

COLLIN COUNTY
Vehicle Policy
Court Order #2024-xxx-06-24

Purpose:

To establish rules and procedures governing the assignment, use, and reporting requirements of county-owned, leased, or rented vehicles by Collin County employees in conducting business for Collin County.

Dissemination:

All authorized users of any vehicle which is county-owned, leased, rented, or otherwise under the normal care, custody or control of Collin County shall be subject to this policy. All affected employees shall be informed of the existence of these policies, and the departments to which they are assigned shall keep copies available for reference by employees. All authorized users of county-owned, leased, or rented vehicles will be required to sign a form acknowledging receipt and compliance of this policy prior to use of a county-owned, leased, or rented vehicle. A copy of the signed form should be kept by each individual department for record keeping purposes.

Definitions:

Take-Home Vehicle: Any vehicle that is county-owned, leased, rented or otherwise under the normal care, custody or control of Collin County and is taken from Collin County premises after normal working hours to remain in "home storage" at the employee's residence overnight for the use of a county employee for a bona fide county purpose.

Bona Fide County Purpose: A bona fide county purpose is conducting official Collin County business only. Bona fide county purpose does not include personal use or assignment of a take-home vehicle as a benefit or as compensation.

Call Out: (A) An obligation to return to a county-owned facility or a county-maintained facility after normal working hours in response to an emergency or critical situation; or (B) an obligation to report to a specific location within Collin County other than a county-owned or maintained facility in response to an emergency or critical situation.

Exempt Vehicles: Those vehicles that, according to federal law, are exempt for the purpose of increased tax liability to the authorized employee. This exemption means that the taxable income of the employee assigned an exempt vehicle will not be affected. See Attachment D: Exempt Vehicles for examples.

Non-Exempt Vehicles: Those vehicles that, according to federal law, result in a tax liability for the employee assigned the use of the vehicle.

Tax Liability: An employee who has a non-exempt take-home vehicle will have an assessment, determined by the Internal Revenue Service (IRS), added to his/her taxable income for each day of use. This assessment will only be added for the days the vehicle is used and will not include days when PTO is used or county-observed holidays. The assessed amount will be added to the employee's taxable income

only for the purpose of calculating the tax liability. The employee assigned the use of a non-exempt take-home vehicle will be responsible for the tax on the assessed amount.

Example:

Daily Assessment = \$5.00

Employee Tax Bracket = 28%

Daily Tax Liability Incurred= \$1.40 (.28 x \$5.00)

I. Use of County Vehicles

- A. All Collin County employees who operate county-owned, leased, or rented vehicles, or operate personal vehicles on county business, must comply with all applicable state and local laws. They must also have a valid, active and “in good standing” Texas driver’s license for the vehicle class they are driving.
1. If an employee loses his/her driver’s license due to suspension or non-renewal, the employee shall immediately notify his/her supervisor and will discontinue operating county-owned, leased, or rented vehicles, and personal vehicles on county business, until the driver’s license is reinstated or renewed.
 2. If an employee receives a traffic citation while operating a county-owned, leased, or rented vehicle or while operating a personal vehicle on county business, it is the employee's responsibility to inform his/her supervisor by the start of the next working day.
 3. If an employee receives a traffic citation while operating a county-owned, leased, or rented vehicle or while operating a personal vehicle on county business, it is the employee's responsibility to pay any fines associated with the citation.
 4. If an employee is involved in a motor vehicle accident while operating a county-owned, leased, or rented vehicle or while operating a personal vehicle on county business, it is the employee's responsibility to inform his/her supervisor, Equipment Services and Risk Management as soon as possible and no later than the end of the same business day. The employee may be required to take a drug test.
 5. If an employee is determined to be at fault for a motor vehicle accident that results from the employee’s failure to comply with traffic laws, the county may hold the employee liable for any related damages depending on the circumstances and after a review by Risk Management.
 6. All Collin County employees who operate county-owned, leased, or rented vehicles, or operate personal vehicles on county business, must comply with the Collin County minimum driving history requirements, which are as follows:
 - a. No more than three (3) moving traffic violations and/or motor vehicle accidents recorded against your driver’s license by any licensing agencies within the preceding 12-month period.
 - b. No more than five (5) moving traffic violations and/or motor vehicle accidents recorded against your driver's license by any licensing agencies within the preceding 24-month period.

- c. No Driving While Intoxicated (DWI) or Driving Under the Influence (DUI) conviction within the preceding 36-month period.
- B. The operation of county-owned, leased, or rented vehicles by non-employees is not allowed. This includes family members of the employee and contracted vendors.
 - 1. The occupancy of county-owned, leased, or rented vehicles by family members of the employee is not allowed.
- C. County-owned, leased, or rented vehicles are to be used for conducting official county business only.
 - 1. Collin County reserves the right to search county-owned, leased, or rented vehicles at any time for any purpose. Employees have no expectation of privacy in county-owned, leased, or rented vehicles. Employees are prohibited from altering, or attempting to alter or disable, any GPS or telemetric technology in county-owned, leased, or rented vehicles.
 - 2. Use of a county-owned, leased, or rented vehicle for going to and from a meal break should meet the following criteria:
 - a. Employees working in the field with no reason to return to their work base are allowed to go on a meal break in their assigned vehicle.
 - b. Meal break sites must be located along or adjacent to the route between the last work site and the next work site.
 - c. Personal trips are not allowed during meal or break periods.
 - 3. County-owned, leased, or rented vehicles may also be used for the following purposes in addition to those already identified:
 - a. To transport a group of employees or others doing business with Collin County between county facilities.
 - b. To transport a group of employees or others doing business with Collin County to and from other locations within the DFW Metroplex for county business.
- D. The personal use of county-owned, leased, or rented vehicles is not allowed.
 - 1. Except for law enforcement personnel and the explicit exceptions in this policy, no county-owned, leased, or rented vehicle may be used for personal gain, to conduct any personal business, or to drive to a place of secondary employment.
 - 2. If an employee is involved in a motor vehicle accident while operating a county-owned, leased, or rented vehicle outside the “course and scope of employment,” the employee shall be responsible for all liabilities arising from the accident and may forfeit the right to use county-owned, leased, or rented vehicles.
- E. Employees authorized to take a county-owned, leased, or rented vehicle home must drive the vehicle to and from work by the most direct route with no deviation and must ensure there is

adequate and safe parking for the vehicle. Collin County is not responsible for personal items that may be damaged or stolen from the vehicle.

1. Any deviation from the most direct route to and from work to conduct personal business will be considered personal use and will be considered outside the “course and scope of employment.”
2. Parking of take-home vehicles, whether on or off duty, must be in approved areas. Approved areas include, but are not limited to, improved, off-street parking surfaces at the home storage location. Employees must avoid situations that would give rise to a legitimate complaint from neighbors, such as blocking streets, driveways, alleys, etc.
3. Employees on vacation or on leave of absence for longer than one week should arrange to leave their take-home vehicle at an approved Collin County facility.

F. Improper use of a county-owned, leased, or rented vehicle shall include, but is not limited to:

1. Receiving citations for three or more moving violations over a three-year period regardless of disposition, including dismissal pursuant to completion of probation or plea bargain, except when adjudicated “not guilty” (see Attachment C: Driver’s Certification Form).
2. Driving a county-owned, leased, or rented vehicle while intoxicated or under the influence of an illegal drug.
3. Violation of any provision of **Section I: Use of County Vehicles**.

G. All county-owned, leased, or rented vehicles not assigned as take-home vehicles must be parked at the end of each day at a location approved by an elected official or department head.

H. Employees authorized to utilize county-owned, leased, or rented vehicles must always keep the vehicles safe and clean.

1. No personal or unauthorized decals should be placed on the vehicle.
2. All precautions shall be taken to ensure the safety and security of vehicles, including, but not limited to, locking all doors and/or compartments and properly parking vehicles in accordance with applicable laws and ordinances. Toolboxes, hand tools and cargo should be locked and secured.
3. Employees must ensure that all scheduled maintenance is performed on vehicles in a timely manner by making the vehicle available to Equipment Services upon receipt of preventive maintenance notifications.
4. Employees must ensure that all vehicles are in a safe, operable condition by performing daily inspections. It is the employee’s responsibility to report any unsafe conditions to his/her supervisor and Equipment Services.

I. Employees authorized to use county-owned, leased, or rented vehicles should be aware that the operation and appearance of such vehicles reflects on the professionalism of the driver, the department, and Collin County. As such, employees must be constantly aware of their actions and

ensure their behavior, appearance, and operation always exhibit the highest degree of professionalism and courtesy.

- J. Collin County has a "zero tolerance" policy regarding operation of a county-owned, leased, or rented vehicle while under the influence of alcohol or any illegal substance.
 - 1. Employees who are convicted of Driving While Intoxicated (DWI) or Driving Under the Influence (DUI) within the last 36 months are prohibited from driving a county-owned, leased, or rented vehicle.
- K. The use of all alcohol & tobacco products is prohibited in all county-owned, leased, or rented vehicles.

II. Take-Home Vehicle Assignment

- A. Certain employees may require a county vehicle on a twenty-four hour basis, as determined by the appropriate elected official or department head. The following criteria will be utilized in determining whether a take-home vehicle is appropriate:
 - 1. Does the employee respond to on-call emergencies or critical situations as the primary responder, such that the employee requires the vehicle on a twenty-four hour basis?
 - 2. Are the employee's primary duties in the field or at a county-maintained facility other than his/her primary reporting location?
 - 3. Would a significant difference in response time result from coming to a county facility to pick up a vehicle, and would that negatively impact citizen services?
 - 4. Does the vehicle carry specialized equipment, such as tools, lifts, barricades, etc., used in the case of emergency?
 - 5. To be eligible to utilize a take-home vehicle, county employees must live within 15 miles of the Collin County line, unless an exception is granted by the Commissioners Court.
- B. Except as provided in § III. Vehicle Markings, all take-home vehicles shall be inscribed or marked.
- C. The assignment of a take-home vehicle to an employee must serve a legitimate public purpose of Collin County and not be merely for the convenience or personal use of the employee.
- D. Take-Home Vehicle Assignment Process
 - 1. The employee's elected official or department head must complete a Collin County Take-Home Vehicle Justification Form (see Attachment A) with the employee's name and job title, the vehicle type and equipment number, the location of home storage, and a bona fide county purpose for the assigned vehicle. This form must be reviewed annually by the employee's elected official or department head for approval.
 - 2. The elected official or department head must provide a copy of the signed form to the County Auditor, to Risk Management (Human Resources), and to Equipment Services. Equipment

Services shall serve as the primary repository for all take-home vehicle records and will be responsible for initiating the annual reapproval process.

3. Employees offered the use of a take-home county-owned, leased, or rented vehicle must execute a written Collin County Take-Home Vehicle Acknowledgement Form (see Attachment B). If the assigned vehicle is non-exempt, the employee will incur the tax liability described above.
4. Once a take-home vehicle assignment has been approved, new requests are necessary only when a change in status occurs (e.g., reorganization of employee duties, the employee moves, etc.). Any change in employee status or vehicle assignment must be reported immediately to the County Auditor, to Risk Management (Human Resources), and to Equipment Services.

III. Vehicle Markings

A. Inscriptions & Markings

1. Inscriptions & Markings Requirement

- a. Texas Transportation Code section 721.004 requires all county vehicles to be inscribed or marked.
- b. All existing, new, or replacement county-owned, leased, or rented vehicles shall be inscribed or marked in accordance with Texas Transportation Code section 721.004 unless:
 - (1) The vehicle is currently being utilized by law enforcement “under an alias for covert criminal investigations.” “Alias tagged” vehicles are not required to be inscribed or marked and are not required to have exempt tags. This should be a seldom used exception involving a small number of vehicles.
 - (2) Expressly exempted by the Collin County Commissioners Court.
- c. All county vehicles shall be white in color unless otherwise expressly authorized by the Collin County Commissioners Court.
- d. Law enforcement vehicles should be inscribed or marked both as a deterrent to criminal conduct and to assure the citizens that law enforcement coverage is being provided.

2. Commissioners Court Authority to Exempt

- a. Texas Transportation Code section 721.005 (b) provides that a commissioners court may exempt certain vehicles from the requirements of section 721.004 (related to inscriptions and markings). The authority to grant an exemption is discretionary, and exemptions pertain to vehicles used for official duties.
- b. An elected official or department head (or designee) may submit a written request to the Collin County Commissioners Court for an exemption from the inscriptions and markings requirements for each vehicle. The request shall provide the reasons for the

exemption. The request shall also identify whether the vehicle is a take-home vehicle and the reasons for providing the take-home vehicle.

B. Exempt Tags

- 1. All existing, new, or replacement county-owned, leased, or rented vehicles shall have exempt tags in accordance with Texas Transportation Code section 502.453 (a)(6) unless:
 - a. The vehicle is currently being utilized by law enforcement “under an alias for covert criminal investigations.” “Alias tagged” vehicles are not required to have exempt tags and are not required to be inscribed or marked. This should be a seldom used exception involving a small number of vehicles.
 - b. Expressly exempted by the Collin County Commissioners Court. County vehicles, including law enforcement vehicles, for which non-exempt (i.e., “regular”) tags have been otherwise obtained remain subject to the Inscriptions & Markings Requirement unless exempted by the Collin County Commissioners Court.

IV. Failure to Comply

- A. Employees and supervisors who fail to comply with any of the requirements of this policy may be subject to any disciplinary action up to and including, loss of privilege to drive county vehicles or possible termination of employment with Collin County.

I have read, understand, and agree to abide by the above Vehicle Usage and Take-Home Vehicle policy.

EMPLOYEE NAME	SIGNATURE	DATE

COLLIN COUNTY TAKE-HOME VEHICLE JUSTIFICATION FORM

DEPARTMENT	
EMPLOYEE NAME	
EMPLOYEE TITLE	
VEHICLE TYPE	UNIT NUMBER
JUSTIFICATION FOR TAKE-HOME VEHICLE	
EMPLOYEE RESIDENTIAL ADDRESS WHERE VEHICLE WILL BE KEPT OVERNIGHT	
# MILES FROM RESIDENCE TO PRIMARY WORK SITE	
# MILES FROM RESIDENCE TO COUNTY LINE IF RESIDENCE IS OUTSIDE THE COUNTY	
NUMBER OF CALL OUTS IN PREVIOUS 12 MONTHS	
SPECIAL EQUIPMENT ON VEHICLE TOOLS, POWER EQUIPMENT, BARRICADES, ETC.	
OTHER REMARKS	
BEGIN DATE	END DATE
EMPLOYEE SIGNATURE	DATE
SUPERVISOR SIGNATURE	DATE
ELECTED OFFICIAL OR DEPARTMENT HEAD SIGNATURE	DATE

COLLIN COUNTY TAKE-HOME VEHICLE ACKNOWLEDGEMENT FORM

I have read the Collin County Vehicle Usage and Take-Home Vehicle Policy. I understand the criteria established for taking vehicles home and that non-compliance with these requirements will be considered outside the course and scope of my employment. The policy describes the consequences of non-compliance with the established criteria. I understand that if the vehicle is non-exempt under federal law, then I will be responsible for the tax liability resulting from its use. I also understand it is my responsibility to inform my supervisor of any change in status of information provided in the Take-Home Vehicle Justification Form and Driver's Certification Form.

EMPLOYEE SIGNATURE	DATE
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COLLIN COUNTY DRIVER'S CERTIFICATION FORM

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

EMPLOYEE SIGNATURE	DATE
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COLLIN COUNTY EXEMPT VEHICLES

Exempt vehicles are those that, according to federal law, are exempt for the purpose of increased tax liability on the employee. This exemption means that the taxable income of the employee assigned one of these vehicles is not affected. Only certain vehicles are exempt. Below are examples of exempt vehicles:

- Clearly marked public safety vehicles
- Delivery trucks with seating only for the driver and folding jump seat
- Flatbed trucks
- Cargo vehicles with a gross vehicle weight over 14,000 lbs.
- Passenger buses with a capacity of at least 20 passengers
- Bucket trucks or "cherry pickers"
- Cranes and derricks
- Forklifts
- Dump trucks and garbage trucks
- Refrigerated trucks
- Tractors
- Combines
- Specialized utility repair trucks
- Moving vans
- Unmarked law enforcement vehicles operated by an officer or arson investigator who is an employee, authorized to carry a firearm, execute search warrants, and make arrests
- All other vehicles exempted by the IRS under special ruling