



Vicksburg Mississippi

Vehicle Usage Policy

I. Policy

The City of Vicksburg shall maintain a fleet of vehicles to ensure official City business is conducted efficiently. All city owned personal property shall be used solely for official city business. Only authorized City employees with current and valid driver's licenses, who are acting in the course of their employment and in connection with the City's business, may operate City vehicles and/or equipment. All city vehicles and/or equipment shall be operated in a safe and courteous manner and abide by the rules of the road and state and federal law.

Certain vehicles may be assigned to individual employees for their exclusive use in the performance of official duties, as determined by the Department Head or other designee. Other vehicles shall remain part of the general fleet and may be utilized by any authorized employee whose duties require the use of a City vehicle, provided that prior approval is obtained from the Department Head, Mayor, or Aldermen. While operating or occupying City vehicles, employees are **strictly prohibited** from engaging in the following conduct:

- A. Smoking, vaping, or using or chewing any tobacco or nicotine products in the vehicle.
- B. Operating a vehicle while under the influence of alcohol, controlled substances, or any prescription or over the counter medication that may impair one's ability to drive safely or otherwise impaired due to fatigue or any condition that may affect safe operation.
- C. Using, possessing, or being under the influence of marijuana, THC, CBD, hemp, or any cannabis product, or any controlled substance while operating or occupying a City vehicle is strictly prohibited, regardless of whether such substance was acquired legally under state law.
- D. Parking in any location that may cause embarrassment to the City or reflect negatively upon its image.

- E. Engaging in any conduct that increases the City’s potential liability, including but not limited to, transporting non-city employees, family members, friends, or other unauthorized passengers.
- F. Possessing alcoholic beverages opened or unopened in city vehicles. No alcoholic beverages are allowed in city vehicles whatsoever.
- G. Playing loud music and/or music with offensive content or that creates a safety risk.
- H. Eating while operating the vehicle.
- I. Using vehicles for personal errands or activities not related to official city business without permission.
- J. Modifying the vehicle in any way without authorization.
- K. Texting or emailing from a cellular phone or other electronic device or posting on social media websites while operating the vehicle.

II. Scope

This policy applies to all employees, contractors, and authorized drivers who operate vehicles owned, leased, or rented by the City of Vicksburg. This policy does not apply to the use of city vehicles by the Board of Mayor and Aldermen.

III. Definitions

- A. *City Owned Personal Property*: For the purposes of this policy, city owned personal property consists of city vehicles and powered mobile equipment.
- B. *City Vehicle*: Any motor vehicle owned, leased, rented, or otherwise provided by the City of Vicksburg.
- C. *Authorized Driver*: An employee added to the Employee Driving List who meets licensing and training requirements and has been approved by his or her Department Head, Human Resources Director, and Board of Mayor and Alderman to operate a city vehicle.
- D. *Authorized Passengers*: Individuals being transported for official City purposes. This includes but is not limited to:
 - i. City employees conducting official City business;
 - ii. Persons in custody of a law enforcement officer;
 - iii. City prisoners;
 - iv. Persons being transported by ambulance personnel;
 - v. Representatives of vendors of the City;
 - vi. Stranded motorists or members of the public being assisted in the course of duty;

- vii. Domestic violence workers and victims;
- viii. Any persons necessary for the fulfillment or performance of official duties,
- ix. Persons authorized to ride in emergency and other public safety vehicles pursuant to authority granted by the Mayor and Aldermen; and
- x. Participants in city programs which require transportation and visiting dignitaries of the City.

Family members and friends **are not** authorized passengers and are strictly forbidden from being in city vehicles.

E. *Designee*: Department Head, Division Head, Mayor, and Aldermen.

IV. Procedures

A. Authorized Use of Vehicles

City vehicles are supplied strictly for the use of employees while on official city business as required by job duties. Unless otherwise authorized by the Board of Mayor and Alderman, use of any city vehicle for personal convenience in conjunction with official business or as a means of transportation between the employee's residence and place of employment, with or without expense to the City, is prohibited.

No city vehicle shall be taken outside of the Warren County limits without authorization of the Board of Mayor and Aldermen except

1. For official city business, including but not limited to conferences, training, or other work-related travel; or
2. With prior authorization of the Board of Mayor and Aldermen.

However, vehicles assigned to the City of Vicksburg Police Department and the City of Vicksburg Fire Department may be operated outside of Warren County when necessary for official City business, including but not limited to emergency response, prisoner transport, investigations, traveling between the employee's residence and place of employment, or training. Such use shall be subject to the approval and discretion of the Chief of Police or the Fire Chief and/or Board of Mayor and Aldermen.

Transportation of unauthorized persons in or on a city vehicle is strictly prohibited.

B. Unauthorized Use

City vehicles shall be used solely for official City business and in furtherance of the public duties of the City of Vicksburg. Mississippi law strictly prohibits the use of city vehicles for personal use. Personal use such as running personal errands, going to the gym, shopping, banking, or taking care of other personal business is strictly prohibited, whether on or off duty. Because of the nature of their job, firefighters may utilize the fire truck to

purchase or obtain food and supplies for the fire station while remaining available for emergency responses. For the purposes of this policy, personal use shall not be defined as using city vehicles while on duty for purposes of taking lunch breaks, restroom stops, or gas stops. Any employee who violates this subsection shall be terminated and shall be punished in accordance with Mississippi Law which may include civil and/or criminal prosecution.

Only authorized passengers are allowed in City vehicles. Family members, friends, etc., are not authorized to be in City vehicles whatsoever.

C. Driving Record

All prospective employees for a position that requires the operation of a city vehicle will have their driving record checked prior to hire.

Prior to authorizing any employee to operate a city vehicle, the employee's driving record shall be checked by the Safety Director or a designated Human Resources Department employee to verify that the employee possesses a valid driver's license and satisfactory driving history. At no time shall an employee operate a City vehicle with a revoked, suspended, or restricted driver's license. Employees must immediately report any changes to his or her driver's privileges such as revocation, suspension or restriction to his or her supervisor or Department Head.

The driving record of all employees authorized to operate city vehicles will be checked on a random basis by the Safety Director and other designated employees in the Human Resources Department with the assistance of the Vicksburg Police Department. Any violations, suspensions, or adverse findings identified through this process shall result in suspension of authorization to operate city vehicles and may be further addressed in accordance with Section V. Penalties for Violations of the Vehicle Usage Policy.

The City Clerk shall maintain a list of all authorized drivers in the City Clerk's office.

D. Commercial Driver's License Requirement

All operators of city vehicles shall have a valid driver's license that is appropriate for the class of vehicle they operate. No employee shall be assigned to drive a city vehicle that requires a commercial driver's license ("CDL") unless the employee has a valid CDL. It shall be the responsibility of the Department Head and Human Resources Department to check licenses with the assistance of the Vicksburg Police Department, as necessary, to ensure that all operators of city vehicles are properly licensed. Police officers are authorized to routinely stop and check for the validity of the licenses of employees operating city vehicles.

E. Assignment of City Vehicles

- a. The Board of Mayor and Aldermen, after considering written recommendations from the Department Heads, has the authority to assign vehicles to individual employees and to departments based on job description and justification.
- b. Department Heads are responsible for designating employees authorized to operate city vehicles which have been assigned to their respective departments. Current driver's license information will be provided to the Safety Director. The employee shall not operate a city vehicle until clearance is granted by the Safety Director, and the employee has been approved to be on the driving list.
- c. No city vehicle shall be used for personal transportation to or from work by any employee unless the Board of Mayor and Aldermen determines that such use is in the best interest of the public. No city vehicle shall be permitted to be taken to an employee's residence or outside of Warren County except:
 1. The employee is required to respond to emergencies or remains on call on a twenty-four (24) hour basis and said vehicle is needed to respond to any calls; and
 2. The use of the City vehicle is determined to be a public necessity; and
 3. It is approved in an official meeting recorded in the minutes of the City of Vicksburg.
- d. Vehicles used for commuting to and from an employee's residence are considered a taxable fringe benefit unless excluded by federal law. Officials and employees who are authorized to take a city vehicle home on a routine basis are responsible for all applicable federal and state taxes. Employees are advised to consult with a tax professional for more information about the taxable fringe benefit. This subsection does not apply to police and emergency response vehicles.

F. Transporting City Employees to Work

Employees are solely responsible for providing their own transportation to and from the workplace, regardless of whether the work occurs during regular business hours, after hours, or while on call. Employment with the City of Vicksburg requires each employee to maintain reliable transportation.

G. Observance of Traffic Laws/Regulations

All authorized drivers are expected to observe all applicable state and federal traffic laws and regulations. Drivers are required to exercise the highest degree of care while operating any city vehicle.

It is the policy of the City of Vicksburg that employees who drive city vehicles shall not text, email, or otherwise use a mobile device while operating a city vehicle.

The City strictly prohibits speeding, running stop signs or red lights, careless driving, reckless driving, or any other traffic violations whether or not lights are activated on work vehicles. Employees operating authorized emergency vehicles shall be exempt from this provision only to the extent permitted under Mississippi law and any other applicable City policies and must at all times operate such vehicles with due regard for all persons using the roadway in accordance with Miss. Code Ann. § 63-3-809(7).

This policy is established as a safety measure to protect the interest of the public, employees, and the City itself. Violations of this policy shall result in disciplinary action up to and including termination, in accordance with Section V: Penalties for Violations of the Vehicle Usage Policy.

H. Reporting of Accidents/Losses/Thefts/Damages

The Operator of any city vehicle involved in an accident or the employee who discovers damage to a city vehicle regardless of who is at fault or how minor the damage, must report the accident immediately, or damage, as soon as discovered, to the Police Department and the Safety Director and request that an accident report be completed.

The Police Department shall send copies of the completed accident report to the Safety Director, Human Resources and Purchasing Departments. Failure to comply will result in penalties in accordance with Section V. See also Employee Safety Program.

Any loss, theft, or damage of City equipment or vehicles must be immediately reported to the employee's supervisor and to the appropriate law enforcement agencies. Such loss, theft or damage must also be immediately reported by the employee's supervisor to the Safety Director.

I. Post Accident Testing

Please see the City of Vicksburg Drug and Alcohol Testing Program.

J. GPS Tracking

The purpose of the Global Positioning System (GPS) tracking system of city vehicles is to improve safety, employee efficiency, and maximize savings. The City reserves the right to install GPS vehicle tracking systems in any and all of its vehicles or other powered equipment. The system will allow supervisors to confirm or deny allegations of misconduct, abuse, traffic violations, and/or auto damage claims.

1. Application to Drive

- a. All employees authorized to operate a city vehicle will complete an application to drive wherein they acknowledge that the vehicle that they operate may be equipped with a GPS tracking device.
- b. The application will explain that the vehicle will be monitored for geographic location, speed, hours of operation, driving habits, and other related data relevant to the vehicle's utilization.

2. Reports

- a. The tracking system will automatically generate reports and/or emails of any vehicle that excessively speeds or has unusual amounts of idle time. The Department Heads will be responsible for reviewing the reports and ensuring proper administration of this policy within their department. Safety Scorecards will automatically be provided to the Board of Mayor and Aldermen and the Safety Director.
- b. Complaints concerning misconduct, abuse or traffic violations will be reported to the Department Head and the Human Resource Director. Department heads will review, investigate, if necessary, consult with the Director of Human Resources, and determine the action warranted.

K. Fuel

Fuel for all city vehicles shall be obtained exclusively from designated city fueling facilities whenever the vehicle is within the City of Vicksburg.

When a city vehicle must be fueled outside the City of Vicksburg, employees shall obtain fuel at the lowest reasonable price and keep appropriate receipts and records, including vehicle number, mileage on the odometer, number of gallons purchased, and total cost. Such non-city fueling facility purchases shall be reported to the city garage so that the operating past records of each city vehicle shall be updated. Penalties up to and including the filing of criminal charges, restitution and termination may result from the falsification of records regarding fuel usage, illegal use of the city's gas credit card or the illegal reimbursement sought by an employee for the use of his or her personal credit card.

L. Care and Maintenance of Vehicles

It is the responsibility of the employee to whom a vehicle or powered equipment is normally assigned to follow the preventative maintenance schedule established by the city garage. The employee will be responsible for ensuring that the vehicle is properly maintained in good working order and is clean at all times. Requests for repairs that exceed routine maintenance will be directed to the employee's Department Head or designee. These repairs will include such items as new tires, batteries, etc.

The employee to whom the vehicle is assigned may be held financially responsible for any damage which is the result of carelessness or neglect as determined by the Executive Safety Committee and the Board of Mayor and Aldermen.

M. Storage of City Vehicles

All city vehicles shall be stored in the designated storage location for each department, except when the vehicle is in use for official City business or undergoing maintenance or repair.

V. Penalties for Violations of the Vehicle Usage Policy

Violations of this Vehicle Usage Policy will be subject to disciplinary action, up to and including termination of employment. Disciplinary measures shall be applied as follows:

<i>First Offense:</i>	Three (3) day suspension without pay
<i>Second Offense:</i>	Fourteen (14) day suspension without pay
<i>Third Offense:</i>	Automatic termination

The City of Vicksburg reserves the right to impose harsher penalties, including immediate termination when the nature or severity of the violation warrants such action. If any offense is deemed to be severe, the employee may be terminated regardless of whether it is a first offense or not.

Examples of serious violations include:

- i. Unlawful or unauthorized use of a City fuel card;
- ii. Tampering with, disabling, or attempting to disable GPS tracking equipment;
- iii. Operation of a City vehicle under the influence of alcohol or drugs
- iv. Use of a City vehicle for personal use
- v. Operation of a City vehicle with a suspended, revoked, or expired driver's license.

Employees who receive a traffic citation while operating a City vehicle shall be suspended for a minimum of three (3) days and shall be personally responsible for the payment of all fines and court costs through the City of Vicksburg Municipal Court or Warren County Justice Court.

Violations that constitute criminal conduct or misuse of public property may be referred for civil and/or criminal prosecution under Mississippi law.