

**COUNCIL POLICY****CURRENT**

SUBJECT: USE OF CITY VEHICLES BY CITY EMPLOYEES

POLICY NO.: 200-19

EFFECTIVE DATE: August 14, 1995

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.
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.

**HISTORY:**

Adopted by Resolution R-286243 08/14/1995