



CAMERON COUNTY
VEHICLE USE POLICY

PERSONNEL MANUAL - SECTION 2.07
ASSIGNMENT AND USE OF COUNTY VEHICLES

REVISED DATE April 29, 2003.

APPROVED BY COMMISSIONERS' COURT: April 29, 2003.

EFFECTIVE DATE: April 29, 2003.

REVISIONS APPROVED ON THE FOLLOWING DATES:

SEPTEMBER 16, 2003

AUGUST 2, 2016

CAMERON COUNTY
 ADMINISTRATIVE POLICIES AND PROCEDURES
 TITLE: PERSONNEL MANUAL
 ASSIGNMENT AND USE OF COUNTY VEHICLES

		Page
A.	PURPOSE	3
B.	AUTHORITY	3
C.	SCOPE	3
D.	CONSTRUCTION	3
E.	DEFINITIONS	3
F.	GENERAL POLICY	4
G.	AUTHORIZED OFF-DUTY USE OF COUNTY VEHICLES	4
H.	GENERAL ASSIGNMENT OF COUNTY VEHICLES	5
I.	ASSIGNMENT OF COUNTY VEHICLES: TAKE HOME	5
J.	ADMINISTRATIVE RESPONSIBILITIES: MONITORING	6
K.	USE BY OTHER COUNTY DEPARTMENTS	6
L.	COUNTY VEHICLE USE	6
M.	TRAINING & SAFETY	7
N.	DISCIPLINARY ACTION FOR MISUSE	7
O.	POST-INCIDENT DRUG AND ALCOHOL TESTING PROCEDURES	7
P.	CARE OF VEHICLE	8
Q.	VEHICLE AGREEMENT FORM	8
R.	SEVERABILITY	9



CAMERON COUNTY
ADMINISTRATIVE POLICIES & PROCEDURES.

TITLE: PERSONNEL MANUAL - ASSIGNMENT AND AUTHORIZED USE OF COUNTY VEHICLES.

A. PURPOSE.

To establish a consistent County-wide Policy for the use of County vehicles, as defined herein.

B. AUTHORITY.

The Commissioners Court assigns the responsibility and authority to implement a consistent County-wide Policy for the use of County vehicles to the County's elected and appointed officials or Department Heads consistent with this Policy.

C. SCOPE.

This Policy shall apply to every employee who works in a Department, District, and Office under the direction of the Commissioners Court, and to every employee who works under an elected or appointed official who chooses to adopt this Policy. The term "employee" means only those employees covered by this Policy, as defined herein. The Cameron County Human Resources Department shall inform all employees of this Policy.

D. CONSTRUCTION.

1. The interpretation and implementation of these provisions after the effective date of this Policy shall be interpreted and implemented in conformity with applicable authority including, but not limited to, State and federal statutes.
2. To the extent that State and Federal laws, regulations or contract provisions apply to this Policy's provisions, the requirements of those laws, regulations or provisions shall be followed. To the extent that said laws, regulations, or provisions conflict with this Policy's provisions, the requirements of those conflicting laws, regulations or provisions shall control.
3. The use of masculine pronouns shall be understood to apply to male and female persons.

E. DEFINITIONS.

1. "Appointed official" shall mean any constitutionally or statutorily created Office that is filled by appointment of more than one elected official acting together.
2. "Authorized Person" shall mean a person who is authorized to supervise a County employee in the performance of the employee's duties.
3. "Bodily Injury" shall mean pain, illness or any impairment of physical condition.
4. "County Employee" shall mean a person who is employed by the County. Unless otherwise noted herein, "employee" shall mean a County employee.
5. "County vehicle" shall mean any motor-driven vehicle that is owned, leased, or rented by an Office or Department of Cameron County, Texas.
6. "Emergency" shall mean an unforeseen event that reasonably requires immediate attention for the safety of a person, or the protection of County property.
7. "Off-duty" shall mean any time when an employee is not expected to be on duty, but can be expected to act as if he were if he is directed to do so by an authorized person.

8. "On-duty employment" shall mean any time when an employee is expected to be on duty performing his assigned work and responsibilities.
9. "Use in the conduct of County business" shall mean the use of a County vehicle by an employee in the performance of his on-duty employment.
10. "Vehicle Incident" shall mean a collision involving a County vehicle that results in bodily injury to any person and/or damage to tangible or real property requiring repair to restore the property to its pre-collision condition.
11. "Mobile device" shall mean a hand-held mobile telephone, tablet, MP3 player or other handheld music player, electronic reading device, laptop computer, pager, personal communication device, global position device or navigation system, electronic game device or portable computing device.
12. "Use of mobile device" shall mean the employment of a mobile device in any capacity, including the following:
 - a. Dialing or ending a phone call;
 - b. Speaking into or listening to a mobile device;
 - c. Viewing, taking or sending images on a mobile device;
 - d. Accessing, retrieving, viewing, browsing, sending or receiving electronic mail or text messages;
 - e. Utilizing a global positioning device or navigation system including entering coordinates, addresses or locations or changing coordinates, addresses or locations;
 - f. Utilizing or viewing applications (apps)
 - g. Playing games on mobile device.
13. "Operation of a county vehicle" shall mean that a vehicle is powered on and not engaged in the "Park" position.

F. GENERAL POLICY.

1. These provisions shall govern the use of County vehicles. An employee shall use, or permit the use of, a County vehicle only for the conduct of on-duty employment.
2. Except for unmarked vehicles, all other County vehicles shall prominently display the official emblem of Cameron County, a Department name, and if applicable the County vehicle's number.
3. Except for the Cameron County Parks System and any other department symbol authorized by the Commissioners Court, the County's official emblem shall be the County seal or logo.
4. The County Sheriff, the District Attorney, and Department investigators are authorized to use unmarked vehicles for law enforcement purposes.
5. Any employee who is assigned a County vehicle shall comply with the Cameron County Drug and Alcohol Policy and Procedures.

G. AUTHORIZED OFF-DUTY USE OF COUNTY VEHICLES.

1. An elected or appointed official and department director may authorize an employee to use a County vehicle when said employee is off-duty only if the vehicle has been appropriated to the use of the elected or appointed official or department director by the Commissioners Court, and the employee's duties are such that:
 - a. He is expected to use the vehicle to perform his on-duty tasks at a time other than his on-duty hours; or
 - b. Said use will increase his off-duty ability to respond to public safety and/or law enforcement emergencies, or will increase the operational efficiency of Cameron County; or
 - c. The employee has no assigned on-duty location; or
 - d. There is no suitable place at which to keep the County vehicle which is convenient to the employee's usual on-duty location; or

- e. The employee's residence is closer to his on-duty location of employment than another suitable place to keep the vehicle.

H. GENERAL ASSIGNMENT OF COUNTY VEHICLES.

1. The Commissioners Court shall be responsible for the acquisition and assignment of County vehicles through its budgeting process. County vehicles will be assigned only to officials and employees who must have access to a County vehicle to carry out their duties. The Fleet Maintenance Director will annually provide the County Auditor and the Cameron County Human Resources Department with lists of all County vehicles and the Offices and Departments to which said vehicles are assigned. At the end of each fiscal year, all Offices and Departments using said vehicles shall provide the Cameron County Human Resources Department with a list of all drivers of those vehicles. Additions and deletions to the driver list shall be provided to said Office prior to the change.
2. County vehicles which are assigned to non-law enforcement employees may be taken to the employee's primary residence only if the following criteria apply:
 - a. The elected or appointed official has approved the vehicle assignment; and
 - b. The vehicle is essential to the employee to perform his on-duty work, and utilized during normal working hours.
3. The Budget Officer and Cameron County Human Resources Department shall review each assignment of a County vehicle to an individual to ensure that it meets the criteria included in this Policy, and shall report any inconsistency to the elected or appointed official who shall be responsible for addressing said report.

I. ASSIGNMENT OF COUNTY VEHICLES; TAKE-HOME.

1. The following guidelines will apply to all County vehicle assignments when the vehicles are driven to an official's or employee's residence:
 - a. Each Department shall maintain a list of those officials/employees authorized to take a County vehicle home, and shall furnish the Budget Officer and the Cameron County Human Resources Department with a copy of the listing.
 - b. County vehicles may be used only for official County business, including commuting to and from work, except in an emergency.
 - c. While performing official business in a County vehicle, an official or employee will be covered by the County's self-insurance program, and will not be required to carry supplemental insurance. All County vehicles not assigned as take-home vehicles must be parked on County property at the end of each day as designated by the employee's supervisor unless otherwise temporarily assigned by the supervisor for the purpose of travel or emergency response.
 - d. Lists of deputy officers authorized by the Sheriff and constables to operate a county Vehicle shall be maintained by the Sheriff's Office and Constables offices, and copies of the same shall be provided to the Budget Officer and the Cameron County Human Resources Department.
2. A County vehicle shall never be used for personal gain, personal business, to drive to a place of secondary or part-time employment for the purpose of engaging in any employment unrelated to County business.
3. The only passengers allowed in County vehicles are:
 - a. Anyone in the care and/or custody of a law enforcement officer or an officer of a court;
 - b. Another employee;
 - c. Non-employees on County business, as authorized by the elected or appointed official or department/division head; or
 - d. A probation officer with probationers under the supervision of Community Supervision, and who work for a Cameron County Office or Department; or
 - e. A qualified participant in a State or federal aid program administered by a Cameron County Department.

- J. ADMINISTRATIVE RESPONSIBILITY; MONITORING.
1. Each elected or appointed Official and Department Director shall monitor the use of County vehicles, and shall take appropriate corrective measures in the event of abuse and/or a Policy violation.
 2. Each elected or appointed Official and Department Director shall notify the Cameron County Human Resources Department of any change in an employee's employment in said Official's or Director's office.
- K. USE BY OTHER COUNTY DEPARTMENTS.
1. With the approval of the official to whom a County vehicle has been assigned, that vehicle may be loaned to another County office or Department for County business.
 2. The Department from which the County vehicle was loaned shall make a record showing the name of the Department using the vehicle; the purpose for the loan; the beginning and ending date and time of the loan; the beginning and ending odometer reading; and the name of the employee who will operate the vehicle in that Office or Department.
- L. COUNTY VEHICLE USE.
1. County vehicles used for travel outside the State shall have authorization from the Commissioners Court.
 2. Only an employee who possesses a valid Texas Driver's license with a classification that allows for the operation of the assigned vehicle can operate a County vehicle. A photocopy of that license shall be provided to the Cameron County Human Resources Department prior to or at the time of vehicle assignment. It shall be the responsibility of the driver's supervisor to verify the copy. If during the course of a vehicle assignment, an employee loses his driver's license due to suspension or non-renewal, he shall immediately notify his supervisor of that fact, and shall discontinue use of any County vehicle until the driver license is reinstated or renewed, and a copy thereof is again provided to the Cameron County Human Resources Department.
 3. A County vehicle may not be operated if its State inspection and/or Registration has expired or if, in the judgment of the employee to which it was assigned or released by an authorized person, it is considered to be unsafe for use.
 4. An employee is not authorized to routinely take home a County vehicle outside Cameron County unless authorized by the elected official, appointed official or Department Director and approved by the Commissioners Court.
 5. To facilitate a prompt emergency response after hours, an elected or appointed official or Department Director may authorize an employee under his supervision to take home a County vehicle within Cameron or an adjacent county.
 6. Confiscated vehicles stored on County property shall not be removed therefrom except in the course of the vehicle's scheduled or necessary maintenance.
 7. An employee shall not lend a County vehicle to another for personal use.
 8. A County vehicle operated under a grant or State or Federal program shall be operated according to the provisions of that grant or State or Federal program, in addition to the provisions of this Policy. If a vehicle use provision of the grant or State or Federal program conflicts with a provision of this Policy, the more-restrictive provision shall control.
 9. A county employee, while performing the functions of his or her on-duty employment, or off duty, shall not operate a county vehicle while using a mobile device.
 10. Use of a mobile device is permissible when operating a county vehicle via a hands-free system (i.e. Bluetooth, voice activated communication system, headphones) or when the county vehicle is engaged in the "park" position.
 - a. Employees operating a county vehicle and using a navigation system or global positioning device shall enter the desired address or location prior to the start of the trip or at any time when the vehicle is engaged in the "park" position.
 11. County employees classified as emergency personnel and law enforcement personnel are limited to using a mobile device for the purposes of fulfilling their designated duties.

M. TRAINING AND SAFETY.

1. A driver of a County vehicle shall successfully complete any training, safety, and/or certification course required by the driver's Office or Department. Each Office and Department shall maintain copies of documentation verifying the completion of that training, etc. A listing of completed training, etc., by each driver who must complete the same shall be supplied to the Cameron County Human Resources Department at the end of each fiscal year.
2. A driver of a County vehicle shall comply with all applicable State and federal laws respecting the vehicle's maintenance and operation.
3. All drivers of County vehicles shall attend an in-house defensive driving course. Any driver involved in a vehicle incident while driving a County vehicle shall be required to attend a defensive driving class within sixty (60) days from the date of said incident. A copy of verification of completion of the course must be provided to the driver's supervisor and to the Cameron County Human Resources Department.
4. A driver of a 4 wheel-drive County Vehicle and/or passenger van shall attend a driving course applicable to an assigned vehicle and a Defensive Driving Course.

N. DISCIPLINARY ACTION FOR MISUSE.

1. An employee who uses a County vehicle for a purpose other than County business or in other violation of this Policy shall be subject to disciplinary action including, but not limited to, termination of employment.
2. An employee whose position is partially or wholly funded through a grant or State or Federal program shall be subject to disciplinary action including, but not limited to, termination if he violates the vehicle use provisions of that grant or program or otherwise becomes ineligible to operate the vehicle under the provisions of that grant or program, provided that the employee's job description requires the use of a vehicle.
3. An employee who misuses a County vehicle shall be liable to the County for the actual cost resulting from its misuse.
4. Improper use of a County vehicle shall be subject to disciplinary action by the Department Director, Supervisor, or the elected or appointed official consistent with departmental policies, not to exclude termination. Improper use shall include, but is not limited to:
 - b. Having three (3) or more moving violations in a County vehicle over a one-year period or 12 points as per the Texas Association of Counties Auto Liability Point System.
 - b. Driving a County vehicle while intoxicated or under the influence of an illegal drug.
 - c. Violation of any provision of this Policy.
 - d. Using a County vehicle to transport alcohol or a controlled substance, unless they were lawfully possessed or seized by the employee or another person; and/or
 - e. Deliberate abuse, reckless use, or racing of a County vehicle.

O. POST-INCIDENT DRUG AND ALCOHOL TESTING PROCEDURES

1. An employee shall submit to drug and/or alcohol testing if he is involved in a vehicle incident, and whether or not he receives a citation for a traffic violation arising from the incident.
2. The Cameron County Human Resources Department shall inform all employees of this Policy.
3. If a driver has been involved in a vehicle incident, he shall immediately notify an appropriate law enforcement agency of the incident (if one has not already been notified), and shall thereafter notify his departmental dispatch office or supervisor that an incident has occurred. A driver's supervisor shall direct the driver to submit to drug and/or alcohol testing within two (2) hours after the incident, provided that the testing will not adversely affect and/or interfere

with the driver's medical treatment, if any. If a test was not administered on the driver within that time frame, his supervisor shall prepare and maintain a record stating the reasons the test was not promptly administered. A copy of that record will be forward to the Cameron County Human Resources Department. Within eight (8) hours following the incident, the supervisor shall cease attempts to have administered a drug and/or alcohol test, and shall prepare and maintain on file, a record stating the reasons the test was not promptly administered. A copy of this record will be forward to the Cameron County Human Resources Department.

4. A driver who is directed to submit to said testing shall make himself available for such testing, or may be deemed by the County to have refused to submit to testing.
5. A urine sample must be collected within two (2) hours after an employee's initial observation and his supervisor's determination that drug testing is warranted. If the sample is not collected within two (2) hours, the supervisor shall cease attempts to administer a controlled substance test, and shall prepare and maintain on file a record stating the reasons the test was not promptly administered. A copy of this record will be forwarded to the Cameron County Human Resources Department.
6. The method of drug and alcohol testing employed under this Policy shall be blood toxicology performed by a qualified and licensed medical facility. All blood sample collections under this Policy shall be conducted in a licensed medical facility and performed only by qualified personnel.
7. If the driver's supervisor is present at the testing facility, he should witness the testing procedures and create a record showing that, to the best of the supervisor's knowledge and understanding, the testing was properly conducted and conducted according to the provisions of this Policy. In all cases an employee may request that a person other than the person administering the test and/or his supervisor be present when the sample is collected.
8. The finding of any non-approved testing methods or of any test that are not conducted Under the conditions prescribed by this Policy shall not be admitted against the employee in an administrative proceeding against him under this Policy. The results of all drug and alcohol testing are subject to review by the Cameron County Human Resources Department, in consultation with the Cameron County Health Authority, who shall ensure that the testing was conducted according to applicable law, acceptable medical practice, and the provisions of this Policy.
9. All drug and alcohol test results and medical information furnished during the testing process shall be treated as confidential medical information, and will be released only as required by law. Any tested employee has the right to request a copy of his test records.
10. If any of the foregoing nine (9) provisions is later found to be in conflict with a provision in the County's DRUG AND ALCOHOL SCREENING POLICY that relates to the collection of a drug and/or alcohol sample from an employee, the DRUG AND ALCOHOL SCREENING POLICY shall apply and be followed.

P. CARE OF VEHICLE.

1. The driver of a County vehicle shall decide that the vehicle is in proper operating condition, as required by the Cameron County Accident Prevention Plan. Any damage and/or malfunctions should be reported immediately to his supervisor and to the Fleet Maintenance Department. The driver of a County vehicle is responsible for the clean condition of the vehicle's interior and exterior after he has used it.
2. The use of tobacco products and/or alcohol by a County vehicle occupant is not permitted.

Q. VEHICLE USE AGREEMENT FORM.

All employees to whom a County vehicle is assigned shall sign a Vehicle Use Agreement Form, and shall return the completed form to the Cameron County Human Resources Department prior to using the vehicle.

R. SEVERABILITY.

If any clause or provision of this Policy is illegal, invalid or unenforceable under present or future laws effective during its term, then and in that event, it is the intention of the Commissioners Court that the remainder of this Policy shall not be affected thereby, and it is also the intention of the Commissioners Court that in lieu of each clause or provision that is illegal, invalid or unenforceable, there be added as a part of this Policy a clause or provision as similar in terms to such illegal, invalid or unenforceable clause or provision as may be possible and legal, valid and enforceable. The caption of each paragraph hereof is added as a matter of convenience only and shall be considered to be of no effect in the construction of any provision or provisions of this Policy.



CAMERON COUNTY
VEHICLE USE AGREEMENT

Pursuant to Cameron County Administrative Policies and Procedures Personnel Manual Section 2.07, all employees provided with the use of a county vehicle are required to complete and sign this form.

Employee's Name

_____ Dept. _____

(Please Print)

Driver License No.

_____ Type _____

Cameron County has provided me with the use of a county-vehicle and may allow me to commute to and from work in this vehicle. I understand that an employee found to have violated this Policy is subject to disciplinary action up to, and including, termination.

I have read this Policy before signing my name herein, I understand its provisions, and I agree to follow them.

PLEASE SIGN AND RETURN THIS FORM TO THE CAMERON COUNTY HUMAN RESOURCES DEPARTMENT.

Employee Signature: _____

Date: _____

Department Head Approval: _____

Date: _____

Commissioners' Court Approval: _____ Date