

## **TOWN OF ULYSSES POLICY: Vehicle Use – Town Hall Fleet**

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### **PURPOSE AND SCOPE**

The purpose of this policy is to establish guidelines and standards for Town Hall staff vehicle use, including:

- Municipal Vehicle Uses and Assignments
- Personal Vehicle Use for Work-Related Travel
- Vehicle Stipends
- Commuting and Imputed Tax
- Electric Vehicle (EV) Charging Responsibilities
- GPS Unit Requirements
- Vehicle Accident Reporting
- Responsibilities When Driving a Municipal or Personal Vehicle
- Policy Exemptions

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### **APPLICABILITY**

This policy applies to all Town Hall General Government employees who drive municipal vehicles or use personal vehicles for town-related travel. Employees whose employment is regulated by individual agreement or collective bargaining agreements are subject only to those portions of this policy not specifically regulated by law or agreement.

If any provision of this policy violates any governing law or regulation, or if any applicable law or regulation becomes effective after this policy's effective date, this policy shall be deemed changed to comply with such governing law or regulation.

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### **DEFINITIONS**

*Vehicle Stipend* – the amount approved by the Town Board to compensate an employee for regular and routine use of a personal vehicle for work-related travel. Vehicle Stipends are considered a salary item and are subject to taxation.

*Expense Reimbursement* – payment for approved expenses relating to personal vehicle use, upon receipt of written documentation. Expense reimbursement is not considered a salary item.

*Municipal Vehicle* – any automobile, truck, van, electric vehicle, or other self-propelled equipment owned, rented, or leased by the Town of Ulysses and licensed for travel on a public way.

*Personal Vehicle* – a vehicle owned or available for private use by the employee.

*Electric Vehicle (EV)* – a municipal vehicle that is powered fully or partially by electricity and requires charging via a designated charging station or approved charging method.

*GPS Unit* – a vehicle-mounted global positioning system device installed in all Town Hall municipal vehicles for the purposes of fleet management, safety monitoring, and accountability.

*Commuting* – the use of a municipal vehicle for travel between an employee's residence and his or her principal work location. Under IRS regulations, commuting in a municipal vehicle is considered taxable income and will be included in the employee's compensation.

*Highway Superintendent/Commissioner of Public Works* – the Town official responsible for overseeing and managing the Town Hall municipal vehicle fleet, including vehicle assignments, maintenance oversight, GPS compliance, and EV charging administration.

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## **VEHICLE USES**

### **Municipal Vehicles**

It is the policy of the Town of Ulysses that certain Town Hall positions require employee access to municipal vehicles during their work shift. Municipal vehicles are not personal vehicles and are not for personal use. Municipal vehicles belong to the citizens of Ulysses and are assigned solely for purposes consistent with providing municipal services. Employees assigned to a municipal vehicle are required to use it for the performance of their duties unless otherwise stipulated in this policy.

### **Personal Vehicles**

It is the policy of the Town to reimburse employees for reasonable expenses incurred as a result of personal vehicle use on behalf of the Town. Receipts and Expense Reports must be submitted in a timely manner in order for the employee to be reimbursed. Personal vehicles may only be used with the permission of the Town Supervisor or Highway Superintendent/Commissioner of the Department of Public Works.

### **Vehicle Stipend**

If an employee is required to use his or her personal vehicle on a year-round basis and has not been assigned a municipal vehicle, the Town Board may authorize payment of a Vehicle Stipend. Such stipend may be rescinded with 90-day written notice and will not be paid in combination with personal automobile expense reimbursement.

## Registering and Insuring a Vehicle

Whenever a new vehicle is purchased and registered, the Town Clerk's office must be notified and the appropriate paperwork completed immediately to add the vehicle to the Town's insurance policy. The Highway Superintendent/Commissioner of Public Works shall coordinate this process, and designate responsibilities as needed.

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## FLEET MANAGEMENT

The Highway Superintendent/Commissioner of Public Works is responsible for the overall management of the Town Hall municipal vehicle fleet. Responsibilities include, but are not limited to:

- Assigning and tracking municipal vehicles to Town Hall staff;
  - Maintaining vehicle maintenance schedules and records;
  - Ensuring all vehicles are properly insured and registered;
  - Overseeing GPS unit installation, functionality, and compliance;
  - Managing EV charging station access and monitoring charging compliance;
  - Reviewing vehicle accident reports and coordinating follow-up;
  - Recommending vehicle policy updates to Town administration.
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## GPS UNITS

All Town Hall municipal vehicles shall be equipped with GPS tracking units. The following requirements apply to all employees assigned to or operating a Town Hall municipal vehicle:

- **GPS units must remain plugged in and operational at all times.** Employees must not unplug, disable, tamper with, or obstruct any GPS device.
  - If a GPS unit is found to be malfunctioning or has become unplugged, the employee must report it to the Highway Superintendent/Commissioner of Public Works immediately.
  - GPS data may be used for fleet management, route verification, and accountability purposes, and may be reviewed by the Highway Superintendent/Commissioner of Public Works or Town management.
  - Deliberate tampering with or disabling a GPS unit is a serious policy violation and may result in disciplinary action up to and including termination.
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## ELECTRIC VEHICLE (EV) CHARGING

The Town of Ulysses owns an electric vehicle as part of its Town Hall fleet. Employees assigned to or using the EV must adhere to the following charging responsibilities.

## Charging Responsibilities

- The last employee to operate the EV on any given day is responsible for plugging the vehicle into the designated Town charging station at the end of their trip, and/or when it needs to be charged mid-day. The Town has a card that should be used to access the ChargePoint station at Town Hall.
- Employees must use only the Town-designated EV charging station(s) or, during out-of-town travel, an appropriate public charger where necessary.
- Prior to using the EV for any trip, the operator should check the vehicle's charge level to confirm it is adequate for the intended route. If the charge is insufficient, the employee must notify the Highway Superintendent/Commissioner of Public Works before departing.
- Employees must not use personal or unapproved charging stations for the Town EV without prior authorization from the Highway Superintendent/Commissioner of Public Works.
- Any charging-related costs incurred during approved out-of-town travel may be reimbursed upon submission of a receipt, in the same manner as fuel reimbursements.

## EV-Specific Responsibilities

- Employees should report any issues with the charging port, battery performance, or charging equipment to the Highway Superintendent/Commissioner of Public Works and the Town Clerk immediately.
- Charging cables and related equipment are municipal property and must be returned to their designated location after use.
- The EV must not be left charged overnight without prior notice to and authorization from the Highway Superintendent/Commissioner of Public Works, as it takes away the opportunity for the public to utilize it.

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## **ADMINISTRATIVE REQUIREMENTS**

### Reimbursement of Work-Related Travel Expenses

When an employee is authorized to use a personal vehicle for work-related travel, he or she shall be reimbursed for mileage at the IRS standard mileage rate, unless covered by contract or stipend. Employees will be notified by the Town of any changes to the IRS rate.

The mileage rate is intended to cover, but is not limited to, the cost of fuel, repairs, insurance, all operating costs, and general wear and tear on the personal vehicle.

In addition to the mileage rate, the Town will reimburse employees authorized to travel outside of the Town, driving a personal or municipal vehicle within the scope of employment, for tolls and reasonable parking expenses when receipts are provided.

Employees receiving a Vehicle Stipend will not be reimbursed for tolls but may be reimbursed for reasonable parking expenses. Employees will not be reimbursed for tolls paid during their normal commute to work.

### Insurance

Employees authorized to use personal vehicles for work-related travel are required to show proof to the Highway Superintendent/Commissioner of Public Works or their Department Head, on an annual basis, of the following minimum insurance coverage: Bodily Injury of \$250,000/\$500,000 and Property Damage of \$250,000.

Employees will not be reimbursed for commuting between their homes and offices or other regular work locations. To be reimbursed for personal vehicle use, employees must complete a Payment Form provided by the Town and submit it with appropriate supporting documentation and/or receipts in a timely manner.

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## **EMPLOYEE DRIVING RECORDS**

Employees who drive a municipal vehicle or use a personal vehicle for work purposes may be subject to a driving record check through the Registry of Motor Vehicles. A copy of the operator's motor vehicle driving record (MVR) shall be obtained by the Highway Superintendent/Commissioner of Public Works or Town administration on a quarterly or at least annual basis.

If the operator has an out-of-state license, the operator must provide, upon request, a copy of their existing state driving record. Any out-of-pocket expenses in obtaining a copy of the driving record will be reimbursed by the Town upon submission of a receipt.

Driving records determined to be a safety concern may result in the disapproval of an employee's vehicle use in the course of employment, after consultation with appropriate Town management.

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## **ASSIGNMENT OF MUNICIPAL VEHICLES**

Employees are required to have a valid motor vehicle license for the class of vehicle to be operated, issued by the State of New York or their state of current residence, and must show proof of such license to the Highway Superintendent/Commissioner of Public Works prior to being assigned a municipal vehicle.

The assignment of municipal vehicles will be made by the Highway Superintendent/Commissioner of Public Works and will only be considered for employees who require a vehicle for the ordinary and necessary discharge of their job functions. The following criteria will be used in determining eligibility:

- Officially designated on-call status;
- Requirement for frequent emergency availability during non-working hours;
- Issuance of a pager or other communication device; and/or
- Emergency or other specialized equipment contained in the vehicle.

Municipal vehicle assignments may be rescinded in writing for good reason or cause by the Town Supervisor or the Highway Superintendent/Commissioner of Public Works.

#### Imputed Income Taxation

Employees authorized to commute in a municipal vehicle may be subject to imputed income regulations as set forth by the IRS, which considers a certain portion of the vehicle use (namely the commute) to be income for tax purposes. The Town Bookkeeper shall be responsible for determining any tax liability and will be provided with the names of all employees authorized to use municipal vehicles for commuting purposes, and the normal one-way commuting distance, each December 1st.

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## **RULES & RESPONSIBILITIES**

Employees who drive a municipal or personal vehicle are responsible for, but not limited to, the following:

- Municipal vehicles may only be used for legitimate municipal business.
- Operators should exercise sound judgment at all times and should avoid any appearance of misuse of a municipal vehicle.
- The Town prohibits using public equipment or resources for personal use. Misuse of an assigned municipal vehicle is an ethics violation.
- Municipal vehicles will not be used to transport any individual who is not directly or indirectly related to municipal business. Passengers shall be limited to Town employees and individuals directly associated with Town work activity (committee members, consultants, contractors, etc.). Family members shall not ordinarily be transported in municipal vehicles.
- Municipal vehicles shall contain only those items for which the vehicle is assigned.
- The Town shall not be liable for the loss or damage of any personal property transported in a municipal vehicle, or any personal property while using a personal vehicle for work-related travel.
- Employees are expected to keep municipal vehicles clean and to report any malfunction, damage, needed repairs, or other vehicle problems to the Highway Superintendent/Commissioner of Public Works immediately.

- Employees must park municipal vehicles in safe locations and lock the vehicle when not in use. Operators must never leave vehicles unattended with ignition keys in the ignition or anywhere in the vehicle.
  - Unless expressly exempted by law, employees must ensure that they and all passengers in a municipal vehicle wear seat belts at all times.
  - All operators of vehicles requiring a CDL license must be tested for drugs and alcohol as required by US DOT regulations and Town policy.
  - Employees may not operate a municipal or personal vehicle used for work-related travel under the influence of alcohol, illegal drugs, or any controlled substances.
  - Employees are prohibited from possessing open alcoholic containers, illegal drugs, or controlled substances in a municipal vehicle or in a personal vehicle used for work-related travel.
  - Employees must maintain a valid motor vehicle license and must provide it upon request by a supervisor.
  - Employees shall drive defensively and obey all applicable traffic and parking regulations, ordinances, and laws.
  - Employees who incur parking or other fines/citations while operating a municipal vehicle or a personal vehicle on work-related travel will be personally responsible for payment unless approved by the Town Supervisor.
  - Employees who receive citations while operating a municipal vehicle must notify the Highway Superintendent/Commissioner of Public Works immediately, but no later than 24 hours after the citation.
  - No employee may use a municipal vehicle for out-of-state travel without advance approval of the Town Supervisor or Highway Superintendent/Commissioner of Public Works.
  - When utilizing a municipal vehicle, employees are required to obtain fuel from designated Town fueling facilities, unless fueling is required in the course of out-of-town travel.
  - Smoking is not permitted in a municipal vehicle in accordance with M.G.L. c270 s22. Those utilizing a personal vehicle for work-related travel should be considerate of non-smoking passengers.
  - **GPS units installed in all Town Hall municipal vehicles must remain plugged in and operational at all times. Employees must not unplug, disable, or tamper with these devices.**
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## **CELLULAR PHONES AND HANDHELD ELECTRONIC DEVICES**

The use of cellular phones and handheld electronic devices while operating a vehicle is prohibited. This includes receiving or placing calls, texting, internet browsing, reading or sending emails, checking voicemail, and operating any application. In exigent circumstances, employees should pull over if they need to use their cellular phone or handheld electronic devices.

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## **VEHICLE ACCIDENTS**

In the event that an employee's personal vehicle is damaged during an approved work-related trip, and the damage is not due to employee negligence, the Town will reimburse the employee up to a maximum of \$500 or the amount of the deductible, whichever is less, per occurrence. A copy of a police report and evidence of the insurance deductible payment must accompany any reimbursement request.

When an employee using a municipal or personal vehicle on work-related travel is involved in a motor vehicle accident, the operator must:

- Stop the vehicle;
- Obtain name(s), address(es), license number(s), insurance information, registration number(s), and witness information from all parties involved;
- Not admit liability for the accident;
- Take photos or electronic images for the Incident Report;
- Immediately report details to the Highway Superintendent/Commissioner of Public Works;
- Call local or state police when any person has been injured or when vehicles have suffered significant damage;
- Not move the vehicle until authorized by police;
- File a completed Vehicle Accident Report with the Highway Superintendent/Commissioner of Public Works within 48 hours of the accident, who shall file copies with the Town Supervisor's office and in the employee's personnel file.

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## **SPECIAL CIRCUMSTANCES**

This policy provides a basic framework for vehicle use by Town Hall staff and cannot anticipate every situation that may arise. Employees seeking clarification should contact the Highway Superintendent/Commissioner of Public Works. Exemptions from certain provisions of this policy may be authorized by the Town Supervisor under mitigating circumstances, after review by the Highway Superintendent/Commissioner of Public Works, and must be documented and placed in the employee's personnel file.

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## **EXEMPTIONS**

Exemptions to this Vehicle Use Policy are strictly limited. Exemptions that would increase liability to the Town are not allowed. Issues related to insurance coverage, transportation of individuals unrelated to municipal business, and operating a vehicle without a valid motor vehicle license may not be exempted. GPS disabling/tampering and EV charging obligations may not be exempted.

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**DISCIPLINE**

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

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**ATTACHMENT A – EXEMPTION FORM**

Employees seeking an exemption from provisions of the Town's Vehicle Use Policy must submit this form to the Highway Superintendent/Commissioner of Public Works for review, and then to the Town Supervisor who may authorize limited exemptions under documented mitigating circumstances.

Employee Name: \_\_\_\_\_ Title: \_\_\_\_\_

Department: \_\_\_\_\_ Date: // \_\_\_\_\_

List specific policy sections for exemption consideration and indicate why needed:

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Employee Signature: \_\_\_\_\_ Date: // \_\_\_\_\_

Highway Superintendent/Commissioner of Public Works Review: Signature: \_\_\_\_\_  
Approved: YES \_\_\_\_\_ NO \_\_\_\_\_ Initials: \_\_\_\_\_

Town Supervisor Approval: Signature: \_\_\_\_\_  
Approved: YES \_\_\_\_\_ NO \_\_\_\_\_ Initials: \_\_\_\_\_

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**ATTACHMENT B – EMPLOYEE ACKNOWLEDGEMENT**

I, \_\_\_\_\_ (print name), as an employee of the Town of Ulysses, hereby acknowledge that I have received, read, understand, and agree to abide by the Town's Vehicle Use Policy.

If assigned a municipal vehicle and/or receiving a Vehicle Stipend and/or using a personal vehicle for work-related travel, I shall comply with the respective provisions of this policy or those portions not specifically regulated by law or collective bargaining agreement.

I understand that GPS devices installed in all Town Hall municipal vehicles must remain plugged in and operational at all times, and that I am responsible for EV charging as specified in this policy.

I authorize the Highway Superintendent/Commissioner of Public Works to obtain, on an annual basis, a copy of my driving record, which shall be used only for determining my eligibility to drive a municipal vehicle or use my personal vehicle for work-related travel.

Employee Signature: \_\_\_\_\_ Date: // \_\_\_\_\_

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### **ATTACHMENT C – GUIDELINES FOR ACCEPTABLE DRIVERS**

An acceptable rating to drive a Town vehicle or to use a personal vehicle for municipal business shall be Rating 1 or 2, based on the last 3 years of driving experience.

- (1) Superior** – No traffic citations or motor vehicle accidents.
- (2) Good** – No more than 1 moving traffic citation, or 1 motor vehicle accident (not at fault).
- (3) Marginal** – No more than 2 moving traffic citations, or 2 motor vehicle accidents (not at fault), or 1 at-fault motor vehicle accident.
- (4) Probationary** – Anything in excess of Marginal rating. A six-month watch is indicated and MVRs checked at six-month intervals.
- (5) Unacceptable** – Any driver whose MVR shows: three or more at-fault accidents in the last 3 years; one or more Type A violations in the last 3 years; any combination of accidents and Type B violations equaling four or more in the last 2 years; or a suspended/revoked license within the past 3 years.

Type A Violations: driving while intoxicated; driving under the influence of drugs; negligent homicide arising from use of a motor vehicle; operating a motor vehicle during a period of license suspension or revocation; using a motor vehicle for the commission of a felony; aggravated assault with a motor vehicle; operating a motor vehicle without the owner's authorization; permitting an unlicensed person to drive; reckless driving; speeding contest; hit and run driving.

Type B Violations: all moving violations not listed as Type A violations.