



MARICOPA COUNTY INTERNAL POLICY

Policy Title: VEHICLE AND EQUIPMENT USE	Policy Number: A2310
	Current Adoption Date: Current Implementation Date: 1-17-2019
Approved by: COUNTY MANAGER	Board Agenda Number:
	Original Adoption Date: 11-1-1991

I. **PURPOSE**

To establish the criteria for and the methods by which Maricopa County (County) Employees obtain authorization to use County Department/Special District Vehicles, Private Vehicle(s) and Equipment while conducting County business.

To address the use of County and Private Vehicles and Equipment while on County business.

II. **AUTHORITY**

This policy is authorized by the Board of Supervisors pursuant to A.R.S. § 11-251.

III. **APPLICATION**

This Policy applies to all Employees and Elected Officials of Maricopa County elected offices, appointed departments, and Special Districts.

IV. **DEFINITIONS**

- A. **Appointing Authority:** An elected official, the single administrative or executive head of a Department/Special District, or the designated representative authorized to act in this capacity.
- B. **Vehicle Use Acknowledgement Form:** A written statement executed by the Employee stating they have read and understand this Policy
- C. **Department/Special District:** A department is a division of the County and Special Districts which include the Flood Control District of Maricopa County, Maricopa County Library District and the Maricopa County Stadium District.
- D. **Driver License:** Refers to all classes of Arizona Driver Licenses, "D" (operator), "M" (motorcycle) and classes "A" "B" and "C" (commercial).
- E. **Duty Post:** The place where the Employee spends the largest portion of working time or the place where the Employee returns on completion of special assignment.

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- F. **Elected Official:** Persons enumerated in statute and elected in Maricopa County which include Sheriff, Recorder, Treasurer, School Superintendent, County Attorney, Assessor, Supervisors, the Maricopa County Clerk of the Court, Justices of the Peace, Superior Court Judges and Constables.
- G. **Employee:** A person paid a wage, salary, or stipend from public monies in accordance with official entries on County payroll. This includes all Classified, Unclassified, Temporary, Contract, Elected Officials and Volunteers approved by the Risk Trust. For purposes of this Policy, "employee" includes individuals employed by the Superior Court of Arizona, Maricopa County. (Contractors and Temporary Employees acquired through a temporary agency are not considered as employees under this section and as such are not authorized to operate or be passengers in County vehicles)
- H. **Equipment:** Gasoline, diesel or electric powered machines, and unpowered machines, used for hoisting, excavating, hauling, loading, grading, paving, drilling, cutting, shredding, cleaning and spraying: the operation of which requires a license or certification.
- I. **Equipment Use Application:** The documents an Appointing Authority and Employee are required to submit when seeking to receive an Equipment Use Permit (EUP).
- J. **Private Vehicle:** A Vehicle legally in the possession of an Employee.
- K. **Public Safety Employee:** Limited to the following Employees: any Employee eligible to participate in the Public Safety Personnel Retirement System (see A.R.S. §38-842(24)) or the Corrections Officer Retirement System (see A.R.S. §38-881(13)), or an Employee engaged in probation officer activities. Also included are Employees of the County Attorney's Office, the Office of Public Defense Services and Air Quality identified by their Appointing Authority.
- L. **Risk Trust:** The Revised Restated Declaration of Trust for Maricopa County, Arizona Self-Insured Trust approved by the Board of Supervisors according to applicable state law.
- M. **Vehicle:** A device, the operation of which requires a valid Arizona Driver License, by which a person or property is or may be transported on or off a highway/roadway, excluding devices moved by human power or used exclusively on stationary rails or tracks. This includes all owned, leased, borrowed, or rented Vehicles.
- N. **Volunteer:** A person who, of their own free will, provides services to the County without receiving a wage, salary, stipend or other County benefit.

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V. **POLICY**

A. **General Statements**

1. This Policy applies to use of all county Vehicles and Equipment, regardless of the funding source, and to any Private Vehicles or Equipment used by Employees to conduct County business.
2. This Policy shall be read in conjunction with all other applicable County transportation-related Policies.
3. County Vehicles and Equipment are only to be used for County business and are not to be used for the personal convenience or profit of Employees.
 - a. County Vehicles may be used in off-duty employment by law enforcement personnel, including transportation to and from the off-duty employment, if the law enforcement individual is on-call by the County and has approval from their Appointing Authority or their designee.
 - b. County Vehicles may be used for meal/breaks when those breaks are taken between business destinations and adds limited incidental mileage to the vehicles.
4. Employees shall not permit a non-employee to operate or be a passenger in a County Department/Special District Vehicles or Private Vehicle(s) while conducting County business.
 - a. Public Safety Employees, transporting non-County Employee passengers in the course of business are exempt from this provision.
5. Departments/Special Districts shall, at all times, account for all County Vehicles/Equipment in their use.
6. Employees shall be cooperative and truthful in all stages of the Vehicle Use Acknowledgement process required by this Policy.
7. **Employees shall immediately inform their supervisor, manager and Risk Management, and Elected Officials shall inform Risk Management, in writing of any change in the status of their Driver License, such as license surrender, cancellation, expiration, refusal, revocation or suspension or any other change that restricts or removes their driving privilege.**
8. The County Manager, or their designee may perform the following:
 - a. Review accident reports involving County Vehicles or Equipment or Private Vehicles used on County business with Risk Management on a regular basis to determine preventability.

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- b. Establish procedures for both Vehicle and Equipment Use.
- c. Develop all training to be completed by applicants seeking Vehicle or Equipment Use.
- d. Periodically run Arizona Motor Vehicle Department records searches on all Employees operating county owned or personal vehicles on county business to determine any changes to status.

B. Conduct While Operating Vehicles or Equipment (County or Private Vehicles) on County Business

- 1. Employees are required to follow all applicable State and Federal laws, including but not limited to: seat belt laws, traffic laws, insurance requirements, etc. Employees operating emergency vehicles shall comply with the requirements of A.R.S. § 28-624.
- 2. Employees are prohibited from using a cell phone (unless a hands free device is used to operate the cell phone) or other mobile electronic device (e.g., Smartphone, tablet, or laptop) while driving a County Vehicle/Equipment or while driving a Private Vehicle on County business. This prohibition includes, but is not limited to, texting, emailing, reviewing documents, and placing phone calls.
 - a. Employees operating an authorized emergency vehicle, as outlined in A.R.S. § 28-624, and while in the performance of their official duties are exempted from this prohibition.
 - b. Employees of Vector Control Nighttime Operations are also exempt from this prohibition while viewing the laptop connected to the fogger guidance system as long as they are not exceeding 5 mph.
- 3. In accordance with Smoke Free Arizona (A.R.S. §36-601.01), smoking is prohibited in all County Vehicles and Equipment and in any Private Vehicle used on County business if more than one person is in the Vehicle.

C. Use of County Vehicles Overnight

- 1. County Vehicles may be used for overnight use, including domicile-to-duty (take home) travel subject to Appointing Authority’s approval.
- 2. Appointing Authorities shall maintain a list of all Department/Special District Vehicles authorized for overnight use by Employee.
- 3. Employee is responsible to report all domicile-to-duty and return trip mileage incurred by Employee in a County Vehicle to their Appointing Authority. Appointing Authority shall send all Department/Special District Employee mileage reports to County Payroll on an annual basis. Employee shall be responsible for all personal income taxes related to such usage.
- 4. The County Vehicle shall not be parked on a public street overnight whenever possible and secured in a manner which minimizes the possibility of damage, vandalism or theft.

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D. Use of Private Vehicles for County Business

1. Approved County travel by Employees using a Private Vehicle and all associated mileage reimbursement requests must comply with the County General Travel Policy A2313.
2. Employee must have permission from the owner of the Private Vehicle for its use and must follow all applicable County transportation Policies and State and Federal laws.
3. Repairs made to a Private Vehicle while on, or as a result of approved travel, will not be reimbursed by the County.
4. An Employee operating a Private Vehicle on County business must comply with all relevant County policies and the terms of the Risk Trust.
5. The Private Vehicle will have at least the minimum liability and property insurance coverage required by Arizona Statute and the Risk Trust. As outlined in the Risk Trust, Employee's private insurance will stand as primary liability coverage and the County will reimburse up to \$500 of Employee's private insurance deductible relating to the incident if the employee was not at fault for the accident. The employee's insurance carrier must verify that the employee's deductible was not paid by the responsible party

E. Employee Involved Vehicle Accidents or Citations

1. An Employee operating a County Vehicle or a Private Vehicle while on County business who is involved in an accident shall:
 - a. Remain at the scene of the accident until appropriate authorities release them.
 - b. Call 911 if someone is injured.
 - c. Call and report the accident to local law enforcement authorities if no one is injured.
 - d. Obtain the name, address and driver license information from all other persons involved in the accident.
 - e. If possible, obtain the name, address, telephone number and email address of any witnesses.
 - f. If the accident occurs in a County owned Vehicle/Equipment, and Employee is requested to give proof of insurance, explain that by statute the County is exempt from having to provide this information: A.R.S. §28-4003.
 - g. If the accident occurs in a Private Vehicle, provide the appropriate information as required by law.

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- h. Only discuss the accident with law enforcement authorities investigating the accident, Risk Management or an attorney representing the County. If in a Private Vehicle, communication with private insurance is subject to Employee’s discretion.
 - i. Report the accident to their Appointing Authority or their designee, Risk Management via [Risk Management Incident Report Form](#) and the County Equipment Services Department (if accident involved a County Vehicle or Equipment).
2. The Appointing Authority and/or the Equipment Services Department shall ensure that the accident requirements of this Policy and appropriate contract information are placed in all County Vehicles and Equipment.
 3. Employees are solely responsible for any citation and/or conviction for illegally operating or illegally parking a Vehicle while conducting County business. Any expense, cost, penalty, fine or other consequence from such citation or conviction shall be the sole obligation of the Employee.

F. Procedures for Passenger Vehicle Use

1. Employees are required to complete a **Vehicle Use Acknowledgment Form** certifying that they have read, understand and agree to abide by this policy.
 - a. Employee must maintain a valid Arizona Driver License.
 - b. Employees involved in a preventable vehicle collision are required to take the online defensive driving course within 5 business days following notification by the Risk Management Department.

G. Application Procedures for an Equipment Use Permit

1. Applications of appropriate Equipment to be used, shall be granted only if:
 - a. Employee maintains a valid Driver License or CDL if required.
 - b. Employee has completed required training, applicable to the equipment being requested on the **Equipment Use Permit** application.
2. To obtain, update, or renew an **Equipment Use Permit**, the following steps must be completed:
 - a. **Employee:** Employee shall complete an Equipment Use Permit application located in MYMC under the Risk Management department folder, which shall be accompanied by the following documentation:
 - i. Valid Driver License and/or valid Driver License endorsements for Employee if CDL is required. (If CDL is required, a copy of a valid medical card is also required)
 - ii. Evidence that Employee completed all required equipment training.

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- b. **Department Manager or Designee:** The Department Manager or their designee shall:
 - i. Make a copy of Employee’s Driver License (front and back) and/or valid Driver License endorsements for Employee if CDL is required.
 - ii. Obtain Employee’s equipment training transcript for the equipment being requested.
 - iii. Submit the documents to Risk Management via the Equipment Use application portal located in MYMC, in the Risk Management department folder.
- c. **Risk Management:** Upon receipt of an Application that meet the requirements above, Risk Management shall obtain Arizona Motor Vehicle Division records for the Employee if CDL is required.
- d. **Final Approval:** Risk Management is the final approval authority for all Equipment Use Permit applications.

I certify that I have read, understand and agree to abide by this policy.

Revision History

Version	Revision Date	Description of Revision
1	11-1-1991	Initial version.
2	2-6-2013	Revised to update policies regarding new training and certification requirements and process.
3	7-6-2017	Revised to update Section IV.G with details regarding new training and certification requirements and process.
4	8-31-2017	Revised to clarify that the definition of Employee does not pertain to Contractors or Temporary Employees
5	1/2019	Retitled to Vehicle and Equipment Use. Adds applicability to all appointed and elected offices and special districts. Update definitions to include Vehicle Use Acknowledgment Form, process to be approved to drive on County business, and process to be approved to utilize County equipment.