

POLICY NUMBER:

APM- 3 - 99

DATE:

11-8-2016

ISSUED BY:

Daniel J. Alfonso
City Manager/Designee

Daniel J. Alfonso
SIGNATURE

CITY OF MIAMI



ADMINISTRATIVE POLICY

REVISIONS

<u>REVISED SECTION</u>	<u>DATE OF REVISION</u>
Created	08/19/99
Revised	04/30/03
Revised	10/27/06
Revised	07/13/12
Revised	10/23/14
Revised	11/08/16

SUBJECT: CITY VEHICLE ASSIGNMENT, OPERATION, 24-HOUR VEHICLE – CITY EMPLOYEE LIABILITY, MAINTENANCE, ACQUISITION, AND DISPOSAL

Purpose

To establish uniform policies and procedures for City of Miami (“City”) employees who drive City–owned vehicles or their own personal vehicles for City business.

To provide uniform standards and procedures for the proper assignment, use, and maintenance of all City vehicles. Should a provision of this policy conflict with a provision(s) of any collective bargaining agreement (“CBA”), the respective CBA shall govern.

To establish a General Employee’s Vehicle Accident Investigation, Review and Prevention Committee.

To establish policies for the safe use and operation of City parking facilities.

Policy Statement

It is the policy of the City of Miami to ensure that all operators of motor vehicles used in the course and scope of City business have and maintain a driving record that does not expose the City to undue risk.

Department Directors are responsible for determining the number and type of vehicle(s) necessary to meet their operational requirements.

Departments and employees using City issued vehicles are responsible for the proper use, maintenance, and safe operation of vehicles as detailed in this administrative policy (“APM”) and in accordance with its respective CBAs, memoranda(s) of understanding, settlements, and/or arbitrations.

**Criteria/Requi
tes for
Issuance of
Vehicles****Employees**

1. City employees driving City vehicles must possess a valid State of Florida driver's license at all times.
 2. City employees are required to immediately inform their supervisor and/or designee if the City employees' driving privileges have become restricted, suspended, and/or revoked.
 3. City employees must notify their supervisor/designee of any off-duty arrest, case pending, or conviction related to:
 - (a) Driving while intoxicated
 - (b) Driving under the influence
 - (c) Driving with unlawful blood alcohol level
 - (d) Refusal to submit to breath, urine and/or blood alcohol tests for alcohol, chemical substances or controlled substances as prescribed by State law
 4. Failure to notify management, the employee's supervisor and/or designee, shall serve as grounds for disciplinary action including termination.
 5. A case by case review will be conducted to determine whether an employee shall retain City vehicle driving privileges if any of the following appear on the employee's driving record within the preceding 12-month period:
 - (a) Reckless driving
 - (b) Unlawfully leaving the scene of an accident
 - (c) Felony use of vehicle
 - (d) Allowing unauthorized minor to drive
 - (e) Vehicular homicide
 - (f) Obtained license fraudulently
 - (g) Three moving violations
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Assignment of Vehicles

Department Directors are responsible for determining the number of vehicles necessary for their employees to fulfill their job duties.

- A. Department Directors shall submit vehicle requests, using the Motor Vehicle Assignment form (GS/FM 307), to the Director of the Department of General Services Administration (“GSA”) who shall deliver the vehicle to the originating Department.
 1. Once a vehicle assignment is approved, General Services Administration shall update its fleet database as necessary.
 2. A copy of the approved Motor Vehicle Assignment form shall be returned to the originating Department.
 - B. For each proposed new vehicle assignment, or for any change to an existing vehicle assignment, the originating Department Director must forward a signed Motor Vehicle Assignment form (GS/FM 307) to the Director of General Services Administration.
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Global Positioning Tracking of City Vehicles

City vehicles may be equipped with Global Positioning System (“GPS”) tracking devices. The GPS tracking devices will be randomly and routinely monitored to determine a City vehicle’s physical location, relative speed, hours of use and/or operation.

By accepting the use of a city vehicle equipped with GPS, the employee unconditionally consents to the city monitoring that vehicle at its discretion. The employee’s consent is deemed knowing and voluntary upon acceptance of the vehicle with no further action required by the parties to memorialize this consent. All employees that drive City vehicles are required to sign the attached Acknowledgement Form.

An employee found to have tampered and/or interfered with the functioning capability of a City vehicle’s GPS device will be disciplined which may include termination in accordance with APM 1-94 - *Progressive Disciplinary Guidelines*.

Categories and Criteria

- A. Pool Vehicles:** Pool vehicles are assigned and managed by General Services Administration.
1. Pool vehicles are for use solely by City of Miami employees conducting official City business.
 2. It is the Department Director's responsibility to ensure that the pool vehicles are utilized in a safe, cost efficient manner, and solely for official City business. Department Directors shall designate one staff person as a "car pool representative" to keep and maintain a daily log of all pool vehicles assigned to their respective Department. Daily logs must be retained by the Department for a period of no less than one (1) year.
 3. Pool vehicle sites for City of Miami employees are located at the City of Miami Riverside Center ("MRC") and General Services Administration's Fleet Division, or other City facilities. All sites must adhere to the following policies and procedures:
 - i. Car availability is between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. Pool vehicles located at General Services Administration's Fleet Division must be picked-up and returned by 4:30 p.m.
 - ii. Any employee requesting use of a pool vehicle must submit written authorization from their Department Director, a valid Florida driver's license, and City of Miami employee I.D. to the car pool representative in order for the vehicle to be released. Copies of the employee's City I.D. and/or driver's license may be retained.
 - iii. The car pool representative must inspect the vehicle for damages prior to, and after, use by the employee. Any vehicle damage must be noted on the Vehicle Condition form during both inspections. If the vehicle does not exhibit any damages, a notation indicating same must be entered onto the form as well and reported to GSA. Fuel levels and odometer mileage must be noted on the form.
 - iv. If a vehicle is returned with damages that were not present prior to the employee using said vehicle, the car pool representative must photograph the damages and attach the damage photographs to the Vehicle Condition form. Said damages should also be noted on the Vehicle Condition form, which must be signed by the employee-driver.
 - v. Vehicles must never be returned with less than $\frac{1}{4}$ of a tank of fuel (vehicles can refuel at 1390 N.W. 20th Street).

- B. **8-Hour Vehicles:** 8-Hour Vehicles are assigned to employees at the discretion of the operating Department's Director. These vehicles are assigned to employees whose work requires a vehicle for at least 70 percent of their shift on a daily basis as determined by the job description.

**Categories and
Criteria**

- C. **24-Hour Vehicles:** 24-Hour Vehicles are assigned to employees at the discretion of the operating Department's Director, with authorization from the Director of General Services Administration and the City Manager.
1. The vehicle is assigned to the employee on a continuous 24-hour period which permits the employee to commute to and from work and home in the vehicle. Employees are not covered under the City's self-insurance program while traveling to and from work and home in a City vehicle or when the use of the vehicle is prohibited.
 - i. The City strongly recommends that all employees assigned a 24-hour vehicle purchase an insurance endorsement of non-owned auto liability and medical payment coverage and/or an insurance collision endorsement.
 2. All non-emergency employees that possess a 24-hour vehicle, shall be assessed a tax per pay period relating to the received benefit as determined by the IRS.
 3. 24-Hour Vehicle assignments are based on the individual needs of the operating Department. The operating Department Director must justify the need for a 24-Hour Vehicle(s) and obtain written authorization from the City Manager, unless otherwise provided for in a CBA.
 4. All 24-Hour Vehicle assignments must be reviewed by the operating Department's Director at least annually, who will provide updated assignment lists to the Director of General Services Administration no later than the second week of January of each year.

**Vehicle
Operations**

A. General:

1. The Department of Risk Management shall conduct a "bi-monthly driver license record review" of all employees driving City vehicles.
2. Any employee whose driver's license and/or endorsements are revoked, suspended, or restricted, in any way, by the State of Florida, shall notify his/her supervisor immediately, upon the employee becoming aware of the suspension. Failure to comply with this section subjects an employee to disciplinary measures which may include termination.

3. Only City employees, including temporary employees at the City of Miami, are authorized to drive and/or operate City vehicles.
4. Non-City of Miami temporary employees, i.e. temporary employees employed through a temporary or other staffing agency, are prohibited from driving and/or operating City vehicles.
5. City employees assigned City vehicles are responsible for the proper care and scheduled maintenance of said vehicle. Such care and maintenance shall be performed at City owned facilities. This includes maintaining the interior and exterior of the vehicle in a clean state. If charges are incurred for exterior/interior cleaning of the vehicle, the employee may be reimbursed for said charges by the employee's Department. This applies to both "8-hour" and "24-hour" vehicles.
6. City vehicles may be utilized to transport City employees on official City business.
7. Employees with "24-Hour" Vehicle privileges may car pool to and from work with other City of Miami employees with the written permission of the Director of the Department of Risk Management/designee.
8. Non-City employees may be transported in City issued vehicles only if they are participating in a City program or are involved in City related business with the approval of the operation department director.
9. Non-City personnel may not be transported outside of Miami-Dade County without written approval from the Director of the Department of Risk Management/designee and the City Manager.
10. The use of City vehicles for personal business or convenience is prohibited at all times. Failure to comply with this provision may result in disciplinary action which may include termination.
11. Department Directors are responsible for ensuring that all policies are adhered to relating to the use, maintenance, and/or operation of City issued vehicles.
12. Smoking in any City issued vehicle is strictly prohibited. If an investigation reveals that an employee and/or a passenger had been smoking in a City vehicle, then progressive disciplinary actions will occur.
13. Occupants of City vehicles must wear seat belts at all times.
14. Electronic devices such as cell phones, pagers, digital assistants, laptops, music listening devices and other electronic communication devices should not be used while the City issued vehicle is in motion. Every attempt should be made to use such devices from a parked position away from traffic lanes. Using the aforementioned devices while driving is restricted to emergency calls only, and a headset or other hands-free accessory must be used (such accessory must allow one ear to remain open to outside noise).
15. Negligent drivers will be held accountable when distracted driving results in injury, accident, and/or property damage.

16. Text messaging while a City vehicle is in motion is strictly prohibited.

B. Use of City Vehicles for Extended Travel:

1. In accordance with City of Miami Administrative Policy – Travel on City Business (APM 1-77), use of City issued vehicles for extended business travel in excess of 250 miles requires written approval from the operating Department’s Director and City Manager.
2. City vehicles must be inspected by the General Services Administration Fleet Management Division at least one week in advance of the extended travel date.

C. Markings and Equipment:

1. All City owned vehicles, with the sole exception for unmarked police vehicles, shall permanently exhibit an attached official City of Miami seal, lettering and/or marking. Magnetic or removable City of Miami seals or markings are not permissible.
 2. Employees removing or altering permanently fixed seals will be subject to disciplinary action, which may include termination.
 3. Stickers, decals, “bumper stickers” or personalized license plates of any kind shall not be placed and/or attached to any City vehicle without prior written authorization from the City Manager.
 4. No additional or add-on equipment shall be installed or added to any City vehicle without the written authorization of the Director of General Services Administration.
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**Miami
Riverside
Center Garage
& Adjacent
Lots****A. Hang-Tags:**

1. Employees assigned to work at the MRC and other employees as designated by the Department of Human Resources, may receive a “green” City of Miami hang-tag for their personal vehicle.
2. Designated consultants assigned to work at the MRC may receive a “red” hang-tag for their personal vehicle.
3. Issued hang-tags must be visually displayed from the vehicle’s rear view mirror or dashboard.
4. Issued hang-tags are City of Miami property and are to be strictly used for conducting City business and for parking in the MRC garage and adjacent lots. Hang-tags cannot be transferred, sold, and/or used in any other way. Misuse of hang-tags may lead to the loss of parking privileges and disciplinary action, which may include termination.
5. Employees and/or consultants are required to return their hang-tags to the Department of Human Resources upon the completion and/or conclusion of City of Miami employment and/or service. The Department of Human Resources will forward returned hang-tags to the MRC Facility Manager.

B. Parking City Vehicles:

1. Use of hang-tags is necessary for marked City vehicles.
2. All City issued vehicles must be parked in Lots “16” or “15” (hereinafter referred collectively as “employee parking lots”), except those City issued vehicles issued a “MRC Authorized Vehicle” decal by the Department of Human Resources.
 - i. Employees assigned 24-hour City vehicles who have approved access to the MRC garage via an MRC garage access card and “MRC Authorized Vehicle” decal, may park their City vehicle, or their personal vehicle, in the MRC garage, but not simultaneously. These employees must park their second vehicle in employee parking lots.
 - ii. Employees assigned 8-hour vehicles must park their assigned vehicles in the employee parking lots, at all times, with the exception of 8-hour vehicles with special equipment that were issued a “MRC Authorized Vehicle” decal.
3. Employees assigned City vehicles shall not park said vehicles in metered parking spaces on 3rd Street/N.W. North River Drive.
4. Violation of these parking regulations may result in disciplinary action which may include termination.

C. Miami Riverside Center Garage (“MRC Parking Garage”):

1. Only City employees issued an MRC garage access card and green hang-tag may access/park in the MRC garage.
2. Parking in non-reserved spaces in the MRC garage is on a first-come-first-serve basis.

3. "Reserved" parking spaces are to be used only by those specifically assigned to each said space. Employees assigned a reserved space may give another employee written authorization to use that space.
4. Employees must park only in designated spaces, within the marked lines. In the event no parking spaces are available in the MRC garage, employees are required to park their vehicles in employee parking Lots "15" or "16".
5. Back-in parking in the garage is not permitted except with written authorization from the Director of General Services Administration.
6. Employees utilizing disabled parking spaces must display the required disabled notification hang-tag from the rear-view mirror and have a copy of their current Disabled Vehicle Registration Form on file with the Director of General Services Administration.
7. Employees with MRC garage access cards may park their vehicles overnight in the garage only with written approval from the Director of General Services Administration.
8. The City of Miami is not liable for any theft, loss or damage to vehicles parked in the MRC garage.

D. Adjacent Lots "16"/"15" (employee parking lots) and "17" (visitor parking lot):

1. Lots "16" and "15" are available for use by employees.
 - a. Employees assigned "green" or "red" hang-tags must display their hang-tag to avoid being ticketed and/or charged.
 - b. Employees with MRC garage access cards and appropriate City issued "hang-tags" can park their personal vehicles in Lot "16" overnight only with approval from the Director of General Services Administration or the City Manager.
 - c. Lot "16" is locked between the hours of 7:00 p.m. and 5:30 a.m. Access during this period may be granted by contacting the MRC lobby security desk at 305-416-1040. Lot "15" is a shared employee parking lot that is not locked.
2. Visitors, vendors, and contractors shall park in Lot "17" (also referred to as "visitor parking lot").
3. The City is not liable for any losses or damages to vehicles parked in Lots "15", "16", and "17".

E. Penalties for Non-Compliance:

1. First time violators of the regulations set forth in the MRC Garage and Adjacent Lots Parking sections shall receive a written notice of violation, which shall be placed on the non-compliant/violator's vehicle.
2. A second violation will result in the placement of a tire anchor (wheel clamp) on the non-compliant/violator's vehicle. If an employee's vehicle is anchored, he/she must have his/her Department Director/designee complete a vehicle release form, which is available at the MRC lobby security desk, and submit said form to the security desk for the vehicle's release.

3. A third violation will result in the revocation of the employee's MRC garage parking privileges, including removal of the "green"/"red" hang tag and garage access card.
 4. Employees may call 305-416-1040 if they have questions regarding violations or for more information on parking regulations.
 5. Notwithstanding the penalties set forth in this section, the Director of Human Resources reserves the right to suspend and/or revoke the MRC parking garage privileges of any employee if upon sufficient notice from the Director of General Services Administration that an employee has failed to comply with the provisions of this subsection.
 6. The Director of General Services Administration in conjunction with the Director of Human Resources reserves the right to create and administer exceptions to the MRC Garage and Adjacent Lots rules.
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Vehicle Maintenance

- A. The General Services Administration Fleet Management Division shall operate a preventive maintenance program. Operating Departments are required to bring assigned vehicles to General Services Administration's Fleet Management Division for preventive maintenance **every 5,000 miles**.
 - B. The Police Department shall adhere to the maintenance requirements in accordance with the current Fraternal Order of Police, Lodge No. 20 Collective Bargaining Agreement, as it pertains to vehicles assigned to bargaining unit members.
 - C. In addition to complying with the preventative maintenance requirements, employees assigned 24-hour and 8-hour vehicles are responsible for performing periodic checks of tire pressure and fluid levels, the overall cleanliness of the vehicle, and for reporting any mechanical problems to General Services Administration immediately.
 - D. "Loaner" vehicles shall be available from General Services Administration on a first-come-first-serve basis for temporary use while assigned vehicles are in for repairs. "Loaners" must be returned to the General Services Administration Fleet Management Division within one (1) business day after notification that the regularly assigned vehicle is ready for pick-up. Employees and departments using "Loaner" vehicles are prohibited from re-loaning the vehicles to other departments or employees.
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**Vehicle
Acquisition &
Replacement**

- A. The General Services Administration Director shall be responsible for developing and implementing a retirement schedule based on a replacement analysis, subject to conditions set forth in any applicable CBA.
 - B. Replacement of general fleet vehicles shall be through General Services Administration's "Fleet 15-Point Replacement" procedure. The replacement policy shall factor age, mileage, and maintenance costs as criteria for vehicle replacement.
 - C. Vehicle replacement is subject to available funding.
 - D. The General Services Administration Director shall advise appropriate Department Directors, in writing, of the determination that a vehicle must be retired from service.
 - E. Upon the General Services Administration Director's determination that a vehicle should be retired, the vehicle shall be sold at auction or disposed of through legislative action.
 - F. Departments that need to purchase new vehicles must identify the funding source for the purchase and obtain approval from the City Manager for said purchase. The operating Department is responsible for all costs including tag, title and registration costs.
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**Vehicle
Utilization**

- A. General Services Administration will review vehicle utilization through mileage reports, at least annually or as directed by the City administration, to identify vehicles consistently underutilized. For purposes of determining proper utilization of City vehicles, mileage accrued commuting between the employee's residence and the workplace shall not be counted.
 - B. Meetings will be held with Department Directors to discuss underutilized vehicles assigned to their Department and determine the Department's need. If the Department Director is unable to justify retaining the vehicle within the Department, said vehicle shall be reassigned or eliminated from the Department's inventory by the General Services Administration Director.
 - C. If the operating Department's Director disagrees with the General Services Administration Director's determination regarding the utilization of a vehicle, the matter shall be submitted to the City Manager for final determination.
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**Reporting
Accidents**

City employees involved in a vehicular accident while driving a City issued vehicle **must:**

- A. Immediately contact the police (dial “911”) and advise that a City vehicle was involved in an accident.
- B. **Do not move the vehicle** until instructed to do so by the responding law enforcement officer. If possible, take photographs prior to moving the vehicles.
- C. If the vehicle cannot be driven from the accident scene, call General Services Administration’s Fleet Management Division at 305-329-4870 (if the accident occurs after normal business hours, call the Police Department Communications Division at 305-579-6111). The Fleet Management Division will contact an authorized towing company to retrieve the vehicle.
- D. If the vehicle is safe to drive, the employee shall drive it to the Fleet Management Division, located at 1390 N. W. 20th Street.
- E. Do not discuss any facts of the accident at the scene with anyone other than the responding officer. The employee shall provide information only to the responding law enforcement officer who will complete an Exchange of Information form. The employee shall notify his/her supervisor immediately and provide the Exchange of Information form as soon as he/she returns to the office. If an accident report is also generated, it is the employee’s responsibility to request it from the responding law enforcement officer and deliver the accident report to his/her supervisor.
- F. Upon receipt of the Exchange of Information and/or the Florida Traffic Crash Report form(s), the employee’s supervisor will complete a City of Miami Supervisor’s Report of Vehicle Accident form, a Supervisor Report of Employee Accident/Injury form (if the employee sustained injuries) and attach the Florida Traffic Crash Report, and forward the forms to the Risk Management Department, as well as, forward a copy to Department of General Services Administration. Supervisors must also notify the Claims Network at 1-877-647-4545.
- G. Following an accident in a City vehicle, employees may be required to undergo drug testing pursuant to the City’s Drug Free Workplace Program.
- H. Department Directors are responsible for ensuring that vehicles assigned to their Departments that are involved in accidents are brought to the General Services Administration Fleet Management Division automotive shop within seventy-two (72) hours of the accident. Copies of the Florida Traffic Crash Report and City of Miami Vehicle/Property Damage Report must be submitted to the General Services Administration Fleet Management Division in order for the vehicle to be released to the operating Department.

- I. General Employee's Vehicle Accident Prevention and Review Committee:
 - a. The Risk Management Department will establish an accident review committee whose purpose will be to review and investigate vehicular accidents and to recommend preventive measures.

**Revocation of
City Vehicle
Privileges**

Any employee who deliberately violates or circumvents any provision contained within this Administrative Policy shall be subject to having his/her City vehicle and MRC Garage parking privileges revoked, as well as other disciplinary action including termination.

Miscellaneous

- A. Employees operating City vehicles and personal vehicles on City business are required to adhere to all of the traffic laws and City policies and regulations including, but not limited to, safety, use, and maintenance of equipment.
 - B. Employees who receive moving and safety related violations while operating City vehicles must notify their Department Director within 24 hours of receipt. In accordance with Parking Toll Violations, and Other Citations of City Vehicles during Official Business (APM 2-78), employees are personally responsible for paying their own citations for moving and safety related violations. This provision also applies to any toll violations and red light camera violations.
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ACKNOWLEDGMENT FORM

CITY OF MIAMI ADMINISTRATIVE POLICY 3-99

CITY VEHICLE ASSIGNMENT, OPERATION, PARKING FACILITIES, 24-HOUR VEHICLE-CITY EMPLOYEE LIABILITY, MAINTENANCE, ACQUISITION AND DISPOSAL

I acknowledge that I received a copy of the City of Miami's Administrative Policy 3-99 regarding City Vehicle Assignment, Operation, Parking Facilities, 24-Hour Vehicle (City Employee) Liability, Maintenance, Acquisition and Disposal. I acknowledge that I am expected to know, understand and be familiar with the contents and that I read Administrative Policy 3-99.

I understand that:

- 1) Administrative Policy 3-99 may be updated from time to time and that I will be responsible for reading and familiarizing myself with the updates;
- 2) Administrative Policy 3-99 serves as notification to me regarding my responsibilities regarding my City-issued vehicle and/or personal vehicle used in the furtherance of City of Miami business;
- 3) As further detailed within the Section entitled "Global Positioning Tracking of City Vehicles", my City-issued vehicle may be equipped with a GPS tracking device and that my City-issued vehicle will be subject to random and/or routine monitoring.

Employee Name (please print)

Signature of Employee

Date