

## **VI. EMPLOYEE CONDUCT**

### **H. USE OF MOTOR VEHICLES**

#### **1. Use of City Owned Vehicles**

- a. Authorized employees may be entrusted with the operation of a motor vehicle owned by the City of Lawrence for the performance of their job duties. Employees are expected to place primary importance on the safe and responsible use and operation of such motor vehicles. All other activities are secondary to driving safely.
- b. Employees entrusted with the operation of a City vehicle must maintain a valid driver's license appropriate to the vehicle they are operating, and that license must be on or accompany the employee during the operation of the vehicle.
- c. City vehicles are provided for the performance of City business only. Only City employees on official City business may be allowed as passengers in City vehicles. Upon Department Director approval, guests of the City in conjunction with City business may be approved passengers. Within the confines of the work day, brief personal use of a City vehicle may be approved subject to departmental rules and regulations.
- d. Department Directors must have City Manager approval before assigning any City employee to take a City vehicle home on a regular basis. One-time take-home uses of City vehicles may be approved by Department Directors. City vehicles shall not be taken home by employees living outside the City limits, unless the City Manager determines it is in the best interest of the City. Employees who are assigned vehicles shall take the most direct route to and from their homes. Employees who are entrusted to take a City vehicle to their home will be required to pay appropriate income taxes.
- e. Authorized employees shall operate City vehicles observing all traffic laws including the use of seat belts. Any City employee who is a driver or passenger of a vehicle while working for the City is required to properly wear a seat belt. Alcoholic beverages and illegal drugs are prohibited in

City vehicles at all times, except in the transportation of confiscated evidence materials or trash pickup. Employees shall keep their attention on the task of driving and use defensive driving techniques to avoid accidents and injuries.

- f. Any employee operating a motor vehicle of any kind on a public street is prohibited from using any portable wireless communication device, including but not limited to cell phones, mobile data terminals and computers, to write, send, or read written communications or text messages. This prohibition shall not apply to police, fire, and other emergency personnel using said devices for work purposes only. Any driver needing to use a portable wireless communication device for the purpose of reading, writing, or sending a text or written message shall exit the street or roadway and place the vehicle in park before using said device.
- g. In the event that a motor vehicle accident or property damage occurs involving a City of Lawrence vehicle, regardless of the severity or location, the Lawrence Police Department or jurisdictional law enforcement authority, the employee's department, and the Office of Risk Management must be contacted and allowed to respond to the accident scene for investigation. All traffic violations and citations are the personal responsibility of the employee operator.
- h. The Department Director and/or designees will investigate each motor vehicle accident in the Director's department. The Department Director will draft and issue correspondence with the Director's findings to the employee, Risk Manager, and City Manager. A copy of the findings, including whether discipline was issued, will be placed in the employee's personnel file. An employee may petition the Risk Manager for removal of the above correspondence from the employee's file after 1 year if the employee did not violate any traffic regulations or was not otherwise at fault for the accident. The Risk Manager will consult with the Department Director before any such removal.

## **2. Use of Personal Vehicles on City Business**

Only authorized employees, as identified by the Department Director, and reported to the Risk Manager, will be allowed to use their own vehicle for City

business. The employee will be required to provide proof of insurance to the Risk Management division. If such authorized employee is involved in an accident while conducting City business, the employee's insurance will be primary and the City's insurance will be secondary. The employee will be responsible for any deductibles or co-payments. The employee's insurance will be responsible for damages that exceed the deductibles and co-payment up to the maximum on the policy. The City's insurance will pay for any costs that may exceed the maximum of the employee's insurance policy. The City will not pay the deductible or co-payments for the employee. If an employee only has liability coverage on their vehicle, then the employee is responsible for taking care of any damage to their personal vehicle as a result of any accident. All employees are required to carry at least the minimum limits of insurance required by the State of Kansas. The employee is responsible for obtaining, purchasing and maintaining insurance coverage on their vehicle.