

WEBB COUNTY VEHICLE USE POLICY

MAY 11 2000



Henry Flores, County Clerk
By SAE Deputy

1. Definitions

- 1.01 As used herein, "County-owned vehicle" shall mean any motor-driven vehicle which:
- Either has or should have its title registered in the name of Webb County or which is insured by Webb County; and
 - Is designed primarily to transport people, rather than to transport cargo or to perform some mechanical function, such as excavation or road grading.
- Pick-up trucks and cargo vans shall be presumed to be designed primarily to transport people.
- 1.02 "Duty location" shall mean the place or places at which an employee must normally or usually attend at the beginning of any normal period of duty.
- 1.03 "Department Head" shall mean any constitutionally or statutorily created office which is filled by appointment by action of more than one elected official acting together, or any other person appointed by the Webb County Commissioners Court to administer a County Department. Examples of "Department Heads" include the County Auditor, the County Purchasing Agent, the Chief Juvenile Probation Officer, the Public Defender, the Road and Bridge Superintendent, the Director of the Community Action Agency, the Director of the Central Welfare Agency, the County Engineer, the Facilities Director, the Veterans Services Director, the County Law Librarian, and such others as may be appointed.
- 1.04 "Official" shall mean any Webb County Elected Official and/or Department Head and/or the County Judge's Executive Administrator.
- 1.05 "Off-duty" shall mean any time when an employee of Webb County is not performing his or her duties as an employee of Webb County.

2. Valid Drivers License Required

- 2.01 No County Official, employee, or volunteer shall be permitted or authorized to operate either a County-owned motor vehicle under any circumstances or a privately-owned vehicle for County-related matters unless that person holds a

valid drivers license for the class of vehicle he or she is to operate. If, at any time, the driver loses his or her license due to suspension, revocation, expiration, or non-renewal, the driver shall notify his or her respective Department Head and/or Elected Official and shall immediately discontinue use of County-owned vehicles and privately-owned vehicles for County-related matters until the drivers license is reinstated and the other provisions of this Policy are satisfied.

3. Only Employees and Authorized Volunteers May Drive County-Owned Vehicles

- 3.01 Only County Officials, employees, and volunteers (including commissioned reserve law enforcement officers) authorized by a County Official may be allowed to drive County-owned vehicles. No other persons shall be allowed to operate County-owned vehicles.
- 3.02 Before an Elected Official, Department Head, employee, or authorized volunteer is permitted to operate a County-owned vehicle, he or she must authorize the release to Webb County of driving history and criminal history records. No driver will be authorized to operate a County-owned vehicle if his or her record indicates it would be unsafe to do so or that he or she may present a risk of harm to the public.

4. Drivers Must Comply with Applicable Laws

- 4.01 All drivers of County-owned vehicles shall comply with all applicable State and local laws. It is the responsibility of the Official/employee/volunteer to pay any fines imposed for not complying with such laws. If an accident results from non-compliance, the driver may be held liable for any damages.
- 4.02 Any driver involved in an at-fault accident while driving a County-owned vehicle shall be required to attend a defensive driving class within sixty (60) days from the date of the accident. A copy of verification of completion of the course must be provided to the individual's Department Head or Elected Official and to the Risk Management Department. The cost of the class will be the responsibility of the driver involved in the accident.
- 4.03 In the event of an at-fault accident involving a County-owned vehicle being used by a County Official/employee/volunteer for personal reasons, the Official/employee/volunteer may be held personally liable for all damages and/or injuries sustained by any party to the accident.

5. Use of County-Owned Vehicles by Employees and Volunteers

- 5.01 Permissible Uses of Vehicles: County-owned vehicles may be used only for official County business and/or work-related duties, possibly including the commute to and from work as permitted elsewhere in this Policy. They may not be used for any other purpose except in an extreme emergency or for trips completely incidental to County employment. Examples of prohibited uses include, but are not limited to, the transportation of family members or acquaintances on matters that do not involve County business. At no time shall a County-owned vehicle be used for personal gain, personal business, or to drive to a place of secondary employment not related to County business.
- 5.02 Authorization to Use a Vehicle while Off-Duty: An Official may authorize an employee to drive a County-owned vehicle while off-duty in accordance with paragraph 5.01, above, **if and only if**:
- a. The vehicle has been assigned to the department overseen by that Official, **and**

 Either (b) or (c) as follows:
 - b. The employee's duties are such that
 1. the employee may reasonably be expected to require the use of a County-owned vehicle in order to perform his or her duties at times other than the employee's normal duty hours;

 and
 2. allowing the employee to drive a County-owned vehicle while off-duty will **either**:
 - A. increase Webb County's ability to respond to public safety or law enforcement emergencies, including, but not limited to, use by Webb County law enforcement or water emergency response employees; **or**
 - B. increase the operational efficiency of Webb County;
 - or**
 - c. The employee has no duty location and uses the County-owned vehicle in the performance of his or her duties.

- 5.03 Authorization of Commissioners Court Required for Department Heads: Other than the Sheriff and Constables, no Official may authorize himself or herself to drive a County-owned vehicle while off-duty. However, notwithstanding anything contained herein to the contrary, the Commissioners Court may, in appropriate circumstances in cases of emergency or for convenience, authorize an Official to drive a County-owned vehicle while off-duty.
- 5.04 Use of County-Owned Vehicles for Travel Outside of Webb County: County-owned vehicles may be used for travel outside of Webb County only for purposes reasonably related to County business such as meetings related to County business, educational programs or seminars, and governmental conferences or meetings.
- 5.05 Required Reports: Any Official who authorizes any employee to drive a County-owned vehicle while off-duty shall make the following reports to the Webb County Judge with a copy to the Webb County Risk Manager:
- a. For each employee authorized to drive a County-owned vehicle while off-duty, the following:
 1. the name of the employee,
 2. the employee's job title,
 3. the employee's home address, and
 4. a copy of the employee's drivers license.
 - b. A list of all vehicles which the Official has authorized to be driven by an employee while off-duty, identifying each vehicle by:
 1. make,
 2. model,
 3. year of the vehicle,
 4. the vehicle identification number, and
 5. the license number.
 - c. It shall not be necessary to identify which vehicle or vehicles any particular employee may be authorized to drive.
 - d. The reports required by this section shall be filed initially within thirty (30) days after the adoption of this Policy. Thereafter, they shall be updated as often as needed to reflect the current lists of employees and vehicles but in no event less often than every six (6) months.

- 5.06 "On-Duty" excludes travel to and from Duty Locations: Employees are not on duty or performing their duties as employees of Webb County while traveling to or from their duty locations and their places of residence. Nothing in this Policy shall be construed to mean that an employee is on duty or is performing his or her duties as an employee of Webb County while traveling to or from the employee's duty location and the employee's residence or anywhere other than another duty location.

6. DISCIPLINARY ACTION

- 6.01 Improper use of a County-owned vehicle shall be subject to disciplinary action in accordance with Webb County's Personnel Policies up to, and including, termination of employment where circumstances warrant. By way of example, "improper use of a County-owned vehicle" includes, but is not limited to, the following:
- a. Having three (3) or more moving violations while operating a vehicle on County business over a three-year period.
 - b. Driving a County-owned vehicle while intoxicated or under the influence of an illegal drug.
 - c. Violation of any provision of this Policy.

7. Acquisition, Assignment, Maintenance, and Disposal of County-Owned Vehicles

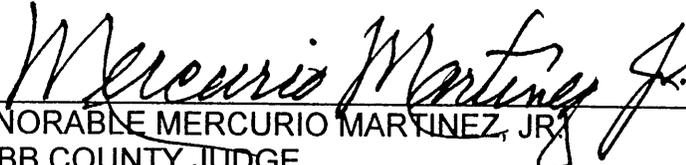
- 7.01 Acquisition and Assignment: The acquisition, assignment, and disposal of County-owned vehicles shall be controlled by Commissioners Court. The Purchasing Department and the Risk Management Department will maintain written inventories of County-owned vehicles for the purposes relevant to those departments.
- 7.02 Maintenance: County-owned vehicles will be maintained and repaired by the Road and Bridge Department. Drivers who detect or suspect a mechanical or other problem with a vehicle they have been operating will immediately notify the Road and Bridge Department of that problem and immediately cease using any vehicle that appears to be in an unsafe condition. The Road and Bridge Department will formulate a schedule of preventative maintenance for every County-owned vehicle and will notify the department to which that vehicle is assigned of the last date by which the maintenance is to be performed. Vehicles may not continue to be operated until the scheduled maintenance is performed.

Departments will not be allowed to obtain fuel for vehicles that have missed their deadline for scheduled maintenance.

- 7.03 Disposal of Vehicles: The sale or donation of any vehicle by any County department to another governmental entity or any other party must first be approved by Commissioners Court.

Date adopted: May 8, 2000

WEBB COUNTY COMMISSIONERS COURT

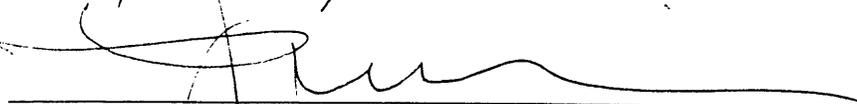

HONORABLE MERCURIO MARTINEZ, JR.
WEBB COUNTY JUDGE


HONORABLE JORGE O. DE LA GARZA
WEBB COUNTY COMMISSIONER, PRECINCT ONE


HONORABLE JUDITH G. GUTIERREZ
WEBB COUNTY COMMISSIONER, PRECINCT TWO

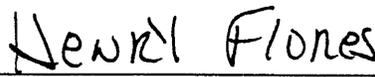


HONORABLE RICARDO "RICK" REYES
WEBB COUNTY COMMISSIONER, PRECINCT THREE



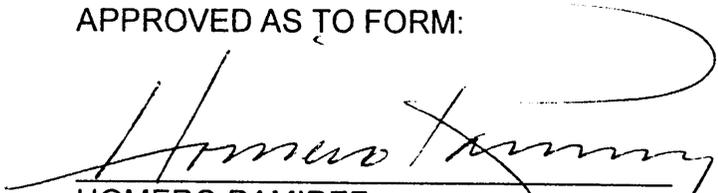
HONORABLE MIGUEL "MIKE" URDIALES
WEBB COUNTY COMMISSIONER, PRECINCT FOUR

ATTEST:

 BY 

HENRY FLORES
WEBB COUNTY CLERK

APPROVED AS TO FORM:



HOMERO RAMIREZ
WEBB COUNTY ATTORNEY