

Macon County Vehicle/Equipment Policy

I. Purpose

This policy establishes uniform vehicle/equipment use practices for all county employees and Departments to ensure safe and efficient use of public property, with the exception of Macon Transit Authority employees. Transit Authority employees shall be subject to the Macon County Transit policy.

II. Overview

Certain employees in various departments may be required to use/operate county vehicles/equipment during work hours. County vehicles/equipment are assigned to one or more employees for their primary use during the workday. At the end of the workday, all county vehicles/equipment are to be parked in their assigned parking area unless specifically exempted by the Department Director.

III. Procedure

Overnight Assignment:

Authorized employees may use county vehicles overnight when the best interest of the public is served by providing county employees with safe, dependable transportation for extensive travel during or after working hours, for after-hours response to emergency requests for service, or for an approved, official purpose as determined by the Department Head. Authorization for use of county vehicles overnight may be granted by the Department Head to specified employees based on the following criteria:

- A. Employees whose regular duties require frequent use of a county vehicle overnight and whose responsibilities involve emergency response, after-hours response, evening and weekend duties, public meetings, or other business activities.
- B. Employees assigned to stand-by duty who are subject to call or who respond to service requests.
- C. Employees on temporary overnight assignment by his/her Department Director for emergencies or an approved, official purpose.
- D. Employees expected to respond when called after hours unless specifically excused due to authorized leave.

IV. Usage

- A. County vehicles/equipment shall be used for official county business only.

- B. County vehicles shall not be used for the convenience of the employee with regard to transportation needs or other non-business activities, other than commuting or de Minimis personal use (such as a stop for a personal errand between a business delivery and the employee's home).
- C. Alcoholic beverages are not permitted in county vehicles/equipment at any time; however, law enforcement personnel may transport lawfully confiscated alcoholic beverages.
- D. The use of tobacco, in any form, and the use of vape devices or electronic cigarettes is prohibited in county-owned vehicles/equipment.
- E. Hands-free operation of cell phones and other mobile devices (i.e. navigation devices) is required while operating county-owned vehicles/equipment. Operation of a cell phone or other mobile device to send or read text messages, emails, or typing multiple letters or text in the device while driving is illegal in North Carolina (NCGS 20-137.4A) except by law enforcement officers, firefighters, or ambulance drivers while performing their official duties.
- F. Each Department Director shall maintain a list of county vehicles/equipment assigned for overnight use, and provide the Garage Supervisor and County Manager with that list upon request. This list must include the driver's name and driver's license number.
- G. County vehicles shall not be driven to an out-of-county residence if used by an employee for commuting to and from work unless specifically authorized by the Director of Human Resources
- H. The Department Director of each department shall report to the Garage Supervisor the mileage of each county vehicle annually or upon request. The Department Director shall immediately notify the Garage Supervisor and County Manager of any driver changes to assigned vehicles. Failure to report mileage and driver changes may result in the revocation of an assigned vehicle.

V. Driver's Responsibilities

- A. Employees shall operate county vehicles/equipment in a safe and courteous manner.
- B. Employees shall not exceed the speed limit unless in pursuit or emergency. Seat belts shall be worn by the driver and all passengers at all times during the operation of county vehicles/equipment unless providing emergency care to a passenger (such as in an ambulance).

- C. Non-county employees are not allowed to operate or ride in a county-owned vehicle/equipment without prior approval from the Human Resources Director. Non-county employees may accompany County employees in County cars when they have a business interest in the travel and if they are covered by workmen's compensation by their employer with approval of the Human Resources Director. Due to insurance limitations and regulations no other passengers are permitted unless operating in an official capacity. Note: Student interns are permitted as a passenger, and the Sheriff's Department, Emergency Medical Services Department, Emergency Management Department, and Department of Social Services are exempt from this when providing emergency assistance to citizens.
- D. Employees driving county vehicles/equipment are required to have a current driver's license as required by North Carolina General Statutes, regardless of whether the employee drives the county vehicle/equipment on a regular, temporary or occasional basis.
- E. Violations, citations, fines, and other actions taken by any police jurisdiction against any employee while driving a county vehicle/equipment shall be the responsibility of the employee and may be cause for disciplinary action by the county.
- F. Employees shall notify his/her department director of any points incurred on their driver's license for situations including, but not limited to, accidents, speeding tickets, driving under the influence, and driver's license suspensions or revocations. Department Director shall forward the information to the County Manager.
- G. Employees shall not drive county-owned vehicles/equipment if they are using alcoholic beverages or prescription and/or non-prescription drugs which may impair driving ability.
- H. An employee must report to the designated testing site for alcohol and drug testing immediately following an accident or be subject to termination. The primary and preferred testing site is Macon County Public Health located at 1830 Lakeside Drive, Franklin, NC (828-349-2081). The secondary testing site is Smoky Mountain Urgent Care located at 195 Franklin Plaza, Franklin, NC (828-634-7745). After hours or when neither the primary nor secondary testing sites are available, the employee shall report to the Emergency Department at Angel Medical Center located at One Center Court, Franklin, NC (828-524-8411).
- I. Employees assigned county-owned vehicles shall take proper care of the interior and exterior appearance and servicing of county-owned vehicles at the scheduled times and/or every 5,000 miles. Failure to do so may result in

disciplinary action. Upholding the maintenance requirement is the responsibility of the Department Director.

- J. The vehicle/equipment operator is responsible for routinely checking for proper oil level, water and antifreeze levels, wear on belts and adequate inflation of tire consistent with specifications in the vehicle/equipment manual. The Garage Supervisor will provide training as needed.
- K. When any County vehicle/equipment is involved in an accident or otherwise damaged, particulars of the employee and the details of the accident and damages shall be reported to the supervisor or Department Head. The department/ agency director will forward the completed Vehicle Accident Report along with the police report to insuranceclaims@maconnnc.org. If the employee is injured, the Department Head will also need to follow up with worker's comp reporting procedures (see Workers Comp Manual). The Department Head or designee will notify the County Garage of the accident and make arrangements for the repairs.

VI. County Responsibilities

- 1. Driving records shall be evaluated by the Department of Human Resources before assignment of a county-owned vehicle/equipment or no less than annually based on the North Carolina Division of Motor Vehicles standards. Throughout the year, the County may randomly select employees to check their driving records. An employee who has motor vehicle violation (s) resulting in accumulation of six (6) or more points during a three-year period shall not be permitted to drive a county-owned vehicle/equipment until the points have been reduced or removed from their driver's history.

Prior to offering employment to a prospective employee, the Department of Human Resources shall:

- A. Confirm the prospective employee holds a valid driver's license for any position that requires operation of a motor vehicle/equipment.
- B. Obtain a driver's history (MVR) from the North Carolina Division of Motor Vehicles simultaneously with the pre-employment background check. MVRs will be obtained annually thereafter for all employees authorized to drive. Management will determine the acceptability of a driver's MVR.
- C. Confirm that a prospective employee holds a valid Commercial Driver's License for any positions requiring a CDL.
- D. Obtain and review the motor vehicle records of at least the last three years of all employees who operate county-owned vehicles/equipment. Periodic driving

histories shall be obtained to confirm or deny a possible license suspension, revocation or conviction(s) for accidents and/or motor vehicle violations. A poor driving history or failure to report a driving citation issued to a County employee may result in termination, demotion, or suspension of County driving privileges.

- E. Call a meeting of the Accident Review Board within 60 days of an accident involving a county-owned vehicle/equipment.

The Department of Human Resources may indiscriminately select employees occupying safety-sensitive positions (drivers, medical care providers, law enforcement officers, heavy equipment operators, etc.) and/or the performance of their job duties require driving on a regular basis who operate county-owned vehicles or heavy equipment to undergo random drug testing. The Macon County Human Resources Department may select employees on a random basis.

Macon County Department Directors shall:

- A. Ensure that employees understand that the employee's personal vehicle insurance is the primary coverage in the event an employee has an accident while performing his/her duties as a Macon County Employee in their personal vehicle. Macon County's insurance policy acts as the secondary coverage once the limits are met under an employee's policy.
- B. Administer this County Policy properly in regard to all county vehicles/equipment in his or her department. The method for financing the fleet will be an annual decision made by the Finance Director and the Garage Supervisor and taken to the Board of County Commissioners for approval. It is the intention that once vehicles/equipment are assigned, they remain with the position based on the justification for the vehicle/equipment. If high mileage is an issue, replacement arrangements will be made in advance of the acquisition.

VII. Violations

Violations of this policy are considered a misuse of county property. Employees misusing or abusing county-owned vehicles/equipment may be subject to appropriate disciplinary action, up to and including dismissal.

VIII. Need-Based Approvals

- A. County Departments must justify the need for a county-owned vehicle based on whether a vehicle will be used a minimum of 12,000 miles per year. The cost benefit of paying an employee mileage for use of the personal vehicle versus use of a county-owned vehicle must be documented before a county-owned vehicle is considered.
- B. Evaluation of the ongoing need for county-owned vehicles/equipment assigned to a department will be made on an annual basis before bidding for new county vehicles/equipment.

- C. The County Board of Commissioners must approve all new vehicle/equipment purchases and requests for a vehicle/equipment from the surplus list when that vehicle/equipment increases the fleet assigned to a department.
- D. Public Safety and special use vehicles/equipment required for a specific job function will be considered based on need, usage, and cost-benefits over the life of the vehicle/equipment versus mileage limitations.
- E. Each Department Director shall send the Garage Supervisor a written request for a vehicle/equipment to be classified as "special use" (a vehicle/equipment used for one purpose such as a wrecker). If the request is granted, the vehicle/equipment shall be coded as "special use" in the vehicle/equipment maintenance program.
- F. The County Manager may, at the request of the Garage Supervisor, remove or recall any county vehicle/equipment from a department for one of the following:
 - 1. The vehicle/equipment does not meet the minimum mileage requirements, excluding "special use" vehicles/equipment.
 - 2. Vehicle/equipment abuse, which includes but is not limited to, inadequate care or maintenance and damage to a vehicle/equipment caused by disregard or improper use.
 - 3. The termination of an employee or position with an assigned vehicle/equipment that will not be replaced within a reasonable time period.
 - 4. A Department Director may submit a written request to the Garage Supervisor to justify retention of a vehicle/equipment removed or recalled because of underutilization.
 - 5. Exemptions must be considered prior to removing or recalling a county-owned vehicle/equipment from a department based on funding guidelines used in purchasing the vehicle/equipment (such as grants, state funding, etc.)
- G. A Department shall turn in the old vehicle/equipment before receiving a replacement vehicle/equipment to prevent unnecessary growth of the fleet. Any exception to this policy requires approval by the County Board of Commissioners.
- H. A Department Director shall complete a vehicle/equipment change form in the Garage Services Department for action needed such as purchase, sale, disposal, or transfer of vehicle/equipment.

IX. Accidents

A. Macon County shall have an accident Review Board, comprised of the following individuals to evaluate all accidents involving a Macon County-owned vehicle/equipment. The purpose of the Vehicle Safety Review Board shall be:

1. To establish a fair and impartial review system for all vehicular accidents involving County employees resulting in injuries and/or property damage. With the primary objective being to improve the overall safety of County operations.
2. To establish the cause for each reviewed accident, and determine whether preventable or non-preventable.
3. To establish uniformity of discipline.
4. To make recommendations for corrective action to Department Directors, County Manager and/or the County Board of Commissioners.

B. The Accident Review Board shall include:

Co-Chairpersons:

Safety Officer

Garage Supervisor

Members:

Sheriff's Department Safety Officer

Human Resources Director

Emergency Services Director

Health Director

Transit Director

Risk Management

Three (3) Regular Non-Exempt Employees

C. The Vehicle Accident Review Board shall be convened by the HR and Safety Director within sixty (60) days of the date of the accident. The Board shall review the investigating officer's report, the employee's statement and other information prior to hearing an oral presentation by the employee.

D. At the time of the hearing, the employee may present supporting material or witnesses to help in his/her defense.

E. The review and consideration of an accident by the Board shall be conducted by the HR and Safety Director and shall include the following elements:

- The past driving record of the employee
- The report of the investigating officer
- Oral presentation by the employee
- Supporting materials or testimony of witnesses

F. If it is clear that the employee is not at fault and could not have prevented the accident, the Board may rule the accident non-preventable and it will not be charged (See Points chart) to the employee.

G. Decision of the Board

Upon reviewing all the details of the accident and meeting with the employee in question, the Accident Review Board shall meet privately to reach a decision. When a majority decision has been reached by the Board, the decision will be communicated to the department/agency head. If the board decides that the driver was at fault or he/she displayed unsatisfactory job performance, it will be the department/agency director's responsibility to see that the decision is carried out according to the Macon County Personnel Policy.

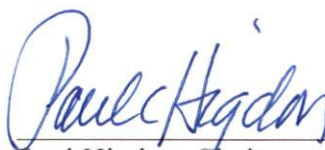
This policy shall be effective July 1, 2023.

Adopted this the 11th day of April, 2023.

Amended this the 10th day of October 2023 to modify Section VI, Item 1A.



Derek Roland, Manager
Macon County



Paul Higdon, Chairman
Macon County Board of Commissioners