

Warren County Board of Supervisors

RESOLUTION No. 49 OF 2021

RESOLUTION INTRODUCED BY SUPERVISORS BRAYMER, GERAGHTY, DRISCOLL CONOVER AND MAGOWAN

ADOPTING WARREN COUNTY TRAVEL, EDUCATION AND VEHICLE USE POLICY

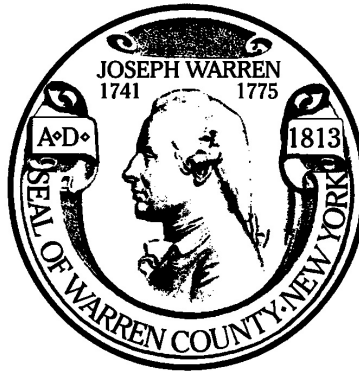
WHEREAS, the Warren County Board of Supervisors adopted an updated Warren County Travel Policy and County Vehicle Use Regulations (hereinafter the “Travel Policy”) by Resolution No. 495 of 2004, which has been updated by many subsequent resolutions, most recently by Resolution No. 289 of 2020, and

WHEREAS, the Clerk of the Board presented to the Personnel, Administration & Higher Education Committee revisions to update and rename the Policy to the “Warren County Travel, Education and Vehicle Use Policy”, and

WHEREAS, the Personnel, Administration & Higher Education Committee has reviewed the changes presented by the Clerk of the Board and has recommended that the same be advanced to the full Board of Supervisors for consideration, now, therefore, be it

RESOLVED, that the former Warren County Travel Policy and County Vehicle Use Regulations are hereby replaced by the Warren County Travel, Education and Vehicle Use Policy annexed hereto, and the same hereby is, adopted as the official Policy for Warren County, and be it further

RESOLVED, that any and all prior Travel Policies or County Vehicle Use Regulations, Resolutions or parts thereof inconsistent with the annexed are hereby repealed.



**WARREN COUNTY TRAVEL, EDUCATION
AND VEHICLE USE POLICY**

I. COUNTY TRAVEL & EDUCATION POLICY

Whenever an officer or employee travels for County business, the officer or employee shall comply with the requirements of this section.

A. GENERAL GUIDELINES FOR THE USE OF MOTOR VEHICLES AND/OR MASS TRANSPORTATION

When at all possible, employees shall use County owned vehicles or rental vehicles available under state purchasing contract for County business purposes as opposed to personal vehicles. Whether a rental vehicle may be used in lieu of a County vehicle, shall be determined by the Fleet Manager or in said Manager's absence, the County Administrator based on the nature of the trip, length of the trip, and/or number of persons riding in the vehicle. Whenever practical, employees shall use mass transportation for County business as opposed to County vehicles, rental vehicles or personal vehicles.

- 1) Use of personal vehicles should only occur when a County vehicle is not readily available in the pool of vehicles available for department use or when a rental vehicle is not authorized.
- 2) Mass transportation sources should be used whenever there would be a savings in costs unless such use would be impractical given the nature of the trip. If use of Mass transportation would result in a saving of time, the value of the Officer's or Employee's time should be considered in evaluating costs.
- 3) Whenever travel is for more than distances six (6) hours away, it is expected that mass transportation will be used unless there is justification for not using the same.
- 4) Whenever requesting permission of the Board of Supervisors for out-of-state travel or when requesting authorization from the Department Head, Chair of the oversight Committee or County Administrator to attend a meeting or convention, the employee making the request shall indicate on the authorization request form whether a County vehicle and/or mass transportation will be used and if not, the reason for such decision. The Board, Department Head, Chair of the oversight Committee or County Administrator may require the use of a County vehicle and/or mass transportation sources in whole or part as a condition of authorizing the trip.

B. TRAVEL APPROVAL REQUIRED

- 1) Unless travel is excepted herein, or by separate Resolution by the Board, *all* travel requests, whether in-state, out-of-state or virtual, are subject to approval in accordance with the Travel Form (Schedule "A"). Department Heads shall submit all paperwork describing travel and expenses for review and approval by those listed on the Travel Form (Schedule "A") and must be attached to any Purchase Order or Voucher submitted for reimbursement.
- 2) Travel by County Supervisors, County Administrator, Assistant County Administrator and Department Heads to attend the New York State Association of Counties' conferences held twice per year do NOT need approval, provided that the Department has budget appropriations for the same and there is compliance with the GSA policy.
- 3) All travel authorizations must be reported to the proper oversight Committee at their next meeting as an informational item.

C. FUNDING FOR TRAVEL

If payment of travel expenses requires fund transfers, the Department Head must provide information on where the funds are coming from.

D. REIMBURSEMENT RATE FOR LODGING, MEALS, AND INCIDENTAL EXPENSES

The U.S. General Services Administration Domestic Per Diem Rates are to be used to determine the maximum reimbursement for lodging, meals and incidental expenses. A listing can be found at www.gsa.gov

E. EXCEPTIONS

- 1) The Sheriff's Office shall be excepted from the Policy and guidelines concerning mass transportation and travel approval requirements, where the travel is not related to training or conferences, and which have been approved by the Sheriff or Division Commander.
- 2) The Commissioners of the Warren County Board of Elections, staff and machine custodians shall, to the extent authorized by the County Administrator, be excepted from the requirement of use of a County vehicle or a rental vehicle and may use personal vehicles with mileage reimbursement by the County in the performance of their official duties in Warren County concerning the Election Day period (that time period of a few weeks during which matters are readied and concluded for an election), classes in the various municipalities, trips to nursing homes, and voter education sessions. The Director/Fire Coordinator, Deputy Director of the Emergency Services Office, and Deputy Fire and EMS Coordinators, to the extent authorized by the County Administrator, shall be excepted from the requirement of use of a County vehicle or rental vehicle and may use personal vehicles with mileage reimbursement by the County while in the performance of their official duties, in Warren County and adjacent counties. The officers and/or employees identified in this division (E)(2) shall, however, when attending conferences or meetings outside the County or in adjacent counties, seek to use mass transit or a County vehicle, as may be applicable.
- 3) The employees of the Department of Social Services shall be excepted from the requirement of use of County vehicles and/or rental vehicles and may use personal vehicles with mileage reimbursement to be paid by the County, subject to the approval of the Commissioner of Social Services while continuing to use fleet vehicles as much as possible given the operation of that particular Department.
- 4) Section D above shall not apply to limit the maximum reimbursement rate where the lodging and/or meals are provided as a facility that is the host of an approved conference, training or meeting or is chosen because of its location proximate to the event and where the reimbursement is less than \$100 above the maximum daily GSA rate and where the employee or officer receives approval for the increased reimbursement above GSA rate as detailed on his or her "Authorization to Attend Meeting or Convention" request form.
- 5) The County Treasurer & County Clerk or their designee shall be excepted from the requirement of use of County vehicles and may use personal vehicles when performing departmental banking functions.

II. COUNTY MOTOR VEHICLE USE RULES

The following rules shall apply to the use of County owned, leased, or borrowed vehicles by those driving for County business.

- A. Only authorized employees who hold a valid New York State driver's license shall drive County vehicles. Authorized employees shall be:
- 1) 18 years and older;
 - 2) Any employee who regularly or at times operates a County vehicle as part of the employee's usual and/or customary County job function;
 - 3) An employee who is authorized to operate the vehicle by:

RESOLUTION No. 49 OF 2021

PAGE 5 OF 13

- a) The County Administrator; or
 - b) The County Department Head to whom the vehicle has been assigned;
 - 4) Those who agree to provide their driver license number to the County for inclusion in the NYS Department of Motor Vehicle License Event Notification Service (*The LENS program provides the County with notifications of driver license infractions and suspensions*);
 - 5) Those who agree to the fact that the County has a right to request information relating to a change in driver license status of all authorized users described above;
 - 6) Those who have signed the acknowledgment (Schedule C) at the end of this Policy;
 - 7) Those who maintain a valid NYS drivers license, excluding conditional or restricted licenses
 - a) Any suspension or revocation of ones driver's license will result in immediate loss of the employee's status as an authorized County driver. Status as an authorized driver will be automatically reinstated upon restoration of unconditional license;
 - 8) Those who have been involved in an at fault incident(s) with a County vehicle where no convictions were issued *but* the incident(s) resulted in damage in excess of \$2,500 from a single incident or multiple incidents within a 12 month period will no longer be considered authorized drivers and must be reviewed by the Risk Management Steering Committee who will provide a recommendation to the Department Head. The Department Head will then determine the employee's status as an authorized driver of County vehicles or their own vehicle on County business. Employees may appeal a Department Heads determination to the Personnel & Higher Education Committee of the Board of Supervisors; and
 - 9) Those with Commercial Motor Vehicle Licenses, if using the license in the scope of their duties, that have successfully passed a Commercial Motor Vehicle License physical exam within the last 12 months and provided proper medical examination certificate to the County.
- B. Volunteers, clients, members of employees' families, etc. are not authorized to operate County owned vehicles, except volunteer County employees and unpaid interns who hold a valid New York State driver's license shall be authorized to operate County owned vehicles for:
- 1) Veteran's Services for such purposes as may be authorized by Executive Law Section 358 of Veteran's Affairs;
 - 2) for persons participating in Countryside Adult Home programs whether such is directly sponsored by Countryside Adult Home or some other governmental or non-governmental entity; and
 - 3) unpaid interns working at the Department of Social Services.
- C. 1) County vehicles shall be utilized for official purposes only. Persons on official business for the County or being transported for purposes of furthering County business, an official departmental function or a County agency sponsored or operated program may ride in County vehicles. In addition, officials or employees from governmental entities other than Warren County, such as from the federal, state or local governments (e.g.; other counties, towns, cities, villages, school districts, etc.) or a non-profit organization provided such non-profit organization is engaged in activity involving or related to County activities including but not limited to promoting the County may ride in County vehicles when accompanying County officials to a meeting, event, destination, or similar place, and such will be considered using the vehicle for official purposes or in furtherance of County business, since it fosters communication, shared governmental services and supports intergovernmental relationships and furthers the interests of the County. Picking up hitchhikers is prohibited. Examples of circumstances where non-County personnel may ride in County vehicles include but are not limited to:
- a) Health Services Department Staff taking students from contracted educational settings as passengers in County vehicles for clinical experience;
 - b) Veterans who ride in the Veterans' Services' van pursuant to program identified in

- subparagraph II(B) hereof;
 - c) Persons riding in Veterans' Services' vans pursuant to arrangements made with the Department of Social Services;
 - d) Residents of Countryside Adult Home transported by County vehicle for any event or purpose whether such is directly sponsored by Countryside Adult Home or some other governmental or non-governmental entity for the general benefit of Countryside Adult Home residents;
 - e) Office for the Aging may transport advisory council members and/or senior citizens to meetings, conferences, etc. at the discretion of the Director;
 - f) District Attorney personnel transporting witnesses;
 - g) Department employees who wish to carpool with other County Officials not from Warren County when the purpose is furthering County business;
 - h) Youth being transported to various programs and seminars by the Department of Social Services;
 - i) Children or clients being transported in County vehicles by DSS staff; and
 - j) Officials or employees from governmental entities other than Warren County, such as from federal, state or local governmental entities or non-profit organizations engaged in activities involving or relating to County activities; and
 - k) Veterans employees may transport persons pursuant to the Peer to Peer Program.
- 2) Unauthorized personnel may not be transported. Uses not specifically described but consistent with the intent of this policy may be allowed by the Chair of the Board of Supervisors whose determination of whether the use is consistent and/or allowed within this policy shall be final and binding.
- D. 1) Authorization is hereby granted for the following individuals to take County vehicles home on a daily basis due to the nature of their responsibilities:
- a) Department of Public Works:
 - 1) Highway Construction Supervisors II
 - 2) Superintendent of Public Works
 - 3) Highway Manager
 - b) Health Services: Nurses upon approval of the Director of Public Health/Patient Services
 - c) Sheriff's Office:
 - 1) Sheriff
 - 2) Undersheriff
 - 3) Major
 - 4) Lieutenant - Criminal Investigators
 - 5) Lieutenant - Law Enforcement
 - 6) K-9 Officers (2)
 - 7) Narcotics Officers (5)
 - 8) Civil Officers (2)
 - 9) Investigators
 - d) Fire Prevention & Building Code Enforcement:
 - 1) Building Inspectors (2)
 - e) Office of Emergency Services
 - 1) Director
- 2) Whenever authorization has been provided to take County vehicles home, Department Heads or their designees must, on a quarterly basis, file with the Warren County Treasurer a report which details use of County vehicles by name of the employee, employee number and days the vehicle was used

for the quarter reported.

- E. If authorization to take a County vehicle home is not provided in this Policy, the individual seeking to take a County vehicle to private residence overnight must receive the approval of the Department Head and the County Administrator. In the event that a Department Head desires to take a County vehicle to a private residence overnight, approval must be obtained from the County Administrator. Authorization to take vehicles home overnight pursuant to this paragraph shall be subject to the following requirements:
 - 1) A detailed log or record shall be kept by the department setting forth the date(s) vehicles were authorized to be taken home under this Division (E), the name of the employee, the vehicle make or model and the reason or purpose. Such list shall also include employee's position, title and vehicle number.
 - 2) The log or record kept pursuant to Division (E)(1) hereof shall be furnished quarterly to the County Fleet Manager commencing April 1, 2005.
 - 3) If authorized, County vehicles shall be driven only to and from the place of residence to the work site. No subsidiary trips (e.g. grocery store) shall be allowed.
 - 4) An exemption is made for the Warren County Sheriff and Warren County Office of Emergency Services Director to authorize vehicles to be taken home on an as-needed basis for training and other matters, without requiring the approval of the County Administrator.
- F. All vehicles which are not authorized to be taken home under this policy shall be housed or stored at the site where the County Department or Division with jurisdiction over the vehicle has an office where officers or employees typically report to work. For example, Department of Public Works' vehicles would be expected to be housed or stored at the Department of Public Works building in Warrensburg. Vehicles used to support Airport or Parks, Recreation & Railroad Division site personnel would be expected to be housed or stored, respectively, at the Airport or Parks, Recreation & Railroad Division site. Exceptions to the requirements of this Division (F) shall be as follows:
 - 1) The District Attorney vehicle assigned to the investigators shall be housed at the Warren County Municipal Center;
 - 2) Sheriff's vehicles may be housed or stored at the Municipal Center or substations as designated by the Sheriff;
 - 3) Five vehicles assigned to the Health Services Department for use by the nurses in northern part of the County shall be housed as follows: one in Stony Creek, one in North Creek, and three in Chester;
 - 4) One vehicle assigned to the Planning & Community Development Department for use by the Construction Cost Coordinator shall be housed in the area with the largest amount of Planning Activity for use on an as-needed basis; and
 - 5) The Superintendent of Buildings vehicle to be housed in Warrensburg at the DPW shop.
- G. All County owned or leased vehicles must be properly marked with the official, non-removable, Joseph E. Warren insignia, except for those used in police work, the Office of Emergency Services the Social Services Department and the Health Services Department.
- H. No County vehicles shall be used for private or personal use. If an employee is in the field during a normal lunch break, they are to notify their supervisors that they are taking their lunch break and where they will be with the County vehicle.
- I. In addition to the log that must be kept on overnight usage, (*see Division (E)(1)*), the Department Head may require daily logs listing destinations, mileage and times must be maintained for all County vehicles covered by this Policy.

- J. Department Heads are hereby authorized to recommend more restrictive or detailed rules concerning the use of County vehicles assigned to their department but must appear before the Budget Committee to gain approval of the rules which change these rules/regulations. If approved, the Budget Committee may authorize immediate implementation of the requested department rule change but such shall still be then referred to the Board of Supervisors for modification of this policy. If the Board does not approve the rule change, the Budget Committee's immediate authorization of the requested department rule change shall be deemed revoked.
- K. All vehicles that are assigned to specific employees or groups of employees must be returned to the fleet for use by other County employees when an employee is on vacation or not otherwise using the same.
- L. If violations of the rules set forth above are proven, an employee's rights to operate a County owned vehicle may be revoked by the Budget Committee.
- M. Employees are expected to take all steps necessary to avoid endangering themselves and others while operating vehicles on County business. To ensure this, employees authorized to operate County vehicles are expected to:
 - 1) Check that all vehicle occupants wear safety belts when the vehicle is in operation; and
 - 2) Not operate a vehicle that the driver suspects does not operate properly. The driver shall return and/or park the vehicle as may be appropriate and contact his or her Supervisor to make appropriate arrangements so that the vehicle can be towed or operated safely. If the Supervisor is not available, the employee shall contact the Warren County DPW maintenance department at 518-623-4142 or 518-761-6556.
- N. Drivers of County vehicles are also responsible for:
 - 1) Checking that the vehicle is clean - no trash, good overall appearance;
 - 2) Checking that any tools, equipment or other items do not interfere with the driver's ability to operate the vehicle or pose threats in situations where the driver suddenly stops or swerves the vehicle or otherwise cause items in the vehicle to move around;
 - 3) Ensuring that the vehicle has current copy of the vehicle registration and the insurance card are in the vehicle and all required inspection stickers are up to date;
 - 4) Checking that both license plates are properly attached and visible at all times;
 - 5) Conducting daily visual inspection for obvious problems (flat tire, damage, leaks) before the start of the workday and during the workday when approaching the vehicle. An unsafe vehicle should not be operated until repairs are made;
 - 6) Any additional pre or post trip inspection as directed by the Department Head; and
 - 7) Reporting any concerns regarding the County vehicle by using the form (Schedule B) at the end of this Policy.
- O. Drivers of County vehicles must follow respective laws governing motor vehicle operations including those regarding the use of cellular telephones. Drivers must refrain from any activity that may impede the driver's ability to focus on safely operating the vehicle while it is in motion. Drivers are personally responsible for any traffic citations; including EZ-Pass violations that may be issued as a result of operating a vehicle for County business.
- P. Drivers of County vehicles or other vehicles for County business must be free of alcohol and illegal drugs. This also includes prescription and non-prescription drugs that may impair a driver's judgement and other faculties.

- Q. Drivers must report all accidents and incidents while using a County vehicle to his or her immediate Supervisor. The driver's immediate Supervisor must report the accident or incident according to the County's Safety and Health Program Policy.

Should a motor vehicle incident or crash occur, the driver of a vehicle used for County business must:

- 1) Stop and investigate immediately;
- 2) Set out warning devices if such are available and warranted under the circumstances;
- 3) Notify the police (*call 911*) and immediate Supervisor;
- 4) The driver must supply his or her name and exhibit operator's driver license to the proper authorities;
- 5) If able, secure names and addresses of other involved, witnesses and first persons at the scene;
- 6) If the driver strikes an unattended vehicle and the owner cannot be located, the driver must place his or her name and the address of the Warren County Department securely on the vehicle;
- 7) The driver shall attempt to protect his or her vehicle from further damage and theft;
- 8) The driver must comply with the drug-alcohol testing requirements of the County's Substance Abuse Policy(s) for motor vehicle drivers.
- 9) Post-Accident Testing for drugs and alcohol shall be arranged by the Department Head and/or Human Resources and occur as soon as practicable following an occurrence involving a County driver if the accident involves a loss of human life.
- 10) Post-Accident Testing for drugs and alcohol shall be arranged by the Department Head and/or Human Resources and occur as soon as practicable following an occurrence involving a County driver if the accident resulted in bodily injury to any person who as a result of the injury immediately receives medical treatment away from the scene of the accident; or one or more motor vehicles incurring disabling damage as a result of the accident, requiring the motor vehicle to be transported away from the scene by a tow truck or other motor vehicle and moving violation was issued by law enforcement;
- 11) Employees with Commercial Motor Vehicle Licenses (CDL) must also comply with Warren County's Drug and Alcohol Policy.

- R. If you are the driver of a disabled County vehicle, you need to do the following:

- 1) Make sure that the vehicle is not impeding the flow of traffic and is not a safety hazard;
- 2) Turn on the vehicles 4-way flashing hazard lights, if possible;
- 3) Set-up the vehicles emergency safety triangles and safety cone, if available;
- 4) Place a note that can be seen from the outside of the vehicle on the dash of the vehicle describing the vehicles problem and drivers contact telephone or cell number;
- 5) Notify the local police department (*911*) of the vehicles location;
- 6) Contact your direct supervisor; and
- 7) Make arrangements to have the vehicle towed.

- S. No radar detection devices are to be used in any County owned, leased, borrowed or other vehicle used for County business. Drivers who are found to be using such devices may be subject to disciplinary action as determined by the Department Head or County Administrator and in accordance with bargaining agreements and Civil Service Law.

- T. All employees seeking to operate a County vehicle must have participated in a driver improvement program within the last 3 years. The driver improvement program can be the County's driver improvement training or other driver improvement training approved by New York State Department of Motor Vehicles or the County's Safety Officer. Incidents and accidents involving County vehicles or other vehicles used for County business may be reviewed by the County's Safety Officer and/or the Risk Management Steering

Committee and a recommendation may be made in regards to additional driver improvement training.

- U. It will be the County Department Head's responsibility to review this policy with all employees prior to using a vehicle for County business and at any time when the policy is changed. The County Department Head will be responsible for obtaining the signed acknowledgment form that follows from the employees prior to using a vehicle for County business. The County Department Head will be responsible for determining each employee's eligibility under this policy as an authorized driver prior to vehicle use.
- V. County Department Heads or their designee shall notify *(using the proper form)* the Self-Insurance Department upon hire or termination of employees authorized to drive County vehicles or other vehicles for County business. The Self-Insurance Department will maintain the NYS DMV LENS database accordingly.
- W. The violation of any rule in the County Motor Vehicle Use Rules may result in disciplinary action in accordance with bargaining agreements and Civil Services Law.

SCHEDULE "A"

AUTHORIZATION TO ATTEND MEETING OR CONVENTION

Check one:

- ☐ In-State (Must be approved by Department Head, County Administrator & Committee Chair)
☐ Out-of-State (Must be approved by Department Head, County Administrator & Committee Chair)
☐ On-Line (Must be approved by Department Head, County Administrator & Committee Chair)

The _____ hereby authorizes _____
 (Supervisory Committee) (Employee Name)

to attend _____
 (Name of meeting or organization)

at _____ on _____
 (Address) (Dates)

Meeting/Convention/**Training** Cost: _____ Mode of transportation to be used: _____
 - (County Vehicle or Mass Transportation)

If the mode of transportation is **not** a county vehicle or mass transportation, please explain:

Proper documentation must be attached when submitting for approval.

(Please check documents attached)

☐ Notice of meeting/convention/**training** including cost. Total Cost \$ _____
 (Include travel costs)

For Overnight Travel

☐ Room rate \$ _____ GSA* Rate \$ _____ Funding in Budget? _____ Y _____ N

☐ Meal costs \$ _____ GSA* per diem rate \$ _____ Budget Code: _____

* www.gsa.gov

Date: _____

 Department Head Signature

Date: _____

 County Administrator Signature

Date: _____

 Committee Chair Signature

Please refer to the Warren County Travel Policy and County Vehicle Use Regulations for general policy guidelines.

Please check to request a fleet vehicle.

☐ **REQUEST FOR USE OF FLEET VEHICLE**

Filing Instructions:

1. Original with voucher to Auditor.
2. Copy to Buildings & Grounds if fleet vehicle is needed.
3. Copy to Purchasing with Purchase Order, if required.
4. Copy to Clerk of the Board if credit card will be used.
5. Copy of executed form needs to be included in next agenda for reporting to oversight Committee.

WARREN COUNTY
REPORT OF CONCERNS REGARDING COUNTY VEHICLES
This section to be completed by the employee that used the vehicle.

Department: _____

Vehicle: Make: _____ Model: _____

County No. _____

Date Vehicle Used: _____

Detail of Concern(s): _____

Name: _____ Title: _____

Date: _____

Employee should provide this form to their Supervisor/Department Head who will immediately forward (via hard copy, fax or email) this form to the Fleet Manager and to the Warren County Vehicle Maintenance Shop in Warrensburg.

This section to be completed by the Fleet Manager:

REVIEW OF CONCERNS AND ACTION TAKEN

Conclusion of Review of Concern(s) and Action Taken: _____

Name: _____ Title: _____

Date: _____

Upon resolution the Fleet Manager will distribute (via hard copy, fax OR email):

Copy to Department Head, Copy Vehicle Maintenance Shop, Original to remain with Fleet Manager.

Warren County Travel Policy and Vehicle Use Regulations Acknowledgment Form

- ❖ Be 18 years of age or older
- ❖ Hold a valid NYS Drivers license
- ❖ Use the vehicle as part of my usual and / or customary County job function
- ❖ Have been authorized to use the vehicle by the Department Head responsible for the vehicle or by the County Administrator
- ❖ Agree to provide my driver license number to the County for the LENS program
- ❖ Agree for the County to obtain my motor vehicle records
- ❖ Agree to provide the County documents including driving records, proof of a valid license and proof automobile insurance coverage if requested
- ❖ Agree to immediately notify the County of any driving violations, changes to driver information and driver status

NYS Driver License ID

Employee Signature

Date _____

Original of this form will be filed with the Department Head
Electronic copy will be filed with the LENS documents in the Self-Insurance Office