

RESOLUTION ADOPTING ELECTED OFFICIALS VEHICLE POLICY

WHEREAS, Lafayette County is committed to enhancing public trust and to conforming to the standards of good government; and,

WHEREAS, as part of the ongoing reform efforts, Lafayette County continues to review, revisit, and revise its policies and procedures; and,

WHEREAS, the Lafayette County Board of Supervisors has determined that the standards of good government require that the County adopt a countywide vehicle policy; and,

WHEREAS, on December 16, 2013, the Board of County Supervisors adopted a resolution directing the County Administrator and the Board Attorney to create a policy for the use of countywide vehicles and directed that they collaborate with the Elected Officials on the development of that policy; and,

WHEREAS, multiple meetings were held with County administration and Elected Officials to discuss the development of a countywide vehicle policy; and

WHEREAS, the Board of County Supervisors carefully considered all of the input gathered from Elected Officials and others in developing the attached Policy and believe that the attached Policy meets the standards of good government.

NOW, THEREFORE, BE IT RESOLVED, by motion made by Supervisor Blackmon duly seconded by Supervisor Pickens and voted on as noted below by the Lafayette County Supervisors, State of Mississippi, that the attached Countywide Vehicle Policy is hereby adopted.

Supervisor Mike Pickens:	Yea
Supervisor Jeff Busby:	Yea
Supervisor Robert Blackmon:	Yea
Supervisor Chad McLarty:	Yea
Supervisor Mike Roberts:	Yea



TAKE-HOME VEHICLE POLICY

WHEREAS, the County Board of Supervisors intend to adopt a policy authorizing home storage of personally assigned vehicles justified when home storage allows for more efficient utilization of the vehicle and the employee's work hours.

WHEREAS, this policy updates and outlines the situations when a County employee is allowed to take a County Vehicle home overnight on a regular or periodic basis; provides the conditions that must be met for approval; and the tax consequences.

NOW, THEREFORE, BE IT RESOLVED:

I. APPLICATION

- A.** It is the policy of the Board of Supervisors that utmost discretion is exercised by Department Heads in evaluating and authorizing County employees to take vehicles home on a regular or periodic basis.

- B.** Authorization for home storage of personally-assigned vehicles is justified when home storage allows for the more efficient utilization of the vehicle and the employee's working hours resulting in increased productivity.

II. AUTHORITY AND RESPONSIBILITIES

A. Requesting Department:

- 1.** Authorization to take a County vehicle home on a regular basis shall be a Function of the Department Head.

- 2.** Permanent Vehicle Assignment. In reviewing whether to authorize an employee or class of employees to take a vehicle home on a regular basis, the Department Head shall consider whether doing so is in the best interest of the County and specifically, whether the request meets the following guidelines:
 - a.** Specialized Vehicles. The employee or job classification has the primary responsibility to respond to emergencies that utilize a specialized vehicle that carries equipment, tools or parts used in the employee's performance of his/her job (i.e. animal care duties, emergency maintenance, transporting prisoners, traveling over rough terrain; or,

 - b.** "On-Call" Employees. The employee has the primary responsibility to respond to emergencies and is required to be available to respond to emergency incidents or situations that may occur during off duty hours and the tasks to be

- c. performed require immediate travel to a site that is not the employee's regular office or work base; and,
 - d. Restrictions. The employee understands and agrees that County Vehicles may not be used for personal use or non-County business, may not be driven by a non-County employee, and should be locked and parked in a secure place. Unless otherwise determined by an official action of this Board, the assignment of a County vehicle is neither a privilege nor a right of any County employee.
3. Periodic Vehicle assignment. In reviewing whether to authorize an employee or class of employees to take a vehicle home on a periodic basis, the Department Head shall consider whether doing so is in the best interest of the County and, specifically, whether the request meets the following guidelines:
- a. Practicality. The employee's situation is such that check-out of a County Vehicle from a County facility at the start or end of a normal workday would be both impractical and uneconomical due to lost productive time when attending out of County meetings, conferences or mandatory education courses;
 - b. Justified Use. A County vehicle (as opposed to use of an employee's personal vehicle with mileage reimbursement) is justified. Examples of when a County vehicle might be needed would be due to the number of passengers being transported;
 - c. Authorization. The employee is authorized to drive a County vehicle. This is accomplished by Department Head approval and showing a valid driver's license and proof of insurance.
 - d. Restrictions. The employee understands and agrees that County vehicles may not be used for personal use or non-County business; may not be driven by a non-County employee; and should be locked and parked in a secure place. Unless otherwise determined by an official action of this Board, the assignment of a County vehicle is neither a privilege nor a right of any County employee.
4. Review. Department Heads shall conduct annually a review of individuals authorized to take vehicles home on a regular basis to ensure that the above guidelines continue to be satisfied.
5. Reporting. The Department Head will ensure that proper payroll coding is documented within the payroll system for each employee that takes home a vehicle to reflect the benefit. Each January, Department Heads shall provide to the County Inventory Clerk a list of all employees authorized to take home County vehicles, in a format set forth by the Board of Supervisors. The list shall include the following:
- a. Employee Name;

- b. Employee Number;
- c. Employee's Current Job Classification;
- d. Type of Vehicle Assigned;
- e. County Vehicle Number;
- f. Actual Mileage from Employee's home to his/her Primary Work Location;
- g. Number of days worked,
- h. Certification by the Department Head that employees have been advised of their responsibilities regarding allowable uses of the vehicles and vehicle safety.

B. Public Works – Fleet Services Division:

1. Reporting. Each January the Board of Supervisors will provide to the Inventory Clerk a list of all employees authorized to take home County vehicles. The list shall include the following:

- a. Employee Name;
- b. Employee Number;
- c. Employee's Current Job Classification
- d. Type of Vehicle Assigned;
- e. County Vehicle Number;
- f. Actual Mileage from Employee's home to his/her Primary Work Location;
- g. Number of days worked.

C. County Administrator Office:

1. Audit. The County Administrator shall provide periodic audit of employee's use, and whether departments are properly tracking and reporting this benefit.
2. Payroll and Tax. The Payroll Clerk shall be responsible for reporting taxable fringe benefits, as appropriate, as required by law.

III. EMPLOYEE TAX CONSEQUENCES

- A. Taxable Fringe Benefit. Internal Revenue Service (IRS) regulations require an employer provided vehicle to be treated as a non-cash taxable fringe benefit when it is used for the employee's personal benefit.

- B. Potential Tax Exemptions. In the following situations, vehicles are generally considered exempt because they are categorized as "qualified non-personal use vehicles" and there are no tax consequences for employees authorized to take vehicles home that fall in these categories:

1. Clearly marked police and fire vehicles.
2. Unmarked vehicles used by law enforcement officers if the use is officially authorized.
3. An ambulance or hearse used for its specific purpose.
4. Any vehicle designed to carry cargo with a loaded gross vehicle weight over 14,000 pounds.

5. Delivery trucks with seating for the driver only, or the driver plus a folding jump seat.
6. A passenger bus with a capacity of at least 20 passengers used for its specific purpose.
7. School buses.
8. Tractors and other special purpose farm vehicles.

C. Commuting Valuation Rule. The County shall use the IRS Commuting Valuation Rule to evaluate the value of the working condition benefit for use of the vehicle. Under this rule, the County will determine the value of a vehicle provided to an employee for commuting by valuing each one-way commute (home to work or work to home) at \$1.50. If more than one employee commutes in the vehicle, this value applies to each employee. Unless the employee reimburses this amount to the employer, the amount is included in the employee's wages. This rule may be used if all of the following apply:

1. Employer owns or leases the vehicle and provide it to an employee to use in your business,
2. For bona fide non-compensatory business reasons, you require the employee to commute in the vehicle,
3. Employer establishes a written policy allowing no personal use other than commuting or *de minimis* personal use (such as a stop for personal errand),
4. The employee does not use the vehicle for personal purposes other than commuting and *de minimis* personal use, and
5. The employee is not a government control employee. A government control employee is either:
 - an elected official, or
 - an employee whose pay is at least Federal Government Executive Level V (\$145,700 for 2012)

IV. **EXEMPTIONS**

- A. This policy does not apply to the following individuals or when the following conditions exist:
1. Employees driving vehicles used the County sponsored car and van pool programs;
 2. Employees utilizing specialized vehicles that carry tools or parts for repair or emergency vehicles; or
 3. Employees driving vehicles which cannot be garaged at a County facility which is secure – as determined by the County Fleet Manager.

V. **REFERENCES**

Internal Revenue Service Publication 15-B (Rev. January 2012) "Employer's Tax Guide to Fringe Benefits."

Lafayette County Take-Home Vehicle Justification Form

Department: _____

Employee Name: _____

Employee Title: _____

Vehicle Type: _____

Justification for take-home vehicle:

Address of Residence: _____

Number of miles from residence to primary work site: _____

Number of miles from residence to County limits (if residence is outside the County):

Number of callouts within the last 12 month period: _____

Special equipment on vehicle: _____

Remarks:

Begin Date: _____ End Date: _____

Employee Signature: _____ date: _____

Supervisor Signature: _____ date: _____

Elected Official/Department Head: _____ date: _____

Driver's Certification

I certify the following is a true and complete list of traffic violations (other than parking violations) for which I have been convicted or forfeited bond or collateral during the past twelve months.

Offense: _____

Date of conviction: _____ Location: _____

Type of vehicle operated: _____

If no convictions are listed above, I certify that I have not been convicted or forfeited bond or collateral on account of any violation during the proceeding twelve months.

Employee signature: _____ Date: _____