

CITY OF MEDINA

USE OF CITY FURNISHED VEHICLE

Policy: USE OF A CITY FURNISHED VEHICLE. A CFV is defined to include a vehicle that is (1) owned by the city, (2) assigned or dispatched to the city on a rental basis (with the exception of vehicles covered under paragraph, or (3) leased by the City for a period of 30 days or longer from a commercial firm. The use of a CFV is restricted to official purposes.

1. Willful Misuse: An employee who willfully uses or authorizes the use of a CFV for other than official purposes will be subject to discipline. "Willful use for other than official purposes" is defined as voluntarily and consciously using a CFV with knowledge of, or with reckless disregard for, the fact that the use is for other than official purposes. Willful misuse is not present when a CFV is used primarily to further agency business, even though some minor personal use may be involved.
2. Minor Personal Use: Minor personal use of a CFV is defined as a brief stop of 15 minutes or less incidental to other official travel (at a dry cleaning establishment, grocery store, bank, shoe repair, etc.) on the direct route between duty assignments, while at a meal break, or between the duty assignment and the employee's residence if home-to-work use has been authorized. Instances of minor personal use that result in a significant diversion of time or distance are NOT authorized.
 - 2.1 Use of a CFV for going on a meal break is limited to the following: (1) while in transit to or from the site of official business; or (2) a reasonable distance (not to exceed 15 minutes one way) from the office or site of official business. (Unless the Appointing Authority determines that a longer driving time is reasonable for a particular reason).
 - 2.2 It is impossible to give examples of every incident that may occur. However, the facts and circumstances surrounding each incidence of possible misuse will be reviewed on a case-by-case basis to determine culpability on the part of an employee. Among the factors that will be considered is the extent to which the employee's use of the CFV furthered the City's interest, rather than the employee's personal interests.
3. Miscellaneous Functions: Questions arise from time to time regarding the appropriate usage of a CFV to attend what is often perceived as a business related function such as a gathering at a private residence, private club or commercial establishment for a retirement or similar celebration, or a solemn event such as a funeral service for a co-worker or immediate family member. Attendance at these miscellaneous and similar functions may not necessarily serve an "official purpose," within the narrow construction of that term. Accordingly, in all cases where an employee contemplates using a CFV to attend a miscellaneous function, whether that function occurs during or after regular tour of duty hours, the employee must obtain prior approval to use the CFV from the

Appointing Authority. The management official should consider each request on a case-by-case basis.

- 3.1 Use of a CFV to attend a retirement or going-away party for a co-worker might be appropriate in some cases. For example, where a retirement or a going-away party, especially when it occurs during normal duty hours, involves agency presentation of awards, approval to use the CFV to attend might be warranted. Because the majority of employees must use their Privately Owned Vehicles (POV) to attend such functions, however, the management official should use heightened scrutiny when considering requests to use CFV's to attend. Where the management official determines that use of a CFV to attend a retirement or going-away party is warranted, the employee may not consume any alcoholic beverages that might be offered. In the case of "life event" commemorations, such as birthday parties, or bridal or baby showers, use of a CFV would not be appropriate.
- 3.2 With regard to the use of a CFV to attend funeral services for a co-worker or an immediate family member of a co-worker, the following guidance may be helpful: Employees may, with advance permission from their appropriate management official, use a CFV to attend funeral services for a co-worker or an immediate family member of a co-worker, depending on variables such as the time of day of the services or funeral, the travel distance to the service or gravesite, time away from the office, and the circumstances surrounding the death. The management official should consider all requests on a case-by-case basis. In instances when several office members will be attending the same function, and permission has been granted by the appropriate management official to use a CFV, employees should ride together in the same vehicle, if possible, in order to maximize vehicle use.
4. Transportation of Passengers: Employees may not transport persons in a CFV who do not have a direct nexus to the official business of the City and the specific mission being carried out at the time, except in cases of a life-threatening emergency.
5. Transportation in Travel Status: While in travel status in which a CFV is authorized, employees may use the CFV for a trip of reasonable length that is necessary for their sustenance, comfort, or health (e.g., driving a reasonable distance to suitable dining establishments, drugstores, places of worship, theaters, dry cleaning/laundry establishments, etc.).
6. City-contract Rental Automobiles: While the use of a CFV is limited to official purposes, such a restriction is not placed on a "City-contract rental automobile" (CRA). A CRA is defined as an automobile obtained for a short-term use (less than 30 days) from a commercial firm. When a CRA is being used for other than official purposes, the employee is responsible for any additional expenses (e.g., fuel costs, excess mileage charges, excess daily charges, etc).

7. Personal Judgment: While the specifics of official use, willful misuse, and minor personal use are discussed in this order, there will be incidents in which the circumstances may not be clearly defined. In these cases, the Appointing Authority will review the facts surrounding the incident and determine whether the employee was using the vehicle for official or unofficial purposes. Should the Appointing Authority conclude that use was for unofficial purposes, he will then determine whether the employee willfully misused the vehicle or otherwise exercised poor judgment.