

TOWN OF ORFORD

Vehicle/Equipment Use Policy

APPLICABILITY

This policy applies to all Town of Orford employees.

PURPOSE

The purpose of this policy is to provide parameters for the use of Town vehicles. Town vehicles are those cars, trucks, and other motorized equipment which are owned or leased by the Town of Orford. This policy provides guidelines that are in addition to, not in place of, any policies established by an employee's respective department.

Please note: Fire & Police Departments may have a Vehicle Use policy addendum.

POLICY

- Employees who drive Town vehicles may be selected for random drug testing.
- Employees who drive a Town vehicle must submit a copy of a valid driver's license (CDL for Highway Employees) upon employment and annually after that. Administration will maintain a copy of the driver's license and will periodically conduct validation checks. An employee must report to the Administrative Assistant a revocation or suspension of his/her driver's license immediately or a change in the status of CDL, if applicable. Employees shall not operate a Town vehicle if their driver's license is expired, suspended or revoked.
- Drivers shall have in their possession a valid driver's license while operating a Town vehicle or driving for business purposes.
- Only authorized employees shall operate or ride inside a Town vehicle, except vehicles (passenger vans, buses) designed to convey groups.
- Town vehicles are for conducting official Town business only.
- Employees must obtain prior authorization from the Selectboard for the purpose of commuting.
- Personal use of Town vehicles is permitted on a limited basis, such as an occasional errand, provided the stop does not substantially deviate from the usual and reasonable path between worksites. Town vehicles shall never be used for transport to places of recreation or entertainment.
- Employees shall be mindful that their driving and parking habits are under constant observation. Employees should strive to be exemplary and shall not use a Town vehicle which reflects unfavorably upon the Town or violates the public's trust.
- Drivers are personally liable for any penalties incurred as a result of a moving violation. Parking tickets are the responsibility of the driver receiving the ticket and must be resolved promptly. Drivers must report all tickets and penalties to their supervisor within one business day. The supervisor will provide documentation of this to the Town Administration.
- Drivers and passengers in Town vehicles must wear seat belts and shoulder harnesses at all times. Drivers and passengers shall put on their seatbelts before starting the vehicle.
- Drivers of Town vehicles must be in compliance with motor vehicle laws (i.e.: Posted Speed Limits, etc.)
- Use of handheld mobile phone (Town or personal) while operating a Town vehicle, whether the vehicle is in motion or stopped at a traffic light, is strictly prohibitive. This includes, but is not limited to, answering or making telephone calls, engaging in phone conversations, reading or responding to email, text messaging or using the internet. If communication is necessary, employees are required to drive safely out of the flow of traffic and stop the vehicle before using a mobile phone or another mobile device including but not limited to tablets.
- If an emergency voice call is necessary, as in a traffic accident, fire, medical emergency or severe road hazard and it is not possible to pull off the road, the conversation should be as short as necessary to communicate the nature of the emergency.
- Using tobacco products is prohibited in all Town owned or leased vehicles including but not limited to cigarettes, e-cigarettes, chewing tobacco and snuff.

EMMISSION CONTROLS

- No person shall alter or remove any emission control equipment or system, including the basic fuel system, in any way that might limit or reduce the ability of that equipment or system to control emissions.
- All emission control equipment that is originally supplied on a motor vehicle shall be maintained in place and in functional operating condition.
- Emission control equipment shall be replaced only with equipment that meets or exceeds the specifications of the original equipment.

IDLING

- **Unless previously approved by the Selectboard**, max idling times will be as follows:
 - a) Above 0C (32 F) – no more than 5 consecutive minutes in any 60-minute period
 - b) At or between -23C (-10F) and 0C (32F) – No more than 15 consecutive minutes in any 60-minute period
 - c) Below -23C (-10F) – No Limit so long as no nuisance is created
- Exemptions to these limits:
 - a) The motor vehicle is forced to remain motionless because of traffic conditions over which the operator has no control
 - b) The motor vehicle is a police, fire, ambulance, public safety or other emergency or law enforcement vehicle, or any vehicle being used as such, which is idling while in an emergency or training mode and not for the convenience of the operator
 - c) The motor vehicle's engine is:
 - 1) Providing power takeoff for refrigeration, lift gate pumps, or other auxiliary uses
 - 2) Supplying heat or air conditioning necessary for passenger comfort in those vehicles intended for commercial passenger transportation
 - 3) Being operated solely to defrost its windshields to prevent safety or health emergency, and not as part of a rest period
 - d) The motor vehicle is being operated by a mechanic for maintenance or diagnostic purposes, if idling is required for such activity
- No vehicle shall be left unattended while idling.

SAFETY REFUELING

- Drivers are required to turn off the engine and refrain from smoking. The use of wireless devices while refueling is prohibited.

ONBOARD EQUIPMENT

- Town trucks (non-CDL) and vans will have a first aid kit onboard at all times. As required by law, Commercial Motor Vehicles will have onboard an appropriate first aid kit, fire extinguisher, three reflective triangles and wheel chocks.

PRE/POST TRIP INSPECTIONS

- Drivers are responsible for reporting vehicle defects and maintenance needs in writing to their supervisor or vehicle manager as appropriate. Vehicles with safety deficiencies are to be removed from service for repairs.

ACCIDENT REPORTING

- Any accident involving a Town vehicle, trailer or mobile equipment, regardless of the extent of the damage, is to be reported to a police officer within the jurisdiction.
- Following an accident, employees must complete and submit to their supervisor a Vehicle Incident Report. For Town vehicles, blank forms must be kept at all times in the glovebox of the vehicle. The Vehicle Incident Report Form is available at the Town Office.
- Please refer to the Vehicle Equipment Incident Reporting Procedure for more information.

INDEPENDENT CONTRACTORS

- **Independent Contractor driving a Town Highway Vehicle** – these contractors will be classed as a *seasonal part-time employee*. They will follow the same hiring process and requirements as Full Time regular employee. Prior to their start date, a rate of pay will be agreed on.
- **Independent Contractor using their own Equipment** – for this situation, the contractor **MUST** submit a Certificate of Liability naming the Town of Orford as an additional insured. This document must be provided to the Town *prior* to starting work for the Town. The contractor will submit an invoice to the Town for payment.
- **Independent Contractor using their own Equipment, but volunteering their time** - for this situation, the contractor **MUST** submit a Certificate of Liability naming the Town of Orford as an additional insured. This document must be provided to the Town *prior* to starting work for the Town. RSA 508:17 covers volunteers who perform services for the Town and gives them immunity from liability for negligent acts (if they hit a mailbox or a parked car by accident while plowing, for example). However, to be entitled to immunity, there must be a written record indicating that the person is, in fact, recognized by the Town as a volunteer. The volunteer must have acted in good faith and within the scope of his or her recognized functions and the damage or injury must not have been caused by willful, wanton or grossly negligent misconduct. The Town requires a written agreement/authorization with their volunteers that includes at least (a) the scope of work the volunteer is authorized to do, including the applicable time period, (b) any specific limitations on that scope of work, and (c) to whom the volunteer should report.

Adopted 4/24/19

Amended 12/11/19