Purpose

It has been determined that the City benefits from having certain employees respond to emergencies in a City vehicle on a twenty-four (24) hour basis and that the employees be required to respond to emergencies during off-duty hours as a condition of employment.

The purpose of this policy is to provide guidelines for the City Manager and the independent department heads concerning the use of City-assigned vehicles by employees during off-duty hours and to outline the City-provided insurance benefits for these employees and their passengers under such conditions.

Conditions of Use

Vehicles assigned to City employees on a twenty-four (24) hour basis shall be operated only by City employees. Operation of the vehicles is intended to be limited to City business; however, it is recognized that there is a necessity for incidental private use of the vehicle and that persons other than City employees may be passengers. Except under extraordinary circumstances when necessary to protect life or property, passengers during emergency responses shall be limited to those individuals performing official City business.

The City Manager or independent department head shall ensure that a determination has been made for the necessity for the twenty-four (24) hour use of a vehicle. A list of employees who are authorized to use City vehicles on a twenty-four (24) hour basis and the justification for such use shall be maintained by the City Manager or the department head.

The assignment of a vehicle to an employee on a twenty-four (24) hour basis will be reviewed annually to determine the propriety and priority of the vehicle usage.

General Responsibilities

1. The City Manager and independent department heads shall ensure that the above guidelines are enforced in an equitable and prudent manner.
2. The City Manager and independent department heads shall ensure that any City employee assigned to vehicles on twenty-four (24) hour basis possesses a valid California driver's license.

Driver's Responsibilities

1. Possess a valid California driver's license.

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OFFICE OF THE CITY CLERK
SAN DIEGO, CALIFORNIA

2. Report any change in driver's license status to the department head.
3. In the event of the use of City vehicle for purposes other than on City business, the City employee will limit the use of the auto to the proximity of the County of San Diego.
4. Obey all traffic laws in the operation of the assigned vehicles.
5. Employees authorized to use a city vehicle are prohibited from using that vehicle at any time when their driving ability has been impaired through the ingestion of drugs, medication or alcoholic beverages.

Insurance

1. The City will provide medical insurance coverage for all passengers of the City vehicle whether or not the City employee is operating the vehicle in the course and scope of employment.
2. The provision of such insurance will not exceed \$250,000 for medical costs incurred by any one person, and \$500,000 for any one occurrence. Normal insurance policy exclusions such as "intentional acts" or "gross negligence" will apply. Workers Compensation coverage provided by the City will be the sole and exclusive remedy for all City employees for injuries sustained in the event of an accident arising out of the vehicle's use in the course and scope of employment.
3. Any additional loss payments to any passenger in a City vehicle involved in an accident will be determined based upon the results of an accident investigation reviewed by the City Attorney for the City's liability exposure and adjusted accordingly. Incidental personal property damage to City employees in the course of their employment shall be reimbursed in accordance with the City's "Personal Property Reimbursement Program" as outlined in the "Administrative Regulation," A.R. 35.70. All other damaged personal property of other passengers will be covered and adjusted under the guidelines set forth in A.R. 35.70 up to an amount not to exceed \$15,000. For the purposes of this Council Policy, Section 1.1 shall include the property of passengers as well as City employees.
4. This Council Policy addresses all City employees using City vehicles on a twenty-four (24) hour basis.
5. This Council policy provides liability coverage for City employees who are not acting within the course and scope of

employment at the time of an accident and are operating the City vehicle within the Council Policy guidelines.

6. The insurance provided by the City is not a substitute for any other insurance that may be purchased by a City employee for a private automobile including Uninsured Motorist/Under Insured Motorist coverage.

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