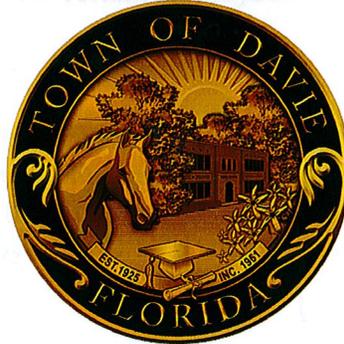


**TOWN OF DAVIE
HUMAN RESOURCES DEPARTMENT**



**TAKE HOME VEHICLES AND VEHICLE ALLOWANCE
SOP # 23-013**

September 19, 2012

SUMMARY OF REVISED, DELETED, OR ADDED MATERIAL

This operating procedure shall replace the Personnel Rules and Regulations and Policies enacted prior to the effective date of this Operating Procedure.

Revision	Date	Responsible Department	Description of Change
1	September 19, 2012	Human Resources	Initial Release

APPROVALS:

Author

Town Administrator

Date

Date

Stacy A. S. Hyslop

Benj. Hyslop

9/24/12

9-24-12

1-1. POLICY.

To establish a guideline for the appropriate use of Town of Davie vehicles or the provision of car allowances for certain employees.

1-2. SCOPE.

A take home vehicle will be provide to an employee represented by a bargaining unit only if a provision of the collective bargaining agreement covering that employee specifically indicates that the Town of Davie must provide that employee with a take home vehicle. Other employees will be designated within this operating procedure or by an employment contract.

1-3. PROCEDURE.

Take home vehicles will also be provided to the Police Chief, Majors, and Captains.

Take home vehicles will also be provided to the Fire Chief, Deputy and Assistant Chiefs as well as the Fire Marshall and Fire Inspector Supervisor and those Battalion Chiefs scheduled to work 40 hour daytime shifts.

Take home vehicles or an automobile allowances will be provided to employees if so indicated in an employment agreement.

Take home vehicles or an automobile allowance will be provided to Department Directors and the Police Legal Counsel.

Some Department Directors or Managers may have responsibility for one or more vehicles which may be utilized by employees within their Department and are responsible for monitoring usage of the vehicles, notifying Risk Management when vehicles are purchased and notifying the Procurement Manager if the vehicle is to be sold.

Town vehicles shall be driven with the utmost care. All traffic laws shall be obeyed and courtesy should be displayed by Town employees when operating these vehicles.

Vehicles shall not leave Broward County unless expressly authorized by the Department Director/Manager or Town Administrator to conduct official Town business.

Other employees with the need to utilize a vehicle while on duty will be:

Assigned a vehicle to use during working hours; or, reimbursed for properly documented mileage for the use of their personal vehicle for Town of Davie business. Employees must comply with the Operating Procedure under the Travel Reimbursement policy to

obtain reimbursement. (Employees must maintain a daily mileage log which will be submitted on a monthly basis and which must be approved by the Department Director.)

It shall be the responsibility of the various departments, or employees in cases where vehicles are designated as take-home vehicles, to ensure that scheduled preventative maintenance intervals are followed.

An employee acting in the course and scope of employment cannot be sued individually, absent bad faith, etc. An employee operating with permission but outside the course and scope of employment may be sued individually. The Town of Davie cannot provide auto liability protection for personal use of Town vehicles. Employees using Town vehicles for personal use do not have the same sovereign immunity protections as the Town.

1-4. REPORTING REQUIREMENT AND DISCIPLINARY ACTION.

The value of any actual benefit derived from a take home vehicle or an automobile allowance will be reported by the Town of Davie as required by the Internal Revenue Service (IRS).

Failure to properly maintain a vehicle, driving history, accidents, and/or tickets and convictions may be grounds for revocation of driving privileges and or take home vehicles and may result in disciplinary action.



DEPARTMENT OF HUMAN RESOURCES MANAGEMENT

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PHONE: 954.797.1100 • FAX: 954.797.1079 • WWW.DAVIE-FL.GOV

Date: June 11, 2012
To: All Employees That Use Town Vehicles
From: Richard J. Lemack, Town Administrator
Stacey H.S. Hipsman, Human Resources Director
Subject: Personal Use of a Town Vehicle

Court rulings have held that if an off-duty employee is involved in an at-fault motor vehicle crash while operating a municipal-owned vehicle, they could be personally liable for any financial loss the other party(s) may have incurred. This **immediately** affects everyone that operates a Town of Davie motor vehicle. An employee acting in the course and scope of employment cannot be sued individually, absent bad faith, etc. An employee operating with permission but outside the course and scope of employment may be sued individually. **The Town of Davie cannot provide auto liability protection for personal use of Town vehicles.** Employees using Town vehicles for personal use **do not** have the same sovereign immunity protections as the Town.

The Town of Davie obtains commercial automobile liability insurance coverage for the protection of the Town of Davie from incidents occurring during the use of Town-owned vehicles. The Town's insurance will always provide coverage for the Town of Davie's own damages and any liability that might be assigned against the Town of Davie by a court of law. Nothing in this memo shall be construed to affect in any way the Town's rights, privileges and immunities as set forth in Florida Statutes 768.28.

Personal automobile policies generally do not provide coverage for the employee while operating their employer's vehicles. However, employees may **at their own expense**; purchase a rider to their personal auto policy called 'Extended Non-owned Vehicle Liability Coverage.' Not all auto insurance companies sell or provide this coverage and if they do it is only available if the employee first has liability coverage on their own personal vehicle. The Town of Davie recommends obtaining such coverage that would provide personal liability protection during the employee's personal use of a Town-owned vehicle. Employees are advised to discuss this in detail with their own auto insurance agent.

I have received a copy of this Memorandum and have read and understand it. I understand that; **the Town of Davie does not provide me with personal liability protection during my personal use of a Town owned vehicle.**

Signed: _____
Employee
Print Name: _____

Date: _____
Number: _____

Original to Personnel File

Copy to employee