

TOWN OF BERLIN
MOTORIZED & VEHICLE POLICY
Revised 4/26/2021

PROCEDURE PURPOSE: To provide consistent guidelines for the assignment and use of Town of Berlin owned vehicles by Town employees.

OVERVIEW: In a specified time frame, on a regular basis, or for identified job categories, Town owned vehicles and motorized equipment will be made available for current employees to use while conducting Town business.

PROCEDURES:

Use of Town Owned Vehicles

A. Permitted Uses

1. Non-Law Enforcement vehicles – Only Town of Berlin employees or drivers authorized by the department director may drive or operate Town vehicles or equipment.
2. Law Enforcement vehicles are subject to Connecticut General Statute and may only be operated by Police Officer and maintenance personnel, as defined in Connecticut General Statute.
3. Town owned vehicles shall be used for official Town business with reasonable consideration such as for use in getting meals, etc., while in the course of performing business on behalf of the Town. (within designated time frames)
4. Each Town owned vehicle shall display the official Town seal. The only exceptions are vehicles assigned to the Town Manager and to the Police Department. Any deviation from use of the official seal must be authorized by the Town Manager.

B. Driver Requirements

1. Each driver of any Town vehicle must have a valid Connecticut drivers/operator's license. Should an employee who drives a Town owned vehicle be involved in an incident, on or off the job, where their license is suspended or revoked, the employee is obligated to inform their immediate supervisor and the Town Manager within 24 hours of the incident. Failure to inform the Town of a suspended or revoked license may result in immediate dismissal.

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2. Driver qualifications are as follows:
 - a) Authorized employee of Town
 - b) Must be at least 18 years of age, or pass a test that shows they are capable of driving said vehicle
 - c) Must have at least one year of experience in the class of vehicle operated
 - d) Must meet licensing requirements
 - e) Will not qualify for a Town vehicle if, during the last 36 months, the driver had any of the following experiences:
 - Convicted of a felony
 - Convicted of sale, handling or use of drugs
 - Automobile insurances canceled, declined or not renewed
 - Driver's license suspended or revoked
 - Convicted of three or more speeding violations or one or more other serious violations
 - Involved in two or more chargeable accidents
3. Town employees who drive vehicles weighing more than 26,000 pounds or a vehicle carrying sixteen (16) or more passengers, must have a valid Commercial Class B license with applicable endorsements. Town employees who drive vehicles with a trailer must have a valid Commercial Class A license if required by law.
4. Employees authorized to drive or assigned a Town vehicle are subject to an annual review of their motor vehicle driving record with the State of Connecticut. Those employees found to be a high risk or who have failed to report violations and/or accidents to the Town, will have their vehicle privileges revoked, thus; resulting in dismissal for employees in positions where vehicular transportation is deemed an essential job function.
5. Employees are responsible for any vehicle or equipment assigned to them such as reporting unsafe operations or working conditions via a "Vehicle Repair Request" and/or pre-trip forms available in each department.
6. Employees driving Town vehicles are required to obey all **Federal and State** traffic laws including **but not limited to**, obeying the speed limit and employees and passengers are required to wear available personal restraints & **Cell phone** use is prohibited while operating the vehicle.
7. A Town vehicle is not to be driven while under the influence of alcohol or any controlled substance, as defined by CFR.
8. Possession, transportation or consumption of alcohol or illegal drugs and smoking by anyone in the vehicle is not allowed.
9. No vehicle or piece of equipment shall be used for personal use, without permission from the Town Manager for said use.

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10. Town of Berlin will not pay traffic tickets or parking fines of employees driving Town owned vehicles, nor will the Town pay if the employee is authorized to use their personal vehicle on Town business. Employees found guilty of moving violations may be subject to corrective action.
11. An employee receiving a moving violation while driving a Town vehicle has an obligation to immediately (within 24 hours) inform their department Supervisor. Fines for moving or parking violations are the personal responsibility of the assigned operator. Failure to pay fines will result in disciplinary actions.
12. Employees receiving a travel allowance and using a personal car for Town business assume liability for bodily injuries or property damage arising out of an accident occurring in connection with operation of his/her personal car. The reimbursement allowance to the employee for the operation of his/her car for Town business includes the allowance for the expense of automobile insurance. Such employees are required to have a minimum liability limit of \$100,000 per person/\$300,000 per accident/\$50,000 property damage and must provide the Finance Department with a copy of the certificate of such insurance annually.
13. Town employees authorized to use their personal vehicles for periodic Town business, are reimbursed for mileage at the rate established by the Internal Revenue Service.

C. Vehicle Assignment

1. Town vehicles are normally assigned to an individual at the start of their work period and are the employee's responsibility until the completion of their assigned work period when the vehicle is returned.

At no time, shall a Town employee operate a vehicle or piece of equipment without proper training (i.e., bucket truck, mower, sweeper, forklift, etc...). Said list of equipment and approved equipment operators shall be posted in each department.

2. A Town vehicle may be assigned to an employee who regularly requires vehicular transportation in the performance of his/her assigned duties and requires the use of the vehicle during off duty time for frequent on-call or call in for emergency purposes. The assignment may be regular and on-going or for a specific period of time such as weekly on-call duty.
3. During a vacation period or leaves of absence, an employee who is assigned a vehicle on a periodic basis, must turn the vehicle in to the Fleet Department.

D. Care Maintenance and Inspection

1. It is the duty of any and all employees who utilize vehicles and equipment to properly care for said vehicles/equipment as if they belonged to them personally.

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This includes but is not limited to, making sure the vehicle is taken care of properly (i.e., washed, interior cleaned, free of clutter, etc...), and properly represents the Town.

2. Pre and Post Trip Inspections

It is up to the operator to ensure that the vehicle is in safe working order, prior to operation. Any defect or safety concern shall be reported to the Supervisor in the Fleet Garage prior to any usage.

2.1 All vehicles operated within the Facilities, Parks and Grounds, Water & Sewer, Highway, Senior Center and Fleet Garage must be pre-tripped and post-tripped inspected daily.

2.2 Administrative Vehicles shall be pre-tripped weekly by the operator.

2.3 It is the responsibility of each and every town employee to check the fluids (in the morning) in said vehicles/equipment prior to operating them.

E. Personal Use of Town Vehicles

1. No employee may use the vehicle assigned to him/her for personal business except to occasionally complete a personal errand on a direct route home (classified as de minimis personal use under IRS regulation).
2. Town vehicles are not allowed to be driven to an employee's home unless the employee is subject to frequent and/or emergency duty after normal working hours or in specific situations where authorization by the Town Manager has been given. Only the following employees will be authorized to drive Town vehicles to their homes (per collective bargaining agreement).

Category I – Classified as emergency or law enforcement vehicles

Fire Marshal, Deputy Fire Marshal, and Police Officers

Category II – Classified as a fringe benefit for commuting purposes and is subject to federal, State income, FICA and Medicare FICA tax on the value of the benefit.

Positions deemed appropriate by the Town Manager as **granted in bargaining unit contracts utilizing**, but not limited to, the following criteria:

- Distance driven on a daily basis from home to work site,
- Employees assigned an "on-call" status either on-going or on a rotating basis,
- Frequency of business travel before, during, and after normal work hours,
- Efficiency of reporting directly to the work site versus a centralized office location, or
- Due to market competitiveness when provided as a perquisite for recruiting purposes.

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Category III – Vehicle Pool

TOB operates a vehicle pool of approximately 4 vehicles. These vehicles are available for use by Town employees only for official Town business. If no Town of Berlin vehicles are available for the desired date/time, please contact the Fleet Manager at 860-828-7757 or 860-828-7057.

F. Vehicle Pool Procedures:

Reservations

TOB employees should submit vehicle reservations to the Administrative Assistant to the Town Manager at 7003 or csullivan@town.berlin.ct.us

Completed vehicle reservations requests should be made well in advance of the desired travel date. All vehicles will be assigned on a first come, first serve basis.

Cancellations

Cancellation of a vehicle reservations must be called in to the Town Manager's office at least 1 business day prior to the start of the reservation.

Key Pick Up, Parking, Key Drop Off

Vehicle keys are to be picked up at the Town Manager's office during TOB business hours; keys will NOT be available outside of these hours. Keys will be attached to a mileage book.

Vehicle keys for evening, weekend, and holiday use are issued in advance, during office hours. However, the assigned vehicle may NOT be taken in advance. The same vehicle may be scheduled for several trips over a weekend, with each group having keys in their possession. Vehicles may be taken only during the reserved times.

At the conclusion of the trip, the vehicle, keys, and completed mileage form must be promptly returned to the Town Manager's office, or the following business day by noon. A fee of \$100 will be charged for lost keys.

Vehicles are to be parked in the parking lot in front of Town Road, left of the Board of Education in a spot marked "Pool". Please double check your parking and make sure the vehicle is centered in the parking space and you are only using one parking space. Unless otherwise noted, vehicles are not to be parked in any other lot at any time unless loading and unloading.

Costs

Fuel for the trip will be paid by the TOB. If fuel is less than a quarter tank at the completion of the trip, please contact Jim Simons to make him aware or stop by the garage to refuel before returning the vehicle to Town Hall. Any personal expenditure for fuel, engine fluids or other mechanical repairs for TOB vehicles will be reimbursed by the TOB. All receipts for fuel or other fluid or mechanical purchases must be submitted for reimbursement to the Finance Office.

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Vehicle Maintenance

All vehicle maintenance will be the responsibility of the Town garage. Exceptions include long trips when it is the responsibility of the driver to check and maintain fluids and tire pressure as recommended by the manufacturer.

- Users are required to complete a 4-point walk around each time they use a vehicle.
 1. Visually check under the vehicle for fluid leaks which would indicate mechanical issues
 2. Visually check tires and if it appears to be low, it should be filled as soon as possible; tire gauges are in the glove box of each vehicle. **DO NOT drive on tires that are flat.**
 3. Visually check vehicle for loose or broken parts that could pose a safety hazard
 4. Check to make sure the vehicle starts.
- On a trip, if the vehicle is damaged or needs repairs, an information sheet is provided in the glove box. Follow instructions listed to address maintenance issue(s).
- Users of TOB vehicles are expected to clean the vehicle of all loose trash and excessive amounts of mud or dirt.
- Users are required to report any mechanical issues to the Town garage. Issues related to safety should be reported immediately. Other issues can be reported on the pre-trip slip when it is returned at the completion of the trip.

G. Accident Procedure—NOTE: A card describing “*What to Do In Case of An Accident*” (see sample form attached) is maintained in the glove box of all Town of Berlin owned vehicles. – See if it is on the back on the insurance card.

Regardless of the situation, the following procedure **MUST** be followed in the event of an accident while in a Town owned vehicle:

1. Immediate notification of the proper law enforcement agency for accident investigation and report.
2. Immediate notification of the employee’s supervisor or department director.
3. Notification to the Fleet Manager & Risk Manager the day of the accident.
4. Prepare a Town Vehicle Accident report (see sample form attached). This report along with one copy of the law enforcement report should be submitted to the Fleet Manager and Accident Review Committee.

Accident Review Committee shall be made up of, Fleet Manager, Risk Manager and an appropriately assigned Police Officer, to review if it was a preventable or non-preventable accident.

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Post-Accident Substance Abuse Testing

An employee involved in the accident (with damages or losses over \$500 shall be tested for drugs and/or alcohol) or who has engaged in unsafe activity, whether directly or indirectly, may be required to submit a urine specimen, breath sample, and/or saliva sample for testing purpose. If the employee is too seriously injured to provide the specimen or sample, the employee must authorize the Town to obtain and review hospital records or other documents that would indicate whether there were any prohibited drugs or alcohol in the employee's system at the time of the accident or unsafe activity.

Preventable Accidents

A preventable accident is defined as any accident involving a town vehicle or any vehicle while being used on Town business that results in property damage and/or personal injury, and in which the driver in question failed to exercise every reasonable precaution to prevent the accident.

1. Classification of preventable accidents

- Following too close
- Driving too fast for conditions
- Failure to observe clearances
- Failure to obey signs
- Improper turns
- Failure to observe signals from other drivers
- Failure to reduce speed
- Improper parking
- Improper passing
- Failure to yield
- Improper backing
- Failure to obey traffic signals or directions
- Exceeding the posted speed limit
- Driving While Intoxicated (DWI) or Driving Under the Influence (DUI) or similar charges.

5. If necessary, an injury report must be completed and submitted to the Insurance Carrier as soon as possible in order to file a workers' compensation claim within 24 hours of the accident.

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6. Securing accident repair estimates and approval of actual repair work is the responsibility of the Fleet Department.

In the event of an accident:

- Do not admit negligence or liability
- Do not attempt settlement, regardless of how minor
- Get name, address and phone number of injured person and witness if possible
- Exchange vehicle identification, Town insurance name and policy numbers with the other driver
- Take a photograph of the scene of the accident if possible
- Call law enforcement
- Call rescue if injuries are involved
- Complete the accident report in your vehicle
- Turn all information over to the Fleet Manager within 24 hours

Motor Vehicle Record Policy

It is a Town of Berlin policy and requirement for employment that every employee position with driving duties requires a motor vehicle record (MVR) meeting the grading requirements stated below. This MVR policy applies both to drivers of Town owned vehicles as well as employees using personal vehicles in the course of Town business.

MVRs will be examined prior to the start of employment and may be examined annually thereafter. Any job offer made to an employee-candidate for a position with driving duties shall be contingent upon an MVR meeting the required standards outlined below.

The standards for MVRs are as follows:

1. All operators must have a valid driver's license for at least three years.
2. No new driver will be hired with a "borderline" or "poor" MVR. MVRs will be graded based on the table below, as minimum requirements.
3. Driving records must remain "acceptable" or "clear" as graded on the table below, for continued employment in the positions with driving duties.

Any exceptions to these guidelines must be referred to the Risk Manager for written approval. The auto insurance carrier will be consulted on any/all MVRs not meeting the minimum criteria.

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Motor Vehicle Grading Criteria (last three years)

Number of Minor Violations	Number of at-fault accidents			
	0	1	2	3
0	Clear	Acceptable	Borderline	Poor
1	Acceptable	Acceptable	Borderline	Poor
2	Acceptable	Borderline	Poor	Poor
3	Borderline	Poor	Poor	Poor
4	Poor	Poor	Poor	Poor
Any major violation	Poor	Poor	Poor	Poor

Minor Violation: Any minor violation other than a Major except:	Major Violations
<ul style="list-style-type: none"> • Motor vehicle equipment, load or size requirement • Improper/Failure to display license plate • Failure to sign or display registration • Failure to have driver's license in possession (if valid license exists) 	<ul style="list-style-type: none"> • Driving under influence of alcohol/drugs • Failure to stop-report an accident • Reckless driving/speeding contest • Driving while impaired • Making a false accident report • Homicide, manslaughter or assault arising out of use of a vehicle • Driving while license is suspended/revoked • Careless driving • Attempting to elude law enforcement

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Vehicle Accident Report (Attach additional pages as necessary)

Complete those sections that only apply to you. Report should be completed and turned in same day as accident.

I. EMPLOYEE: Complete and turn in to supervisor immediately.

1. Name: _____ Department _____

2. Date & Time of Accident: _____

3. Vehicle #: _____

4. Location of Accident (Street, City): _____

5. Number of Persons injured and extent of injury: _____

6. Description of Accident (State in detail what occurred just before, and at the time of the accident): _____

7. Describe any unsafe conditions (faulty brakes, lights, etc.) that contributed to the accident: _____

I certify that to the best of my knowledge the information stated above is truthful.

Employee Signature

Date

II. SUPERVISOR: Complete and turn in to Fleet Manager. Attach a copy of Police Report and/or EMS Report if called.

Current Status of Injured: _____

Extent of damage to vehicle(s) or property: _____

Action taken to prevent future accidents: _____

Disciplinary Action (if any): _____

Signature Supervisor/Department Head

Date

What to Do in Case of An Accident

1. **Stop at Once!** Check for personal injuries and send for ambulance, if needed.
Do not leave the scene but ask for the assistance of bystanders.
2. **If Fire or Smoke Is Present**, evacuate vehicle occupants to a safe location. If stalled on a railroad track, evacuate occupants to a safe location away and at a right angle from the tracks.
3. **If Fire, Smoke or Spilled Fuel is Present**, send for the fire department. Do not leave the scene; ask a bystander to call the fire department. If possible, use a spill kit to absorb the spill.
4. **Protect the Scene.** Set emergency warning devices to prevent further injury or damage. Secure your vehicle and its contents from theft.
5. **Secure Assistance** of law enforcement whenever possible. Record names and badge numbers.
6. **Record Names, Addresses and Phone Numbers** of all witnesses, injured and driver(s) and their passengers. Record vehicle license numbers.
7. **Do Not Argue!** Make no statement except to the proper authorities. Sign only official law enforcement reports. Do not make statements regarding the operating condition of your vehicle and do not admit fault.
8. **Report the Incident to Your Dispatcher/Supervisor IMMEDIATELY** after first aid has been given, authorities have been notified, the scene has been protected and you are able to do so.
9. **Complete the Vehicle Accident Report** at the scene as thoroughly as possible. Exchange insurance information only with other involved driver(s).
10. **If You Strike an Unattended Vehicle** and cannot locate the owner, leave a note with your name and the Town's address and phone number, get the vehicle description, VIN number and license plate number.