



BEHAVIORAL HEALTH SERVICES

Fort Bend County, Texas

February 11, 2019

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Director

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Dear Commissioners Court:

Our department is requesting an exception to the Vehicle Policy 612.04 to allow our employees the ability to transport our clients to various agencies as well as our office. Our employees that will be transporting clients are either Licensed Mental Health clinicians or trained in Mental Health First Aid and are aware of the risks involved with the population that we serve. Public Transportation is currently used by our department but often cannot meet the most urgent needs of our clients including same day appointments. Our department has spoken to Risk Management who suggested that we request Commissioners Court approval. We ask that Commissioners Court consider our request as it is sometimes vital for the well-being of the clients that we serve that we have the flexibility to transport them to needed services. If you have any questions, please let us know.

Thank you for your consideration,



M. Connie Almeida, Ph.D.

612 VEHICLE POLICY

Section 612.01 Purpose

To increase efficiency and set fiscal priorities in County and Drainage District governmental operations, the Fort Bend County Commissioners Court and the Fort Bend County Drainage District have formulated this Vehicle Policy ("Policy") in order to attempt to maximize the County's and District's vehicle resources. The purpose of this Policy is to establish the County's and District's guidelines in the assignment and use of all of the County and District owned vehicles and the designation of vehicle allowances.

The use of the terms "Commissioners Court" and "County" in this Policy shall also mean the Fort Bend County Drainage District.

All provisions in this Policy shall apply equally to all Fort Bend County-owned vehicles, and Fort Bend County Drainage District-owned vehicles as well as personal vehicles used for County business, regardless of whether specifically stated in this Policy.

Section 612.02 Role of Commissioners Court

The Commissioners Court, as the policy development and budgetary control unit of county government, shall be the final authority in determining the utilization of all of the County's vehicle resources. This Vehicle Policy is subject to revision at any time by the Commissioners Court. Ideally, the vehicle allowance and mileage reimbursement rates shall be reviewed annually during the budgetary process and set at the beginning of each fiscal year.

Section 612.03 Prohibited Activities

Employees are prohibited from the manufacture, distribution, dispensation, possession, sale, attempted sale or having in their control any illegal drug, intoxicant and/or alcohol while in County vehicles whether on or off duty, on County premises during work hours whether on or off duty, or while acting in the course and scope of their employment at any geographic location or as any part of its activities.

Section 612.04 Vehicles will be used for Permitted Purposes Only

All County-owned vehicles will be operated for permitted purposes only by authorized County employees. Permitted purposes include, but are not limited to, use of the vehicle for official County purposes within the scope of the drivers job description. At no time will a County-owned vehicle be used for personal purposes. Commissioners Court will be the final authority on whether a vehicle is being used for permitted purposes.

Only authorized individuals may operate the County-owned vehicle at any time. Non-permitted use of County-owned vehicles includes, but is not limited to:

1. Transportation to or parking at establishments in which the primary scope of business is the sale and/or distribution of alcohol, unless the official/employee is in his or her official capacity.
2. Transporting children to and/or from school
3. Traveling to a political or social event, unless the

official/employee is attending the event in his/her official capacity.

**Section 612.05
Categories of
Vehicles**

This Policy shall include, but not be limited to, the following categories of County Vehicles.

- A. **FORFEITED VEHICLES.** Forfeited Vehicles are those vehicles seized by County law enforcement agencies or those vehicles that are legally seized and forfeited to the seizing County law enforcement agency by an appropriate judicial body.
- B. **GRANT VEHICLES.** Grant vehicles are those vehicles that are purchased or leased entirely without County funds by solely using grant funds and whose operation, upkeep, and insurance are paid entirely by grant funds.
- C. **VEHICLE MAINTENANCE/POOL VEHICLES.** Vehicle Maintenance/Pool Vehicles are those vehicles held in reserve at Vehicle Maintenance that may be assigned on an "as-needed" basis by Vehicle Maintenance to county departments and offices.
- D. **CONTRACT VEHICLES.** Contract vehicles are those vehicles paid for by entities other than the County and are to be used according to the terms of the contract. All contract vehicles and equipment are the property of Fort Bend County and are assigned to Vehicle Maintenance.
- E. **DEPARTMENT/OFFICE VEHICLES.** Department/office vehicles are those vehicles that are utilized by County departments or offices in the performance of their duties. Automobiles, pickups and utility vehicles may be assigned to officials/employees to take home only upon approval of Commissioners Court and only under the provisions of this Policy.

**SECTION 612.06
ASSIGNMENT OF
VEHICLES**

- A. Commissioners Court shall strictly control acquisition and assignment of all County-owned vehicles through the budgetary process. Upon acquisition, the Purchasing Agent will reflect the vehicle's acquisition in the County's fixed asset inventory records.
- B. County-owned vehicles will be assigned only to those officials/employees who must have access to a County-owned vehicle in order to carry out their duties. All departments/offices with County-owned vehicles will provide Commissioners Court (or its designee) with a list of all departmental/office vehicles and vehicle assignments with corresponding justification at intervals to be established by the Court. Commissioners Court will make the final determination regarding the assignment and use of all County-owned departmental vehicles.
- C. All officials/employees driving a County-owned vehicle must have a valid Texas driver's license with a classification that allows for operation of the assigned vehicle. If during the course of employment an official/employee loses his/her driver's license due

to suspension or non-renewal, the employee shall immediately notify his/her Department Head or Elected Official, who shall notify Commissioners Court. It shall be the Department Head's or Elected Official's responsibility to ensure that each of his/her employees possess a valid Texas drivers license with the proper classification to operate the employee's assigned vehicle. Improper use of a County vehicle shall be subject to disciplinary action. Improper use includes, but is not limited to: (a) having three (3) or more moving violations assigned against a driver's license over a three (3) year period; and/or (b) driving a County vehicle while intoxicated or under the influence of alcohol or an illegal drug. Should an official/employee cause excessive wear or damage to a vehicle through abusive driving or failure to have the vehicle properly maintained, Commissioners Court may require the official/employee to reimburse the County for the cost of the excessive wear and/or damage. Commissioners Court shall be the sole authority on determining whether damage is the result of abusive driving.

- D. An Authorized Driver Information form (see Section 612.16) must be filled out by all officials/employees who operate a County-owned or personal vehicle on County business. All information requested on this form must be provided before a driver will be approved by the Risk Management Department. A copy of an employee's current proof of liability coverage must be provided to Risk Management by those officials/employees who operate a personal vehicle for County business. The official/employee's name, dates of coverage, type of auto and type of coverage must be shown on the proof of liability card.
- E. Vehicles may only be authorized for driving to and from work, for work-related duties and/or for incidental use. Officials/employees will be responsible for any and all damage during any unauthorized use.
- F. Only County officials/employees who have complied with the terms of this Vehicle Policy are authorized to drive a County-owned vehicle.
- G. In the event of an accident involving a County-owned vehicle being used by an official/employee for personal reasons or unauthorized use, as determined solely by Commissioners Court, the official/employee will be fully liable for all damage and/or injuries sustained to all parties in the accident.
- H. All drivers of County-owned vehicles, and those using their personal vehicles on County business, shall comply with all applicable federal, state and local laws. It will be the responsibility of the official/employee to pay any fines and/or penalties imposed for not complying with such laws.
- I. A pool vehicle may not be assigned to an employee as a take-home vehicle unless specifically authorized by this Policy or Commissioners Court.
- J. A Department Head or Elected Official may be assigned a vehicle

and use it as a take-home vehicle if Commissioners Court determines that the vehicle is an essential tool needed to perform his or her duties and if he/she is subject to a continuous on-call status.

- K. A vehicle maintenance pool car, if available, may be used for out-of-county trips, as a temporary replacement for a wrecked or disabled vehicle, or for other County business subject to authorization and approval by the Vehicle Maintenance supervisor and Commissioners Court ratification.
- L. If the county-owned vehicle is driven out of the county on official County business, actual gasoline and repair expenditures shall be reimbursed upon submission of proper documentation and approval.

NO COUNTY-OWNED VEHICLE MAY BE OPERATED OR TAKEN OUTSIDE OF THE CONTINENTAL UNITED STATES.

**Section 612.07
Take Home Vehicles**

- A. Vehicles assigned to individuals/employees may be taken home only if:
 - 1. Commissioners Court specifically approves the assignment of a take home vehicle to a specific official/employee; and
 - 2. The official/employee drives a vehicle at least an average of 400 miles per month on official County business; and
 - 3. At least twice a week the official/employee departs his/her residence and goes directly to a meeting or job site without first going to the official/employee's home office; or
 - a. The official/employee routinely travels to meetings or functions related to his/her specific duties and responsibilities after normal business hours or on weekends; or
 - b. The official/employee's duties require the official/employee to be "on call" and they are routinely called to an emergency or work; and
 - 4. The official/employee lives in Fort Bend County.
- B. It shall be the responsibility of the Department Head/Elected Official to seek and receive prior Commissioners Court approval before he/she allows any official/employee to take home a County-owned vehicle.
- C. Any exception to this Policy must receive Commissioners Court approval before an official/employee is allowed to take a vehicle home.
- D. Any exception to this Policy must receive Commissioners Court approval on at least an annual basis.
- E. All take home vehicles must be approved by Commissioners Court

on at least an annual basis.

- F. Commissioner's Court considers all assignments of a take home vehicle to be temporary and as such subject to review and revocation at any time by Commissioners Court.
- G. Each department or office shall maintain a list of those officials/employees authorized to take a County-owned vehicle home and a copy of that list shall be furnished to Vehicle Maintenance and to the County Auditor. Vehicle Maintenance shall be responsible for maintaining a master vehicle list.

**Section 612.08
Vehicle/Travel
Allowances**

- A. Commissioners Court may grant a vehicle/travel allowance to any official/employee it deems appropriate.
- B. Generally, a vehicle/travel allowance shall be deemed additional compensation for the official/employee.
- C. In order to receive a vehicle/travel allowance, the official/employee must furnish the Payroll Department and Risk Management Department a copy of the official/employee's current Texas driver's license. Subsequent renewals of driver's license should be forwarded to the Payroll and Risk Management Departments to replace outdated information.
- D. The vehicle/travel allowance will be paid as 1/26th or 1/24th of the yearly allowance per pay period and will be subject to all applicable taxes including FICA, TCDRS, and Federal Income Tax withholding.
- E. Officials/employees assigned designated parking spaces must furnish a vehicle description and license plate number to the Building Maintenance Supervisor for all vehicles expected to be parked in the designated space.

**Section 612.09
Mileage
Reimbursement**

- A. All officials/employees who do not receive a car allowance, and who drive their personal vehicles on official County business will be reimbursed at the rate established by Commissioners Court. The mileage reimbursement rate is intended to help defray the normal costs of operating expenses (including but not limited to gasoline, oil, maintenance, depreciation and insurance expense).
- B. Commissioners Court hereby sets the mileage reimbursement rate at an amount equal to the IRS published rate for mileage reimbursement for business use of a personal vehicle.

- C. The mileage reimbursable rate will be the maximum amount payable without the assessment of additional income to the official/employee.
- D. All requests for reimbursement must be supported according to IRS guidelines on mileage reimbursement including, the date, destination, miles driven, and the nature of the trip.
- E. The County Auditor's office will endeavor to pay properly submitted mileage reimbursement requests within two (2) weeks of submission.
- F. The Department Head/Elected Official or designee must approve all mileage reimbursement requests prior to submission.
- G. Together with the first reimbursement request of a calendar year, the official/employee must submit a copy of his/her current Texas driver's license. Without this documentation, mileage reimbursements will not be processed.

**Section 612.10
Wrecked and
Disabled County
Vehicles**

- A. In the event that a County-owned vehicle is involved in an accident or the driver is issued a traffic violation citation, the driver of the County-owned vehicle shall immediately notify his/her supervisor.
- B. The Department Head/Elected Official or their designee shall immediately notify Vehicle Maintenance, the Risk Management Department and the County Judge's Office. An incident report form must be completed and submitted to Risk Management within 24 hours of the incident. The incident form can be found on the Risk Management Department web page on the County Wide Web.
- C. The Department Head/Elected Official shall forward a comprehensive written report to the Risk Management Department within five (5) calendar days of the incident. No repairs may begin until all the necessary information has been completed and sent to Risk Management.
 - 1. The comprehensive report must include a full narrative - from the driver - of all conditions of the accident, including, but not limited to, the name, driver's license number, insurance company, vehicle description, license plate number, assessment of damage to all vehicles involved and assessment of injuries sustained by all parties, if any.
 - 2. The comprehensive report must be signed and dated by the driver of the County-owned vehicle and his/her Department Head or Elected Official.
- D. A copy of the police report covering the accident must also be submitted to the Risk Management Department.
- E. If at all possible, the law enforcement agency with jurisdiction over the location of the accident shall immediately be notified. When appropriate, the Sheriff's Office shall also be notified. The Risk

Management Safety Officer should be immediately contacted in order to allow the Safety Officer the opportunity to investigate and take pictures of the scene of the accident.

- F. In conjunction with the Vehicle Maintenance Manager, the Risk Management Department shall prepare a report that is to include:
 - 1. A full narrative - from the driver - of all conditions of the accident, the name, driver's license number, insurance company, vehicle description, license plate number, assessment of damage to all vehicles involved, assessment of injuries sustained by all parties, if any;
 - 2. An evaluation of the extent of the damages; and
 - 3. A recommendation as to what action should be taken regarding whether the wrecked vehicle should be repaired or sold.
 - 4. Upon completion, this report should be made available to the respective Department Head/Elected Official, the Purchasing Agent, and the County Judge's Office.
- G. Any driver involved in an at-fault, preventable accident while operating a County-owned vehicle that results in damage to any vehicle or property, shall be required to attend a defensive driving class within 60 calendar days from the date of the accident.
 - 1. Proof of successful completion of the defensive driving course must be submitted to the Risk Management Department.
- H. If the vehicle has been disabled to the point that repairs are necessary for its safe operation, the Vehicle Maintenance Department will coordinate the repairs with the department/office to which the vehicle is assigned and the Risk Management Department.
- I. Any driver involved in an accident while operating a County-owned vehicle shall submit to a timely alcohol and drug test as defined in Sections 301.19 and 301.20 of the County's Policy for drug and alcohol detection and deterrence.
- J. If a County-owned vehicle is unoccupied and legally parked at the time of the accident, the County driver will not be considered to be at-fault and the accident will be considered non-preventable.

**Section 612.11
Acquisition and
Disposal of County
Vehicles**

- A. Vehicle Budgeting Procedure.
 - 1. All Departments/Offices shall identify new vehicles as a replacement or as an additional vehicle on Form G of the budget.
 - 2. Replacement vehicles should be considered by projecting current usage information from current year and current budget and high mileage, old age, and type of service should be weighed conservatively.

3. Vehicle Maintenance shall review Form G list with the Budget Officer.
4. The Budget Officer shall submit the budget to Commissioners Court for Approval.

B. Vehicle Specifications.

1. Vehicles will be specified by a joint decision between Purchasing, Vehicle Maintenance and the end-user department/office.
2. Commissioners Court may consider fuel economy, maintenance issues, and purchase price when determining the best buy.

C. Ordering Vehicles.

1. Vehicle option packages will be chosen in a joint decision between the end-user department/office and Vehicle Maintenance.
2. Departments/offices will submit requisitions for the purchase of vehicles with options to Vehicle Maintenance.
3. The Budget Officer will address the purchase price compared to the budget differences to determine the type of vehicle appropriated.
4. Purchasing will submit orders for vehicles to Commissioners Court for approval.
5. Any new equipment to be added to a vehicle must be ordered as soon as possible by the end-user department/office.
6. When possible, all equipment should be standardized to facilitate installation, warranty, and repair issues. Vehicle Maintenance will work with the departments/offices on specifications.

D. Delivery of Vehicles.

1. All vehicles will be delivered to Vehicle Maintenance.
2. Vehicle Maintenance will sign invoice, MSO, and Title applications in front of the vendor.
3. Vehicle Maintenance will complete new vehicle checklists and provide a copy to the Risk Management Department.
4. Vehicle Maintenance will assign unit numbers.
5. A numbering system consisting of a letter followed by five numbers will be used.

6. A new vehicle file will be made and will contain the new vehicle check-in sheet and window sticker.
 7. A fuel key and spare key will be made for each car.
 8. Vehicle Maintenance will retain all spare keys.
 9. Vehicle Maintenance will file for all titles and license plates.
 10. Regardless of current status, Commissioners Court must approve any vehicle requiring any license tag besides an exempt tag, on an annual basis.
 11. Non-exempt or "Cool" Tags will be applied for and maintained by the user department/office with the only information necessary for Commissioners Court approval being the number of "Cool" tagged vehicles in a particular department or office budget.
 12. Purchasing will maintain possession of all titles. Title to "Cool" Tagged vehicles shall be maintained in a separate file in the Purchasing Agent's office and shall be exempt from any "Open Records" requests.
- E. Vehicle Upkeep.
1. A list of all after market-installed equipment will be prepared for each vehicle by the end-user department/office.
 2. All equipment to be installed on a vehicle by Vehicle Maintenance will be provided to Vehicle Maintenance before any installation is begun.
 3. All equipment installation and markings will be completed in an order that balances:
 - a. First with vehicles and equipment;
 - b. Second with standardization of installation; and
 - c. Third, with the condition of the user's fleet.
 4. All license plates will be delivered and installed at Vehicle Maintenance.
 5. Pictures will be taken of all vehicles when the license plates are installed.
- F. Operation of Vehicles.
1. Vehicle Maintenance will supply all fuel, maintenance and repairs to all County-owned vehicles.
 2. The Risk Management Department will send a copy of the County Vehicle List for corrections to all departments/offices on a semi-annual basis. The Risk Management Department is

responsible for handling all damage claims.

3. No repair work can begin on a damaged County vehicle until all of the necessary paperwork (Incident Report and/or any other documents or photos necessary to illustrate the extent of the incident and the damage) have been completed and submitted to the Risk Management Department. Following receipt of the necessary paperwork, Risk Management will arrange for an appraisal after which the vehicle may then be sent for repair.
4. Departments/offices are responsible for keeping their vehicles clean and for bringing their vehicles to Vehicle Maintenance for service.
5. Flat tires and tire changes on the road will be the responsibility of the driver.

Any transfer of vehicles from one department to another must first be approved by Commissioners Court and must be made through the Inventory Manager in the Purchasing Department.

G. Disposal Of County Vehicles

1. On the same day a department or office takes control of a vehicle that increases the number of vehicles assigned to the department, the Department Head/Elected Official shall surrender another department/office vehicle to Vehicle Maintenance.
2. Vehicle Maintenance shall take control of all surrendered vehicles and store the vehicles until disposition of the vehicle can be made.
3. The Purchasing Department will be notified when a vehicle is surrendered to Vehicle Maintenance
4. The Purchasing Agent shall recommend to Commissioners Court the disposition of all surrendered vehicles.
5. Commissioners Court, by an authorized Court Order, shall designate the disposition of all surrendered vehicles.
6. The Purchasing Agent shall reflect the disposition of all surrendered vehicles in the County's fixed asset inventory records.
7. Prior to accepting possession of a vehicle that would increase a department's or office's allotted number of vehicles, the department/office may petition Commissioners Court for permission to increase their number of allotted vehicles. In the event that Commissioners Court grants such permission, the department will not have to surrender the vehicle.
8. Vehicle Maintenance, in conjunction with the Purchasing Agent, shall make every effort to dispose of all surrendered vehicles at the earliest possible date.

SECTION 612.12
Vehicle Safety

- A. All officials/employees assigned a County-owned vehicle shall maintain a copy of this Policy for reference.
- B. All officials/employees shall operate all County-owned vehicles in accordance with the vehicle's designed use, taking into consideration traffic and other conditions surrounding the use of the vehicle and the safety of others.
- C. All drivers of County-owned vehicles shall comply with all federal, state, county and local laws, rules and regulations governing the safe and legal operation of vehicles.
- D. At all times that the vehicle is in motion, the driver and all passengers must wear their seat belts in the proscribed manner.
- E. The driver shall be responsible for ensuring that all passengers are seated and properly secured before placing the vehicle in motion.
- F. Under no circumstances, *whatsoever*, shall passengers ride on fenders, running boards, the tops of vehicles, truck beds or any other place not designated by the manufacturer for passengers.
- G. Drivers are responsible for securing all doors and for checking seat belts prior to placing a vehicle in motion.
- H. All drivers should exercise extra caution when closing sliding doors on vans or other vehicles.
- I. Drivers of vehicles transporting materials shall secure all materials tightly to prevent movement in transport.
- J. All cargo that extends beyond the end of a vehicle bed shall be clearly marked with red cloth not less than sixteen (16) inches square.
- K. At night, red lights shall be used to mark any cargo that extends beyond the end of a vehicle bed.
- L. All vehicle equipment, including lights, brakes and tires shall be checked daily by the driver prior to operating the vehicle to verify proper working order.
- M. Any malfunction of the vehicle or its equipment shall be immediately reported by the driver to the driver's immediate supervisor and corrective measures shall be immediately employed.
- N. In the event a vehicle is found to be unsafe, regardless of how urgent the need for such vehicle, proper repairs shall be made before the vehicle is placed into service.
- O. All authorized County drivers shall drive defensively at all times.
 - 1. All County employees who routinely operate County vehicles or a personal vehicle for County business must complete a

Defensive Driving Course within (6) months of their initial hire date unless they can show proof of a Defensive Driving Course within the previous 12 months.

2. All County employees who routinely operate County vehicles or a personal vehicle for County business must attend a Defensive Driving Course at least every three years.
- P. All authorized County drivers shall be courteous to other drivers at all times.
- Q. Flashing emergency lights shall be turned on and traffic cones shall be in place any time a County-owned vehicle or piece of equipment obstructs traffic or is stopped where work is being performed.
- R. All authorized County drivers shall be courteous to other drivers at all times.
- S. Flashing emergency lights shall be turned on and traffic cones shall be in place any time a County-owned vehicle or piece of equipment obstructs traffic or is stopped where work is being performed.
- T. County-owned vehicles and/or equipment shall not be parked where they obstruct traffic unless it is absolutely necessary during an emergency.
- U. Whenever backing up, drivers shall determine what is behind their vehicle, even if obtaining such knowledge should require the driver to get out of the vehicle to investigate.
- V. During any hauling operations, loads shall be properly secured and covered.
- W. Drivers will be held responsible for the vehicle they are driving, the passengers riding in the vehicle and the load being transported.
- X. Vehicle operators must be constantly aware of all surrounding conditions, (i.e., ground personnel, overhead lines, pedestrians and other hazardous conditions).
- Y. All vehicles shall be properly parked and secured before being left unattended.
- Z. At no time shall keys be left in any unattended vehicle.
- AA. All vehicle tailgates will be secured (closed) while the vehicle is in motion.
- BB. Cell phones and computers should not be used while the vehicle is moving.

**SECTION 612.13
IDENTIFICATION**

No County-owned vehicle will be operated without appropriate identification affixed thereto, in compliance with Texas Transportation Code Section. 502.2015, except those vehicles exempt by state law and approved, when authorized by law, by Commissioners Court.

**Section 612.14
Insurance Coverage**

- A. The County shall provide automobile liability coverage for all covered third-party injury or death and property damage claims resulting from the authorized use of a County-owned vehicle.
- B. The County shall also cover physical loss or damages to its vehicles arising out of or connected with the permitted use of County-owned vehicles as authorized in this Policy.
- C. No County-owned vehicle is to be operated without proof of insurance in the vehicle. Statement of coverage may be obtained for the Fort Bend County Risk Management Department.
- D. Employees who operate a personal vehicle on County business must maintain auto liability insurance as required by the State of Texas. Employees should carry proof of auto liability insurance at all times when operating a personal vehicle for County business purposes.

**Section 612.15
Personal Use**

- A. At no time may a County-owned vehicle be used for personal gain, personal business, to drive to a place of secondary or part-time employment not related to official County business, or for any other non-County related use.
- B. The official/employee shall be personally responsible for violation of the personal use policy.

**Section 612.16
Authorized Driver
Information Form**

The Authorized Driver Information Form can be accessed on the Fort Bend County intranet (County Wide Web) on the Risk Management Department web page, Forms/Safety Forms.

Policy Approved and Adopted By:
Fort Bend County Commissioners Court
April 14, 1998
Revised: February 24, 2004
Revised: September 6, 2011