

# Town of Goffstown Vehicle Operation and Use Policy

## **PURPOSE:**

The purpose of this policy is to set forth the guidelines under which Town vehicles will be authorized to Town personnel and the guidelines under which Town vehicles may be operated and used.

## **APPLIES TO:**

The provisions of this policy apply to all general government employees, who operate and/or use municipal vehicles. Employees whose employment is regulated by collective bargaining agreements are subject only to those provisions not specifically regulated by agreement. As part of a department's standard operating procedures, a Department Head may choose to adopt rules of operation and use that are more stringent (but not less) than this policy outlines.

## **VEHICLE ACCESS:**

It is the policy of the Town that certain positions require employee access to municipal vehicles, either during the work shift or on a 24-hour on-call basis. Town vehicles are not personal vehicles and are not for personal use but the Department Head may grant incidental use. Town vehicles should be viewed as belonging to the citizens of the Town and are assigned solely for the purposes consistent with providing services to those citizens.

## **VEHICLE ASSIGNMENT:**

The assignment of municipal vehicles during work time is based upon job description. Department Heads that have municipal vehicles available for this purpose may assign such vehicles in a manner consistent with department workload and employee responsibility.

Assignment of vehicles for a 24-hour use will be considered for employees who require a vehicle for the ordinary and necessary discharge of their job functions. The vehicle should be driven over the most direct route taking into account road and traffic conditions. Criteria that may be used in the determination of eligibility for 24-hour vehicle use include

- Officially designated on-call status;
- Requirement for frequent emergency availability;
- Issuance of a pager or other communication device;
- Emergency or other equipment contained in the vehicle; and/or
- No Town facility is available for garaging in a safe and convenient location.

There is a limit of four 24-hour use vehicles per department. Upon the request of a Department Head, the Board of Selectmen may extend the number vehicles on a case by case basis. *(added 11/17/08)*

**Employees who are assigned municipal vehicles on a 24-hour basis will be given a copy of this policy and will be required to sign a confirmation receipt.**

### **TAXABLE FRINGE BENEFIT:**

Employees authorized to use a 24-hour Town vehicle may be subject to imputed income tax regulations as set forth by the Internal Revenue Service, which considers a certain portion of the vehicle use (namely the commute) to be income for the purposes of income taxation. The Town will use the IRS Publication 15-B, Employers Tax Guide to Fringe Benefits, Section 3, Commuting Rule in determining any tax liability and automatically update changes to the rate made by the IRS. The rule establishes a \$1.50 per one-way commute value as the non-cash taxable fringe value. This value will be includable in the employee's gross income reported on their W2 at FYE and is subject to all federal withholding taxes. Employees who are assigned marked police and fire vehicles, unmarked police vehicles or specialized vehicles carrying tools and meeting certain other eligibility criteria established by the IRS will not be subject to the commuting valuation rule.

### **VEHICLE USE AND OPERATION:**

1. Municipal vehicles must have the Town seal or department insignia patches affixed on the drivers and passenger side doors (except for unmarked Police vehicles), and may only be used for legitimate municipal business.
2. Municipal vehicles will not be used to transport passengers who are not directly or indirectly related to municipal business. Passengers should be limited to Town employees and individuals who are directly associated with municipal work activity (committee members, consultants, contractors, municipal employees from other communities, or by others that have been granted special permission of the department head, etc.).
3. Vehicles should contain only those items for which the vehicle is designed. The Town shall not be liable for the loss or damage of any personal property transported in the vehicle.
4. Employees are expected to keep municipal vehicles clean, and to report any malfunction or damage to their supervisor immediately.
5. Employees are not allowed to transport animals in municipal vehicles unless they are service animals or transport is a job related function.
6. Employees are not allowed to smoke in municipal vehicles. *(rev. 2/25/13)*
7. Employees and other vehicle passengers must wear seatbelts in Town vehicles so equipped during operation of the vehicle (except for Police who must respond to an incident where the use of a seat belt may present an unsafe situation for the vehicle operator and/or occupant).
8. Employees are not allowed to use cell phones or any electronic devices while driving or stopped in traffic. However, Police and Fire are allowed to use hands-free cell phones or electronic devices for official town business. *(rev. 9/29/2014; 3/23/15)*
9. Employees shall not operate municipal vehicles under the influence of alcohol, illegal drugs, or prescription drugs or medication that may interfere with effective and safe operation of the vehicle.
10. Employees who operate municipal vehicles must have a valid motor vehicle license issued by the state of their current residence and may be required to provide proof of valid motor vehicle license once every six (6) months.
11. Employees driving municipal vehicles shall obey all applicable traffic and parking regulations, ordinances, and laws.

- a) Employees who incur parking or other fines in municipal vehicles will generally be personally responsible for payment of such fines unless the Department Head approves the payment of such fines by the Town.
- b) Employees who are issued citations for any offense while using a municipal vehicle must notify their supervisor immediately when practicable, but in no case later than 24 hours. Failure to provide such notice may be grounds for disciplinary action.
- c) An employee who is assigned a municipal vehicle and who is arrested for or charged with a motor vehicle offense for which the punishment includes suspension or revocation of the motor vehicle license, whether in his or her personal vehicle or in a municipal vehicle, must notify his or her supervisor no later than the beginning of their next work shift. Conviction for such an offense may be grounds for loss of municipal vehicle privileges and/or further disciplinary action.
- d) An employee who is involved in any motor vehicle accident involving a municipal vehicle shall contact their supervisor immediately who will contact the Police.

12. No employee may use a municipal vehicle for out of state use without advance approval of the Department Head.

Failure to comply with any and all provisions of this policy may result in disciplinary action up to and including removal of Town vehicle privileges, suspension, and/or termination of Town services.

*Adopted by the Board of Selectmen on 7/30/07; revised 11/17/08; 2/25/13; 8/29/14*

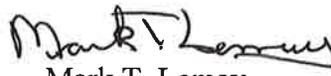
**Board of Selectmen**

Peter Georgantas, Chairman

  
 Collis G. Adams

  
 Nicholas Campasano, Vice Chairman

John Allen Brown

  
 Mark T. Lemay

Date: 3/23/15

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**CONFIRMATION RECEIPT:**

I \_\_\_\_\_ have received a copy of the Town of Goffstown,  
 (print name here)

Vehicle Operation and Use Policy, adopted by the Board of Selectmen on 7/30/07,  
 revised on 11/17/08, 2/25/13, 8/29/14, 3/23/15

\_\_\_\_\_  
 (sign name here)

\_\_\_\_\_  
 (date signed)