




Approved by  
The Commission

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## M-NCPPC VEHICLE USE PROGRAM

<b>AUTHORITY</b>	<p>This Administrative Practice was revised by the Commission on April 18, 2012.</p> <p style="text-align: right;">             Patricia Barney, Executive Director         </p>
<b>RESCISSION</b>	<p>This M-NCPPC Administrative Practice, as amended on April 18, 2012, consolidates and replaces the following policies: Administrative Practice 6-11, “Bi-County Staff Vehicles Policies and Procedures,” Administrative Practice 6-12, “Maintenance of Commission-Owned Passenger Vehicles, Administrative Practice 3-50, “Reporting Vehicle Accidents,” and M-NCPPC Notice 94-05, “Guidelines for Driving Commission Vehicles.” Viable portions of these policies have been incorporated into this Practice.</p>
<b>REFERENCES</b>	<ul style="list-style-type: none"> <li>▪ Internal Revenue Service Publication 15-B, Employment Tax Guide to Fringe Benefits.</li> <li>▪ Merit System Rules and Regulations, Section 661, Assignment of a Commission Vehicle.</li> <li>▪ Administrative Practice 2-22, Prohibitions on Smoking, Use of Tobacco Products and Electronic Cigarettes on M-NCPPC Property and in M-NCPPC Vehicles.</li> <li>▪ M-NCPPC Administrative Practice 2-26, Controlled Substance and Alcohol-Free Workplace.</li> <li>▪ M-NCPPC Administrative Practice 3-10, Authorized Business Expenses (Travel, Lodging, Meals, Events, Meetings/Conferences Etc.).</li> <li>▪ M-NCPPC Administrative Procedure 04-04, Risk Management and Safety Manual.</li> <li>▪ M-NCPPC Notice 11-06, “Expense Reimbursement for Use of Inter-County Connector.”</li> <li>▪ M-NCPPC Notice 10-01, “Use of Handheld Devices While Operating a Motor Vehicle.”</li> <li>▪ M-NCPPC Driving Requirements and Record Release Authorization Form.</li> </ul>
<b>APPLICATION</b>	<p>This Practice applies to all drivers of Commission vehicles. Employees who hold a Commercial Driver’s License (CDL) must comply with all additional federal and state mandates, including but not limited to, requirements as issued by the Federal and Maryland Departments of Transportation and the Federal Highway Administration). Represented employees should refer to their respective collective bargaining agreements for any additional or specific provisions on vehicle use.</p>
<b>PURPOSE AND BACKGROUND</b>	<p>This Practice sets forth the general requirements and criteria for use of M-NCPPC vehicles. The Practice, as originally adopted, has been revised to incorporate the following actions/decisions:</p> <ul style="list-style-type: none"> <li>▪ January 8, 1986: Commission approved payroll deduction as a method of collecting commuting fees; designed an approval process for assigning 24-hour vehicles; approved a commuting fee structure; explained tax liability for use of vehicles; and amended the process for keeping logs of usage.</li> <li>▪ May 12, 1987: Commission approved 24-hour vehicle assignments for command officers of the Park Police.</li> </ul>

- April 18, 2012: Policy amended to:
  - Consolidate and update stand-alone policies relating to vehicle use.
  - Clarify and strengthen standards for authorization of vehicle assignments, driver eligibility, and driving requirements.
  - Update provisions for vehicle identification, recordkeeping, and general operation of agency vehicles.
  - Clarify tax liability for use of vehicles.
- October 3, 2017: Policy reviewed and updated to add a reference to the Risk Management and Safety Manual.
- June 20, 2018: Updated to reflect corrected references and definition of “highly compensated employee/position” pursuant to the 2018 IRS Employer’s Tax Guide to Fringe Benefits.

## DEFINITIONS

**Appointed Officers:** This term refers collectively to the following positions: Executive Director, General Counsel, and Secretary-Treasurer.

**Authorized Driver:** Operators of M-NCPPC Vehicles who have met the agency’s driver eligibility criteria and driving requirements.

**Commission:** The governing body of the Maryland-National Capital Park and Planning Commission (“M-NCPPC” or agency), which is comprised of the five members from each of the agency’s two Planning Boards, for Montgomery County and Prince George’s County.

**Highly Compensated Employee/Position:** Consistent with the Internal Revenue Service definition, these individuals have a salary that meets the Internal Revenue Service Publication 15B, Employer’s Tax Guide to Fringe Benefits standards for highly compensated employees. As of 2018, these employees earn more than \$120,000.

**De minimis Use:** Non-business errands between the place of business and home.

**Fleet Manager:** Person responsible for providing oversight, planning, ordering, and maintenance of the motor fleet.

**The Maryland-National Capital Park and Planning Commission (M-NCPPC):** For purposes of this Practice, “M-NCPPC” or “agency” shall be used to reference the entity acting in its organizational capacity.

**Risk Management and Safety Office:** Office responsible for administration of the agency’s driver safety program including training and driver license monitoring.

**Vehicle:** Any M-NCPPC passenger car, van, truck, heavy equipment or other type of motorized vehicle requiring a driver’s license to operate under Maryland law.

**Vehicle Administrator:** The departmental representative responsible for verifying authorized drivers, maintaining vehicle use logs, and maintaining documentation of vehicle assignments.

## POLICY

The M-NCPPC’s vehicle use program has been established to assist with carrying out official business of the agency. The availability and/or use of agency vehicles is not an entitlement and shall be determined on the basis of work program needs, assigned job duties, funding, and requirements outlined in this Practice.

Only drivers authorized by the M-NCPPC may operate agency vehicles. Individuals must meet the requirements outlined in Section III, Driver Eligibility and Driving Requirements for Use of

M-NCPPC Vehicles, prior to operation of vehicles. All drivers also must comply with the laws of the jurisdiction in which the vehicle is being driven and take steps to ensure that vehicle operation shows concern for public accountability and safety.

With respect to M-NCPPC vehicle use the agency shall:

- Review driving records to promote safe operation of vehicles.
- Permit, modify, or revoke the assignment or use of any vehicle as required.
- Reserve the right to retrieve vehicles from any location, including a residence.
- Reserve the right to re-allocate vehicles from the agency's fleet.
- Ensure compliance with tax regulations on the treatment of vehicle use.

Specific requirements for the Vehicle Use Program are outlined by relevant subsection. General oversight of the program is outlined in the Section titled Responsibilities.

This Practice outlines policy on the following areas:

- I. Value and Taxability of M-NCPPC Vehicle Use, Stipends, and Reimbursement of Authorized Travel Expenses
- II. M-NCPPC Vehicle Use Categories and Authorization
- III. Driver Eligibility and Driving Requirements for Use of M-NCPPC Vehicles
- IV. General Requirements for Vehicle Identification, Operation, Maintenance and Security of M-NCPPC Vehicles
- V. Responsibilities

## **I. Value and Taxability of M-NCPPC Vehicle Use, Stipends, and Reimbursement of Authorized Travel Expenses**

### **A. Value and Taxability of M-NCPPC Vehicle Use**

M-NCPPC vehicle use is generally limited to official business. This use is not considered by the Internal Revenue Service as a taxable fringe benefit. Personal use of M-NCPPC vehicles is generally prohibited. In limited circumstances specified in this Practice, the M-NCPPC may assign a take home vehicle to an employee, authorizing commuting (between the workplace and home) and de minimis personal use of a vehicle. Such non-business use is generally subject to treatment as a taxable fringe benefit, although some exceptions exist under the Internal Revenue Service regulations for specific classes of employees and assigned duties.

Pursuant to Internal Revenue Service regulations, in some cases it may be appropriate for the M-NCPPC to require employees to reimburse the agency for non-business use in lieu of reporting the use as taxable income. This determination is made by the M-NCPPC.

The application of tax treatment is described in this Practice under each category of M-NCPPC vehicle use (See Section II, M-NCPPC Vehicle Use Categories and Authorization). The Secretary-Treasurer is responsible for providing guidance on the application of tax regulations and valuation of M-NCPPC vehicle use, and recommendations for stipends. If a conflict exists between the Internal Revenue Service regulations and this Practice, the Internal Revenue Service regulations shall prevail.

### **B. Stipends for Regular Business Use of Personal Vehicles**

The M-NCPPC may grant a monthly stipend in lieu of assigning a take home vehicle. The purpose of the stipend is to offset the cost of regular business use of an individual's personal vehicle.

1. The M-NCPPC may consider at its own discretion, stipends for the following positions:
  - a) Planning Board Chairs, Appointed Officers (Executive Director, Secretary-Treasurer, and General Counsel), Department Heads and Deputy Department Heads.
  - b) Any other highly compensated position as defined in this Practice and deemed appropriate by the respective Planning Board Chair(s).

2. Stipends for all positions (other than the Planning Board Chairs): Stipends must be authorized by the respective Planning Board Chair(s) following consultation with the Secretary-Treasurer:
  - a) Stipends for Individuals in Operating Departments: shall be authorized in writing by the respective Planning Board Chair.
  - b) Stipends for Individuals in Bi-County, Central Administrative Services Departments/Operations: shall be authorized in writing by both Planning Board Chairs.

The stipend for a Planning Board Chair shall be authorized in writing by the Executive Committee following consultation with the Secretary-Treasurer.

3. Stipends are treated as taxable income to the employee. The Secretary-Treasurer shall advise the Planning Board Chairs on the application of any Internal Revenue Service regulations for taxable income, appropriate application of a stipend, and recommended stipend amount. Employees should consult their own tax consultant for necessary documentation of business use as it relates to filing of taxes.

### **C. Reimbursement of Authorized Travel Expenses (Fueling, Mileage, Tolls, and Parking)**

Whenever practical, M-NCPPC vehicles should be used for local travel to business meetings and other authorized M-NCPPC events. Limited use of a personal vehicle may be authorized when used for official M-NCPPC business.

#### 1. Fueling of an M-NCPPC Vehicle

- a) M-NCPPC vehicles should be fueled at agency fueling sites designated by the department's Fleet Manager (see also Section IV, General Requirements for Vehicle Identification, Operation, Maintenance and Security of M-NCPPC Vehicles).
- b) Use of retail or commercial fueling sites shall be kept to a minimum. In the event that retail or commercial sites are used, individuals should purchase only an amount sufficient to conveniently reach an agency fueling center. Receipts must be maintained for reimbursement of fueling charges. Mileage of vehicle at time of fueling must be noted on receipt along with reason for using commercial site.

#### 2. Mileage Reimbursement for Business Use of Personal Vehicles

Mileage reimbursement may be authorized for personal vehicles when they are used to carry out official M-NCPPC duties. Pursuant to Administrative Practice 3-10, approval must be obtained by the employee's Department Head.

Department Heads, General Counsel, Executive Director, and Planning Board members shall submit requests for reimbursement to the Secretary-Treasurer for review and authorization. Mileage reimbursement requests from the Secretary-Treasurer shall be submitted to the Executive Director for review and authorization.

- a) Approval of mileage reimbursement shall consider whether travel is necessary to the employee's official duties, whether M-NCPPC vehicles were readily available and convenient, and whether funding is available for the reimbursement.
- b) The mileage reimbursement rate is established by the Executive Director and based on the reimbursement standards established by the IRS. The established reimbursement rate is announced through an M-NCPPC Notice. Business use must be tracked by date, actual mileage, and reason for travel, and location of travel (see also, Practice 3-10, "Expense Reimbursement for Travel, Meetings, and Conferences").

#### 3. Incidental Travel Expenses

Expenses such as parking fees, tolls, or other incidental travel charges are eligible for reimbursement when they are incurred for official M-NCPPC business and approved by the Department Head or his/her designee. These charges shall be handled in accordance with Practice 3-10, Expense Reimbursement for Travel Meetings and Conferences.

## II. M-NCPPC Vehicle Use Categories and Authorization

M-NCPPC vehicles may be designated for the following uses:

- Pool vehicles that are shared by employees
- Onsite vehicles specifically assigned to an individual
- Take home vehicles on either an:
  - Ongoing basis; or
  - Occasional overnight/temporary basis
- Vanpools

### A. **Pool Vehicles**

These vehicles are part of a fleet assigned to a department or operation for the purposes of shared use by authorized drivers.

1. Intended Use: Pool vehicles are intended for short-term, M-NCPPC business during normal work hours such as traveling to meetings, conferences, and other agency approved programs. Pool vehicles are not intended for overnight use, commuting to and from work, or other non-business travel. Incidental use for meal breaks is permitted only when the activity occurs during the workday and such meals are en route to carrying out official M-NCPPC duties. Pool vehicles must be returned to the designated worksite at the end of the authorized use.

Vehicles in the pool fleet may be reallocated for use under II (C) 2, Occasional Overnight/Temporary Take Home Vehicle. However, the use must meet the vehicle authorization and assignment criteria outlined in that section. At the end of its use, the vehicle shall be returned to the pool vehicle fleet.

2. Authorization of Pool Vehicles: The availability of pool vehicles shall be authorized by the respective Department Head or his/her designee.
3. Use Criteria: Pool vehicles may be operated by individuals who are identified in, and meet the requirements of Section III, Driver Eligibility and Driving Requirements for Use of M-NCPPC Vehicles. The Vehicle Administrator shall confirm that eligibility and driving requirements have been met.
4. Tax Treatment: Pool vehicles are restricted to business use only. Consistent with the Internal Revenue Service regulations, the business use of a vehicle is not considered a fringe benefit for purposes of taxable income to the employee.
5. Tracking and Reporting of Use:
  - a) The Vehicle Administrator shall maintain a listing of employees who meet driver eligibility and driving requirements outlined in Section III. The Risk Management and Safety Office shall verify which individuals have met requirements for driving records and driver safety training.
  - b) Vehicle mileage logs must be maintained to track use of pool vehicles. Completed logs must be maintained by the Vehicle Administrator for three (3) years.

### B. **Onsite Assigned Vehicles**

These vehicles are designated for use by a specific employee to carry out official duties of a position or operation. These vehicles are not part of the pool vehicle fleet, but do remain on agency property during non-working hours.

1. Intended Use: These vehicles may be used to attend to M-NCPPC duties such as meetings, conferences, inspections, emergency work, and other agency approved programs. The vehicle must be returned to the designated driver's primary work location when not in use.

Personal use, including commuting to and from the individual's residence, is prohibited. Incidental use for meal breaks is permitted only when the use occurs during the workday and such meals are en route to carrying out official M-NCPPC duties.

2. Authorization of Onsite Vehicle Assignments: Onsite assignments shall be recommended by the Department Head and approved in writing by the respective Planning Board Chair. Approval authority shall not be delegated below the level of the Planning Board Chair. A Planning Board member serving in a formal acting capacity as the Chair may carry out the duties for authorization of assignments.
  - a) Operating Departments: Onsite vehicle assignments shall be authorized in writing by the respective Planning Board Chair.
  - b) Bi-County, Central Administrative Services Departments/Operations: Assignments must be authorized in writing by both Planning Board Chairs.

All ongoing assignments shall be reauthorized annually in writing by the respective Chair(s), or when any significant modifications occur such as replacement of a vehicle.

3. Vehicle Assignment Criteria:  
The assignment of an onsite vehicle may be authorized when all of the following criteria (a-c) are met:
  - a) The availability or type of pool vehicle is too limited to effectively carry out duties;
  - b) A designated vehicle is necessary to maintain the efficiency of the services being performed;
  - c) The employee's duties meet one or both of the following criteria:
    - Duties and responsibilities require regular use of a vehicle to attend meetings, inspections, audits, and other services which must be performed away from the assigned worksite and the expected business mileage is at least 5,000 miles annually; and/or
    - Duties require the use of vehicles with specialized equipment, tools, or other records/material to perform assigned job functions.
4. Tax Treatment: The use of an assigned onsite vehicle is restricted to business travel and incidental meal breaks as defined in the section titled, Intended Use. Therefore, use is not considered a fringe benefit for purposes of taxable income to the employee.
5. Tracking and Reporting of Vehicle Assignments/Use:
  - a) The Department Head shall ensure that a current listing of all authorized assignments is maintained. This listing shall be reported to the Secretary-Treasurer on a semi-annual basis and shared with the Fleet Manager.
  - b) Vehicle logs must be maintained in all vehicles to track use. Completed logs must be maintained by the Vehicle Administrator for three (3) years.

### **C. Take Home Vehicles**

In limited circumstances a 24-hour vehicle may be authorized to allow the designated driver to carry out official M-NCPPC duties. Take home vehicles are reserved for positions that have significant after-hours and multiple site duties that do not make it practical to use a shared vehicle or one that must be returned at the end of each work day. Take home vehicles may be assigned on an ongoing or temporary basis subject to the criteria outlined in this section.

Commuting to and from work and incidental "de minimis" use of a take home vehicle is permitted when it does not adversely affect the vehicle or the public perception of the agency. De minimis use (e.g., meal breaks while en route to/from official business or incidental errands between an employee's place of business and residence) is permitted only on days during which official duties are being carried out. De minimis use should not involve significant extra driving while en route to business activities.

The Internal Revenue Service considers the use of take home vehicles a taxable fringe benefit to the employee and establishes regulations for determining the amount of the taxable fringe benefit. Under

these regulations, the taxable fringe benefit is generally calculated on the basis of the Fair Market Value (FMV) of the vehicle's personal use along with other applicable costs (e.g., fuel). Some qualified vehicle uses may be exempt from tax reporting. The Secretary-Treasurer shall:

- Review all take home assignments to determine whether the vehicle use is considered a taxable fringe benefit;
- Determine the appropriate valuation method, which may include but is not limited to, the Lease Value and Commuting rules as described below. Implemented methods are subject to Internal Revenue Service regulations currently in force;
- Calculate the amount of the taxable fringe benefit for each vehicle; and
- Communicate specific tax withholding requirements, record-keeping responsibilities, and applicable restrictions to ensure compliance with current Internal Revenue Service regulations.

Lease Value Rule: Under this rule, the FMV for the use of the vehicle is determined on the basis of Internal Revenue Service tax regulations for the cost of leasing the vehicle. The Internal Revenue Service permits either a full or a pro-rated value to be reported. A pro-rated Lease Value may be used to report taxable income for the amount attributed to the non-business use of the vehicle. The M-NCPPC will use a pro-rated Lease Value only when the driver has maintained and submitted, in a timely manner, a mileage log that distinguishes between business and non-business mileage. A driver's failure to submit completed mileage logs in a timely manner will result in the reporting of taxable income on the basis of the full annual Lease Value of the vehicle along with any other costs as required.

This Lease Value Rule shall be used to calculate the FMV of any take home vehicles that may be assigned to the following positions:

- Planning Board Chairs, Appointed Officers, Department Heads, and Deputy Department Heads;
- Highly Compensated Employees as defined by the Internal Revenue Service (see "Definitions" Section).

Commuting Rule: Under this Rule, the taxable fringe benefit of a take home vehicle is determined by multiplying each one-way commute to and from home by \$1.50. The application of this Rule is subject to current Internal Revenue Service regulations. To be considered for this Rule, all of the following requirements must be met along with any applicable tax regulations:

- The Commuting Rule cannot be applied to any position identified for application of the Lease Value Rule (above).
- The Rule cannot be applied when the vehicle is being provided as a compensation benefit.
- The driver must maintain a daily mileage log documenting each one way commute to and from home.
- The Rule can be considered for short or long-term take home assignments as long as the vehicle is required for the performance of the duties.
- The employee must be required by the M-NCPPC to commute daily in the agency vehicle for business. If the employee uses his/her personal vehicle to commute to work more than occasionally, then the Commuting Rule cannot be used and the Lease Value Rule shall be applied to the use of the agency vehicle. Acceptable use of a personal car shall be determined by the Secretary-Treasurer to ensure compliance with tax regulations.

## 1. Ongoing Take Home Assignments

- a) Intended Use: These assignments involve a continuing need for a take home vehicle, and go beyond the parameters for occasional overnight/temporary use as described in C (2).

Ongoing Take Home assignments are generally limited to the following positions: Planning Board Chairs, Appointed Officers, Department Heads and Deputy Department Heads. Other positions can be considered only if they meet the criteria outlined in section (b), Vehicle Assignment Criteria.

When not being used to carry out official M-NCPPC duties, the vehicle may be parked at the driver's residence or other location authorized by M-NCPPC. However, take home vehicles must be returned to the designated worksite when an employee is either absent from duty or away from the workplace for more than ten (10) consecutive workdays.

Authorization of Ongoing Take Home Assignments: All ongoing take home assignments must be authorized in writing by the respective Planning Board Chair. Take Home Vehicle assignments for a Planning Board Chair shall be approved in writing by the Executive Committee.

Department Heads shall ensure that all assignments recommended for review by the Planning Board Chair(s) meet the Vehicle Assignment Criteria outlined in section (b) before recommendations are forwarded.

Approval authority shall not be delegated below the level of the Planning Board Chair. A Planning Board member serving in a formal acting capacity as the Chair may carry out the duties for authorization of assignments.

- Operating Departments: Take home assignments shall be authorized in writing by the respective Planning Board Chair.
- Bi-County, Central Administrative Services Departments/Operations: Assignments must be authorized in writing by both Planning Board Chairs.

Ongoing assignments for employees must be reviewed by Department Heads at least semi-annually to ensure continued need. Assignments lasting more than a year shall be reauthorized annually in writing by the respective Planning Board Chair(s) and the review of such assignments shall be coordinated with the Secretary-Treasurer's year end Reporting of Authorized Vehicle Assignments.

Significant modifications in authorized assignments (such as frequency of use, location at which the vehicle will be maintained, and/or replacement of a vehicle) must be submitted to the respective Planning Board Chair(s) for reauthorization.

In lieu of assigning an ongoing take home vehicle, the M-NCPPC may grant a stipend to cover business travel (see also, Section I, Value and Taxability of M-NCPPC Vehicle Use, Stipends, and Reimbursement of Authorized Travel Expenses).

- b) Vehicle Assignment Criteria: Other than those holding positions listed in 1(a) Intended Use, all individuals must meet the requirements outlined in items 1) and 2) below.

1) Position Duties

These vehicle assignments may be approved when one or more of the following criteria are met:

- Employee's supervisory duties require visits to multiple worksites/facilities and frequent after-hours meetings at least 18 days per calendar month. Visits may be to other M-NCPPC sites or non-M-NCPPC locations such as communities or organizations with whom the agency does business; and county/state/federal government offices;
- Employee is regularly responsible for responding to emergencies and other after-hours calls and is scheduled to be on call for at least 18 days per calendar month; and/or
- Employee is assigned to duties that require the ongoing, non-seasonal use of either a specialized vehicle or the use of a dedicated vehicle that must store specialized equipment, tools or records. These vehicles must be available to attend to regular and after-hours business needs of the agency.



2) Efficiency/Mileage Standard

In addition to meeting the position duties outlined above, assignments must meet a minimum annual mileage standard which requires that M-NCPPC vehicle assignments have a projected use of at least 5,000 business miles per year. This requirement may be waived only in writing by the respective Planning Board Chair(s).

c) Tax/Reimbursement Treatment: In accordance with the provisions outlined in Section II C., Take Home Vehicles, the Secretary-Treasurer shall review each vehicle assignment to determine the appropriate taxable fringe benefit.

d) Tracking and Reporting of Vehicle Assignments/Use:

1) The Department Head shall:

- Ensure that a current listing of all authorized assignments is maintained.
- Forward all newly authorized assignments to the Secretary-Treasurer. The Secretary-Treasurer will review the assignment to determine appropriate tax treatment and communicate this information to the driver.
- Conduct, at least semi-annually, a review of all ongoing assignments and provide a report of assignments to the Secretary-Treasurer.

2) Drivers are required to maintain a vehicle mileage log which distinguishes between business and non-business use. Completed mileage logs must be submitted to the Secretary-Treasurer by established dates.

2. Occasional Overnight/Temporary Take Home Assignments

a) Intended Use: These vehicles assignments are intended for temporary, short term critical needs that meet the assignment criteria outlined in Section c., Vehicle Assignment Criteria.

When not being used in the course of agency business, the take home vehicle may be parked at the driver's residence or other location authorized by M-NCPPC. Vehicles will revert to the agency fleet at the conclusion of the approved assignment.

b) Authorization of Occasional Overnight/Temporary Assignments: These assignments must be authorized in writing by the Department Head. The Deputy Department Head may provide written authorization in the absence of the Department Head. The approval authority may not be delegated below this level and the assignment may be authorized only for the period in which duties in Section c. (below) are met.

Vehicle assignments which are expected to exceed ten (10) scheduled workdays in a month must be submitted to respective Planning Board Chair(s) for written authorization as follows:

- Operating Departments: Take home assignments shall be authorized in writing by the respective Planning Board Chair.
- Bi-County, Central Administrative Services Departments/Operations: Assignments must be authorized in writing by both Planning Board Chairs.

c) Vehicle Assignment Criteria: Temporary assignments may be considered only when **both** items 1) and 2) below are met:

- 1) Duties involve after-hours work, which makes it impractical to return the vehicle at the end of the day; **and**
- 2) One or more of the following standards is met:

- A specialized vehicle is required to respond to snow and other weather-related emergencies;
  - Duties involve temporary on-call or crises-oriented assignments, including rotational assignments;
  - Duties occur seasonally (such as summer or winter programs) and require the individual to carry out, on a daily basis, duties at multiple sites; and/or
  - Other reasons as approved by the respective Planning Board Chair(s).
- d) Tax/Reimbursement Treatment: Some occasional overnight/temporary assignments may be considered a taxable fringe benefit to the employee consistent with the Internal Revenue Service tax regulations. In accordance with the provisions outlined in Section II C., Take Home Vehicles, the Secretary-Treasurer shall review each vehicle assignment to determine the appropriate taxable fringe benefit.
- e) Tracking and Reporting of Vehicle Assignments/Use:
- 1) Department Heads shall ensure that a current listing of all temporary assignments is maintained.
    - Assignments that extend beyond ten (10) workdays per month shall be reported to the Secretary-Treasurer upon authorization by the Planning Board Chair. The Secretary-Treasurer shall review assignments to ensure compliance and reporting with tax regulations.
    - A semi-annual report of all assignments that extend beyond ten (10) workdays per month shall be furnished to the Secretary-Treasurer.
  - 2) Drivers are required to maintain a vehicle mileage log which distinguishes between business and non-business use. Completed mileage logs must be submitted to the Secretary-Treasurer by established dates.

#### D. Agency Vanpools

1. Intended Use: Vanpools may be implemented by the M-NCPPC to promote resource conservation through shared commuting to and from work. Vanpools are strictly established for commuting purposes and may not be used by participants to conduct non-M-NCPPC business or carry out personal errands. At the conclusion of the commute, the vehicle must be maintained at the authorized site(s) designated by the department operating the vanpool.

Vanpools are implemented on a departmental basis, subject to funding and operational needs. Vanpools are not an entitlement and are provided by the M-NCPPC as long the program is deemed to be in the best interest of the agency. Vanpools may be terminated or modified by M-NCPPC. Vanpool participants must reimburse the agency for costs associated with operation of the vanpool.

2. Authorization of Vanpools: The implementation of vanpools shall be recommended by the Department Head and approved in writing by the respective Planning Board Chair(s) as outlined below. Approval authority shall not be delegated below the level of the Planning Board Chair. A Planning Board member serving in a formal acting capacity as the Chair may carry out the duties for authorization of vanpools.
  - Operating Departments: Vanpools shall be authorized in writing by the respective Planning Board Chair.
  - Bi-County, Central Administrative Services Departments/Operations: Vanpools must be authorized in writing by both Planning Board Chairs.

Departmental recommendations for consideration of vanpools shall include:

- a) Location(s) at which the vanpool is operated and maintained;

- b) Driver assigned to operate vanpool;
- c) Number of employees that will utilize the vanpool; and
- d) Any other information required by the Secretary-Treasurer for purposes of ensuring compliance with Internal Revenue Service regulations and accurate payroll accounting.

Once implementation of the vanpool is authorized, participants must sign an acknowledgement form indicating their understanding of the vanpool's use and authorization of payroll deductions for costs associated with vanpool use. The authorization form shall be developed by the Secretary-Treasurer following input from the General Council.

The vanpool program or any specific vanpool may be rescinded or modified at the discretion of the respective Planning Board Chair(s).

3. Requirements for Vanpool Use: Following authorization for use of vanpools, the Department Head shall ensure that the vanpool meets all of the following requirements:
  - a) The vanpool vehicle meets the passenger and use standards established by the Secretary-Treasurer to ensure compliance with Internal Revenue Service regulations for employer vanpools;
  - b) Vanpool drivers must meet all requirements for authorized drivers as established in this Practice, including any necessary certifications for operating the vehicle; and
  - c) All vanpool participants sign an Agreement acknowledging that:
    - 1) The vanpool is a service provided by the M-NCPPC as long it is deemed in the best interest of the agency. The use of the vanpool may be terminated at any time by the agency with two (2) weeks written notice. The agency may implement immediate termination of any vanpool arrangement due to violations of agency policy or local/state/federal laws.
    - 2) The vanpool is strictly limited to commuting to and from work and may not be used for personal business.
    - 3) Vanpool use must be reimbursed to the M-NCPPC through payroll deduction or other form of payment specified by the Secretary-Treasurer. All participants will each reimburse the agency for any mileage associated with their use.
    - 4) Vanpool riders:
      - Must comply with the designated pick up and drop off locations and times;
      - Are responsible for providing advance notice to their supervisor and the vanpool operator if any commute (to and/or from work) will not be utilized. Notice requirements will be established by the department operating the vanpool;
      - Must wear seatbelts and remain seated at all times;
      - Are responsible for reporting any concerns related to operation of the vanpool, violations of M-NCPPC policy related to vehicle use, and/or noncompliance with driving/traffic laws; and
      - Must provide at least two (2) weeks written notice to the Department Head when terminating their participation.

The Agreement form will be issued by the Secretary-Treasurer to departments operating a vanpool and will include requests for any information needed to ensure proper tracking of payroll deductions.

4. Tax Treatment/Reimbursement: Vanpool participants are required to reimburse the agency for costs associated with the use of the vanpool. The Secretary-Treasurer shall:
  - Determine the vanpool mileage reimbursement rate(s).
  - Calculate and communicate to vanpool participants, the appropriate amount of reimbursement.

Reimbursement is made through payroll deduction or other method deemed appropriate by the Secretary-Treasurer. Because employees must reimburse the M-NCPPC for the use of a vanpool, the vanpool use is not reported as a taxable fringe benefit. The Secretary-Treasurer shall establish

Administrative Procedures to ensure that all vanpools comply with the Internal Revenue Service exemptions from taxable fringe benefits.

5. Tracking and Reporting of Vanpools:

a) Department Heads shall:

- Ensure that a current listing of vanpools and vanpool participants is maintained at all times.
- Immediately notify the Secretary-Treasurer of any newly authorized vanpools, names/work locations of any new participants, and any changes in participation.
- Provide a semi-annual report which verifies continued participation in the vanpool, location of the vanpool, names of vanpool participants, and any other information requested by the Secretary-Treasurer.
- Notify the Risk Management and Safety Office of any new vanpools to allow driver records and liability issues to be reviewed prior to operation of the vehicle.

b) Drivers are required to maintain a vehicle mileage log documenting all vehicle use. Logs shall be maintained by the Vehicle Administrator and made available to the Secretary-Treasurer upon request.

**III. Driver Eligibility and Driving Requirements for Use of M-NCPPC Vehicles**

Department Heads must ensure that employees meet the requirements in this Section prior to operating vehicles.

**A. Authorized Drivers**

The individuals listed below may be authorized to drive M-NCPPC vehicles provided they comply with other requirements of Section III.

- Merit employees;
- Contract employees as defined by Practice 2-16, Seasonal/Intermittent, Temporary and Term Employment;
- Department Heads;
- Appointed Officers;
- Planning Board members;
- Volunteers registered with the M-NCPPC; or
- Any other individuals specifically authorized in writing by the respective Planning Board Chair(s). For example, individuals from temporary agencies, independent contractors/consultants, public officials, or other individuals are not permitted to operate agency vehicles unless specifically authorized in writing as follows:
  - Vehicles Being Driven in Operating Departments: must be authorized by the respective Planning Board Chair.
  - Vehicles Being Driven in Bi-County, Central Administrative Services Departments/Operations: must be authorized by both Planning Board Chairs.

**B. Driving Requirements**

Individuals must meet each of the following requirements in order to operate an M-NCPPC vehicle.

1. Maintain a Valid Driver's License and Driving Record Permitting Use of an Agency Vehicle

The M-NCPPC will review an employee's driver's license and driving record prior to the use of any agency vehicle and/or when an employee is being considered for employment, promotion, and/or transfer to a position which requires driving.

- a) Individuals must hold a valid driver's license issued by the jurisdiction in which they reside. Individuals required to operate specialized vehicles also must maintain necessary certifications and/or license endorsements (e.g., Commercial Drivers' Licenses, air brake endorsements, special

class licenses, etc.). Licenses must allow the individual to operate a vehicle in the State of Maryland.

- b) Individuals must complete the M-NCPPC Driving Requirements and Record Release Authorization Form prior to operating an agency vehicle. By signing the form, drivers acknowledge that they will:
- Follow all M-NCPPC policies pertaining to vehicle use;
  - Maintain a valid driver's license at all times in order to operate an M-NCPPC vehicle;
  - Be enrolled in the M-NCPPC Driver's License Monitoring Program;
  - Complete the agency's driver safety training program; and
  - Notify the M-NCPPC of changes to his/her driver's license as outlined in subsection c, Notification of Changes in Driving Record/Citations/Violations.

The M-NCPPC will review driving records to determine whether individuals meet the agency's requirements to operate M-NCPPC vehicles. The Risk Management and Safety Office administers the License Monitoring Program and is responsible for:

- Verifying whether individuals meet requirements to operate an M-NCPPC vehicle.
- Maintaining and safeguarding drivers' licenses information.
- Notifying the respective Department Head of any changes in driving records of employees including violations, revocations, suspensions, or other substantive actions which may affect the safe operation of an M-NCPPC vehicle.
- Updating and retaining the Commercial Driver's License (CDL) database for all M-NCPPC employees authorized to operate commercial vehicles.
- At least semi-annually, providing each Department Head a listing of all individuals within the department that have met eligibility requirements for driving. Departments shall verify the listing and provide any updates to the Risk Management and Safety Office.

c) Notification of Changes in Driving Record/Citations/Violations

Drivers of M-NCPPC vehicles must notify their supervisor immediately but no later than one business day of any:

- Changes in driver's license information or status including but not limited to: changes in name, address, license class, endorsements/restrictions, expiration, suspension or revocation of license.
- Violations, offenses, or citations resulting in driving restrictions or points on the driving record.
- Accidents, citations or moving violations received while operating an M-NCPPC vehicle. Penalties for citations and moving violations are the responsibility of the driver.

The supervisor must ensure that the Department Head is made aware of any concerns that must be discussed with the Risk Management and Safety Office regarding the information.

Loss of driving privileges and/or disciplinary action may result from:

- Changes in a driving record, citations, violations or other restrictions (see subsection (d) Review of Driver's License Information, Violations, Suspensions, Revocations, and Accidents below).
- Failure to provide timely notification to management.

d) Review of Driver's License Information, Violations, Suspensions, Revocations, and Accidents

Changes in an employee's driving record must be reviewed by department management for continued ability to operate an agency vehicle and other potential employment actions.

The Department Head shall consult with the Risk Management and Safety Office and the Human Resources Director on matters related to policy violations; license changes including but not limited to suspensions, restrictions, revocations, or points; and accidents involving an M-NCPPC vehicle, as these may affect the driver's continued operation of M-NCPPC vehicles and result in other potential employment actions. The M-NCPPC may suspend driving privileges whenever continued

operation could affect the safety of the driver, other individuals, or the equipment. Additional driver safety training also may be mandated.

Some events/violations/points that result in immediate suspension of M-NCPPC driving privileges include:

- Unsafe operation of an M-NCPPC vehicle.
- Unauthorized use of an M-NCPPC vehicle.
- Driver's license which has been revoked or suspended.
- Driver's license restrictions which do not permit operation of a vehicle during required work hours.
- Violation of the agency's Controlled Substance and Alcohol-Free Workplace policy (Administrative Practice 2-26).
- Controlled substance or alcohol offenses while operating any vehicle. Offenses include but are not limited to, citations, arrests, probations, and convictions.
- Eight (8) or more points on a driver's license.

Licenses which have reached the 5 to 7 point level should be evaluated for potential action. The Department Head should discuss the violation(s) with the driver and consult with the Risk Management and Safety Office and Human Resources Director for appropriate action. Actions may include mandatory completion of driver safety training as identified by the Risk Management and Safety Office and/or suspension of driving privileges.

The duration of the suspension of driving privileges must be determined on a case by case basis depending on the employee's actions, the nature and severity of the action(s) or offense(s) that resulted in the suspension of driving privileges, the length of any probations, suspensions or other restrictions, and the employee's driving record prior to the suspension of driving privileges.

For violations of the agency's Controlled Substance and Alcohol-Free Workplace policy and/or controlled substance or alcohol offenses while operating any vehicle, the department also must determine with the Risk Management and Safety Office whether the employee requires a mandatory referral to the M-NCPPC Employee Assistance Program.

In some situations, more serious disciplinary action may be in order consistent with applicable employment policies.

## 2. Complete Driver Safety Training

All operators of M-NCPPC vehicles must complete driver safety training. This training may consist of the agency's Defensive Driving Course, specialized driving instruction provided to the Park Police, and/or other training determined appropriate by the agency's Risk Management and Safety Office and the employee's department.

- a) Training must be completed not more than six (6) weeks after employment, promotion or appointment to a position which requires or permits operation of the M-NCPPC vehicle. If M-NCPPC authorized training has been previously completed, the Department Head may waive a requirement for additional training, following consultation with the Risk Management and Safety Office.
- b) In exceptional cases, the employee's Department Head may grant a 30-day extension for completion of driver safety training. Appointed Officers and Department Heads must obtain the extension from the respective Planning Board Chair. All extensions must be in writing and forwarded to the Risk Management and Safety Office.
- c) Failure to take driver safety training will result in a loss of M-NCPPC driving privileges.

3. Comply with No Smoking and Controlled Substance/Alcohol-Free Workplace Policies  
Drivers and passengers are prohibited from smoking in any M-NCPPC vehicle (for more details, see M-NCPPC Administrative Practice 2-22, Prohibitions on Smoking, Use of Tobacco Products and Electronic Cigarettes on M-NCPPC Property and in M-NCPPC Vehicles).

Consistent with M-NCPPC Administrative Practice 2-26, Controlled Substance and Alcohol-Free Workplace, and its Administrative Procedures:

- Individuals are prohibited from the manufacture, distribution, sale, presence, or use of controlled substances and alcohol in the workplace including M-NCPPC vehicles and other property; or reporting to work while under the influence of controlled substances or alcohol.
- Employees are not prohibited from using or carrying valid prescription and over the counter drugs when their use is not intentionally inconsistent with the manner in which it is medically prescribed and their use does not impair job performance or endanger the safety of others while operating M-NCPPC vehicles. However, individuals must immediately report to their supervisors the use of any medication which could impair the ability to operate a vehicle in a safe and effective manner.

4. Comply with Seat Belt Requirements  
Seat belts must be worn by the driver and all occupants in M-NCPPC passenger vehicles.

5. Comply with Handheld Device Policy

Pursuant to M-NCPPC Notice, Use of Handheld Devices While Operating a Motor Vehicle, individuals shall not:

- a) Use handheld devices while operating an M-NCPPC vehicle, except in the following situations:
  - Emergency calls to 911 for police, fire, ambulance, hospital or other emergency services.
  - When hands-free equipment is used to operate the device.
- b) Employees should limit calls even when utilizing a hands-free device and are encouraged to stop at a reasonably safe location to conduct calls in a vehicle. A Department Head may limit use based on assigned duties, performance, and safety record of an employee, group, or class of employees.
- c) Read, write, or send electronic mail or electronic texts while operating a vehicle. The use of these features is strictly prohibited while operating a vehicle.
- d) Wear earplugs, headsets or earphones over or in both ears, with the exception for certain devices such as safety headgear, safety earplugs, personal hearing protection and/or prosthetic devices used to aid hearing.

Activities of law enforcement personnel (Park Police Officers) are exempt when those activities fall within the scope of official duty.

Updates to handheld device policies, including permissible exceptions will be issued by M-NCPPC Notice.

#### **IV. General Requirements for Vehicle Identification, Operation, Maintenance, and Security of M-NCPPC Vehicles**

##### **A. Required Vehicle Identification**

Unmarked vehicles are permitted for the following positions: Planning Board members, Appointed Officers, Department Heads, Deputy Department Heads and designated police vehicles.

All other M-NCPPC vehicles shall have the following identification: M-NCPPC logos affixed to vehicle doors, local government "LG" plates, and agency vehicle identification numbers. Requirements can only be waived by the respective Planning Board Chair(s) as follows:

- Operating Departments: Waivers shall be authorized in writing by the respective Planning Board Chair.
- Bi-County, Central Administrative Services Departments/Operations: Waivers shall be authorized in writing by both Planning Board Chairs.

## **B. Required Use of Vehicle Mileage Logs**

Mileage logs must be maintained by drivers of all M-NCPPC vehicles. The Secretary-Treasurer shall develop and issue vehicle mileage forms. Mileage may be tracked through written reports or electronic devices. Completed logs shall be provided to the Secretary-Treasurer as set forth below and include, at a minimum information on the name and position of the driver, the primary work location, the overnight location of the vehicle (if applicable), the date and purpose of travel including distinctions between business and non-business use if applicable, and beginning and ending mileage. Employees with take home vehicles must identify all one-way commutes between their worksite and home.

Department Heads shall ensure that:

1. Vehicle logs are completed by all operators of M-NCPPC vehicles.
2. Logs for take home vehicles are submitted to the Department of Finance at least semi-annually at the appropriate dates established by the Secretary-Treasurer.
3. Logs for pool vehicles, and onsite assigned vehicles, and vanpools are maintained by the department's Vehicle Administrator. Logs shall be maintained in the department for three years and made available to the Secretary-Treasurer upon request.

The Secretary-Treasurer shall review mileage logs for tax implications, necessary reimbursements to the agency, and other information required to ensure adequate internal controls. Following review, the reports shall be forwarded to appropriate Fleet Manager. Take home mileage logs shall be retained by the Secretary-Treasurer in accordance with the established schedule for payroll documents.

## **C. Required Vehicle Information and Emergency Contacts**

The Fleet Manager shall ensure that all M-NCPPC vehicles contain resource information to assist a driver in operation of the vehicle and handling of emergencies, including:

1. Basic operation manuals;
2. A copy of this M-NCPPC Administrative Practice and any other relevant vehicle use policies;
3. Specific instructions for handling emergencies/accidents including necessary reporting forms;
4. Listing of emergency contacts/numbers for M-NCPPC Park Police, the Risk Management and Safety Office, and the Fleet Management Office);
5. A copy of the vehicle's insurance and motor vehicle registration; and
6. Listing of current M-NCPPC fueling sites and instructions.

## **D. Handling of Accidents and/or Damage to M-NCPPC Vehicles**

1. Reporting Accidents: Vehicle accidents involving others must immediately be reported to the:
  - a) Police authorities having jurisdiction for the accident. Drivers should call 911 for all accidents occurring off M-NCPPC property or those that result in injury/fatality. If the location of the accident is on M-NCPPC property, the respective Park Police Division should be contacted. The M-NCPPC Park Police should also be notified if no other police unit is available to respond to the accident. The Park Police can be reached at the following numbers:
    - Montgomery County Park Police: 301-949-3010.
    - Prince George's County Park Police: 301-459-3232.
  - b) The immediate supervisor. The supervisor must immediately notify the Risk Management and Safety Office to ensure coordination of the following:
    - 1) Mandatory Post-Accident Testing for Controlled Substance and Alcohol: The supervisor must contact the Risk Management and Safety Office to coordinate testing pursuant to M-NCPPC Administrative Practice 2-26, Controlled Substance and Alcohol-Free Workplace. This policy requires drivers involved in an accident while operating M-NCPPC vehicles to undergo testing no later than eight (8) hours from the time of the accident. The Risk Management and Safety Office will coordinate testing with the M-NCPPC's medical review officer, including any special



arrangements for testing of injured employees who are unable to travel to a specific testing facility.

- 2) Necessary investigations.
- 3) Claims reporting.

The Risk Management and Safety Office can be contacted at:

- 301-454-1686/1693 (during regular business hours); or
- 301-275-5125/5126 (after regular business hours).

2. At the Scene of the Accident:

- a) The driver and passengers of M-NCPPC vehicles shall not discuss or admit liability with the other parties or claimants.
- b) The driver should not move the M-NCPPC vehicle until appropriate authorities arrive and have prepared any necessary reports.
- c) The driver of the M-NCPPC vehicle should exchange insurance information and contact details with other parties to the accident. Information that should be exchanged includes:
  - 1) Information on the M-NCPPC's vehicle insurance card shall be provided to the other party involved in the accident.
  - 2) A referral to the M-NCPPC's Risk Management Office: 301-454-1686.
  - 3) If a police report is not taken at the scene, the driver of the M-NCPPC vehicle shall obtain the other driver's name, address, phone number and insurance information.
  - 4) Obtain witness information and any other pertinent information such as: weather conditions, road conditions and location of the accident.
  - 5) If the accident results in damage to unattended vehicle or property, the driver should make a reasonable effort to locate the owner of the damaged vehicle or property; notify them of the incident; and exchange insurance, license and M-NCPPC contact information. If the owner cannot be located, this information should be left in a secure and conspicuous location.

3. Following the Accident:

- a) A copy of the police report shall be forwarded to the Risk Management and Safety Office by the next business day, or as soon as it is made available to the driver or his/her department.
- b) Upon notification of the accident and no later than next business day, the supervisor must complete an accident report with the Risk Management and Safety Office.
- c) The Risk Management and Safety Office will coordinate handling of the accident investigation, liability assessments, subrogation, and legal review.

**E. Vehicle Parking and Security**

When parking an M-NCPPC vehicle, the driver should take reasonable precautions to safeguard the vehicle and its contents from theft and damage. When vehicles are approved for overnight use, they must be kept at the location authorized by M-NCPPC.

M-NCPPC facility managers should take steps to discourage theft and damage of agency vehicles.

1. The facility manager shall work with Park Police and the Fleet Manager to establish protocols for maintaining vehicle security at each site.
2. Parking spaces shall be clearly marked. Designated parking spaces shall be located in conspicuous locations close to the building.
3. Care should be taken to ensure that building and parking lot lights work properly through daily and routine checks.

**F. Penalties for Citations and/or Violations Incurred While Operating an M-NCPPC Vehicle**

Penalties for any violations including moving violations, parking tickets, and other driver-controlled citations are the responsibility of the employee. All fines must be paid in a timely manner. All citations or violations must be reported to the Department Head.

When circumstances so justify, the Department Head may approve parking violation reimbursement by the agency.

**G. Use of Vehicle for Political/Partisan Activities**

Drivers are prohibited from using M-NCPPC vehicles while engaged in or attending any political or partisan activity not directly connected to official M-NCPPC business. Such activities may include rallies, caucuses, promotional events, political speeches and fundraisers, and/or driving to the polls for a candidate or a party.

**H. Personal Equipment/Signage**

Drivers shall not permanently install personal equipment in any agency vehicle without the written approval of the Department Head and the respective Fleet Manager. Individuals will be responsible for all costs associated with any damages or repairs resulting from the removal of unauthorized installations.

Drivers are prohibited from placing any personal bumper stickers, decals, placards, banners, signs or insignia on any M-NCPPC vehicle without prior authorization from the Department head and respective Fleet Manager.

**I. Fueling Stations for M-NCPPC Vehicles**

M-NCPPC fueling sites are used to help control fuel costs and track usage by authorized individuals. Authorized drivers of agency vehicles are asked to utilize these sites whenever possible. Use of external fueling sites should be minimized (see also Section I, Value and Taxability of M-NCPPC Vehicle Use, Stipends, and Reimbursement of Authorized Travel Expenses).

Unauthorized use of fuel is strictly prohibited and may result in disciplinary action up to and including termination.

To ensure accountability and appropriately track fuel usage, the Department Head shall ensure that departmental fueling sites secure the property and prevent unauthorized use. At a minimum, measures should include:

1. Posting visible signage indicating that fuel is only intended for use in M-NCPPC vehicles.
2. Implementing controls which restrict fuel use to M-NCPPC vehicles. Departments should consult with the Park Police to develop controls.
3. Verifying the identification of authorized users of M-NCPPC fueling stations.
4. Recording and monitoring fuel usage to include names of individuals receiving fuel, quantity of fuel dispensed, and vehicle identification number.
5. Reviewing logs/reports of fuel usage for any discrepancies or other concerns.
6. Reporting mechanisms to alert the Department Head of any unauthorized use of fuel or attempts to use fueling stations without authorization.

**J. Vehicle Maintenance/Cleanliness**

1. The Fleet Manager is responsible for:
  - Developing vehicle maintenance and rotation schedules for M-NCPPC vehicles to ensure effective and efficient operation of such vehicles.
  - Ensuring that vehicle registrations remain current and that vehicles comply with safety/emission standards.
  - Notifying the departmental Vehicle Administrators of any scheduled maintenance/repairs, vehicle rotation, and/or necessary vehicle testing/registration requirements.
  - Coordinating the use of temporary vehicles (if available) during repair or maintenance of M-NCPPC vehicles.

2. Operators of M-NCPPC vehicles are responsible for:
  - Maintaining the cleanliness of the interior of the vehicle.
  - Promptly reporting any mechanical or service concerns to the Vehicle Administrator for appropriate action.
  - If mechanical difficulties are experienced while away from M-NCPPC facilities, the driver shall attempt to contact the departmental Fleet Manager for determination of appropriate action.
  - If the Fleet Manager is not available when a repair requires immediate attention, the driver must obtain documentation explaining the required repairs, the name and contact information of the service provider, the itemized costs of the repair, and any receipts supporting reimbursement of repairs.

## **RESPONSIBILITIES**

### **Planning Board Chair(s) shall:**

- Approve or disapprove vehicle assignments as outlined in this Practice including but not limited to, take home vehicles; onsite vehicles specifically designated to an individual; implementation of vanpools; and significant modifications of vehicle replacements, changes in type, duration of assignment and changes in offsite location of take home vehicle.
- Review the Annual Authorized Vehicle Assignment Report submitted by the Secretary-Treasurer. At this time, the respective Planning Board Chair shall consider reauthorization of ongoing vehicle assignments.
- Forward to the Commission for its review, a copy of the Annual Report of Authorized Vehicle Assignments.

### **Executive Director shall:**

- Each year, establish the mileage reimbursement rate for business use of private vehicles. The rate shall be based on input by the Secretary-Treasurer and current Internal Revenue Service standards.
- Issue Administrative Procedures for implementation of this Practice as recommended by the Secretary-Treasurer.

### **The Secretary-Treasurer shall:**

- Establish record-keeping requirements to ensure adequate reporting for purposes of determining taxable income, reimbursements, stipends, or other vehicle use decisions.
- Develop and issue Vehicle Assignment Authorization Forms and maintain the official file for approved vehicle assignments.
- On a semi-annual basis, solicit an updated list of vehicle assignment information from Department Heads.
- Determine whether vehicle use falls within Internal Revenue Service requirements for taxable income or mileage reimbursement by the employee.
- Calculate and provide oversight of payroll adjustments relating to taxable income, stipends and mileage reimbursements.
- Provide written notification to employees of appropriate taxable income and/or required reimbursements.
- Forward copies of approved vehicle assignments to the respective Fleet Manager.
- Present an annual, year-end report to the Executive Committee of all authorized vehicle assignments so they may be reviewed for reauthorization by the respective Planning Board Chair(s).
- Develop necessary procedural guidance and forms to assist departments/individuals on issues related to taxation, reimbursements, vehicle assignment and usage forms.

**Department Heads shall:**

- Ensure that vehicle use complies with requirements for driver eligibility, safety and authorized use.
- Review all vehicle assignments at least semi-annually to determine continued need; and provide updated listing to the Secretary-Treasurer of all authorized assignments, revocations or other changes.
- Designate a departmental Vehicle Administrator to maintain listings of authorized drivers who meet driving eligibility requirements, all vehicle assignments, and vehicle usage logs. Report approved vehicle assignments to the Secretary-Treasurer to ensure compliance with requirements for authorization, recordkeeping, and Internal Revenue Service regulations for purposes of tax reporting.
- Ensure that significant modification in assignments previously approved by the Planning Board Chair(s) are reported for reauthorization (i.e. vehicle upgrades, replacements, changes in type duration of assignment, changes in offsite location of take home vehicle).
- Ensure that necessary information for taxable income and/or reimbursements purposes is captured in recommending a vehicle assignment to forward to the Secretary-Treasurer.

**Risk Management and Safety Office shall:**

- Administer the M-NCPPC Driver License Monitoring Program as described in this Practice.
- Administer the Controlled Substance and Alcohol testing program, to include guidance to management and employees on requirements related to post-accident testing.
- Notify the respective Department Head of any changes in driving records as reported to the Office by State/local authorities, compliance agencies, and/or motor vehicle administrations.
- At least semi-annually, provide each Department Head a listing of all individuals within the department that have met eligibility requirements for driving.
- Coordinate review of any vehicle accidents or damage.

**The Fleet Manager shall:**

- Provide oversight for fleet cars for respective departments.
- Coordinate the order and purchase of vehicles after evaluating the intended use of the vehicle. Decisions should reflect cost containment, compliance with purchasing policies, and effective use of agency resources.
- Manage the maintenance and repair of M-NCPPC vehicles.
- Coordinate temporary replacement of vehicles to permit continued program operations. Replacement vehicles are subject to available resources and Department Head approval.
- Compile and distribute annually to respective departments, a listing of all available M-NCPPC fueling and maintenance sites.
- Compile, track, and report costs related to vehicle operations, fueling, maintenance and repairs.
- Provide to the Secretary-Treasurer, necessary information related to the calculation of taxable fringe benefits including vehicle operation costs.
- Ensure that all vehicles include items listed in Section IV (Subsection C, Required Vehicle Information and Emergency Contacts).

**Departmental Vehicle Administrators shall:**

- Coordinate the scheduling, availability, tracking of departmental pool vehicle use. Issue guidance to departmental employees on procedures for use of pool vehicles.
- Verify drivers' eligibility to operate agency vehicles consistent with this Practice.
- Maintain departmental vehicle usage logs for a period of at least three years.
- Coordinate maintenance of M-NCPPC vehicles with the Fleet Manager.
- Notify Facility Manager of any security concerns regarding departmental vehicles.
- Notify the Department Head of any violations of vehicle use policies.

**VIOLATIONS** Violations of driving requirements or agency vehicle use provisions contained in this Practice may result in disciplinary action up to and including termination. Drivers are fully responsible for all fines and/or penalties associated with citations and moving violations that occur directly from their operation of an M-NCPPC vehicle.

Consistent with M-NCPPC Administrative Practice 2-15, Employee Use of Commission Property, any expenses incurred from an employee's unauthorized use of M-NCPPC property will be recovered by the M-NCPPC through direct repayment of such expenses by the employee, or collection of such expenses through payroll deduction. The agency reserves the right to determine the method of recovery of such expenses and to pursue legal action for collection of any monies owed by an individual.

**PROCEDURES** The Secretary-Treasurer shall develop and recommend Administrative Procedures to the Executive Director for implementation of this Practice. The Executive Director will issue Procedures following consultation with Department Heads.

**Attachments:**

Driving Requirements and Record Release Authorization Form

## Driving Requirements and Record Release Authorization Form

All employees authorized or required by their job duties to operate M-NCPPC vehicles must enroll in the Driver's License Monitoring Program. M-NCPPC Vehicles covered under this program include any passenger car, van, truck, heavy equipment or other type of motorized vehicle requiring a driver's license to operate under Maryland Law.

Each department shall ensure that employees complete the attached form at the time of an employee's hire, promotion, or assignment to a position which requires or authorizes driving of an M-NCPPC vehicle. This form must be completed prior to an employee's operation of an assigned vehicle or any pool vehicle. The completed form shall be forwarded to the Risk Management and Safety Office so the employee can be enrolled into the Driver's License Monitoring Program.

The Maryland-National Capital Park and Planning (M-NCPPC)  
Driving Requirements and Record Release Authorization Form

Appendix A

All employees authorized or required by their job duties to operate M-NCPPC vehicles must enroll in the Driver's License Monitoring Program. M-NCPPC vehicles covered under this program include any passenger car, van, truck, heavy equipment or other type of motorized vehicle requiring a driver's license to operate under Maryland law.

Each department shall ensure that this form is completed at the time of an employee's hire, promotion, or assignment to a position which requires or authorizes driving of an M-NCPPC vehicle. The form must be completed prior to an employee's operation of an assigned vehicle or any pool vehicle. The completed form shall be forwarded to the Risk Management and Safety Office so the employee can be enrolled into the Driver's License Monitoring Program.

Employee's Full Name: \_\_\_\_\_ Date of Birth (mm/dd/yy) \_\_ / \_\_ / \_\_  
First Middle Last

Home Address: \_\_\_\_\_

License/Driving Information:

Driver's License Number: \_\_\_\_\_ Issuing State: \_\_\_\_\_  
License Class \_\_\_\_\_ License Endorsements \_\_\_\_\_ License Expiration: \_\_\_\_\_  
Restrictions noted on Issued License or Driving privileges \_\_\_\_\_  
Have you completed a Defensive Driving Course or Park Police Driver Training? Yes  No   
(if yes, provide date) (mm/dd/yy) \_\_ / \_\_ / \_\_

Work Location:

Department \_\_\_\_\_ Work Phone: \_\_\_\_\_  
Work Address \_\_\_\_\_

Use of M-NCPPC vehicles is based on my position's minimum qualifications and/or assigned duties and my ability to meet any driver qualifications established by the Commission with respect to such use.

By signing below, I expressly grant the M-NCPPC permission to obtain copies of my driving record directly from the applicable Motor Vehicle Administration. I understand that I may also be required to furnish a written copy of my driving record from the Motor Vehicle Administration that issued my license. The driving record will be used to determine whether I meet the agency's driving requirements to operate M-NCPPC vehicles. I acknowledge that I have received copies of Commission policies governing the use of Commission vehicles. One of the requirements of the policy is that all drivers of M-NCPPC vehicles must complete the Defensive Driving Course within 6 weeks of employment (including promotion or assignment) into a position which requires driving. I am also required to meet this Defensive Driving requirement if I operate a Commission vehicle for any other purpose.

I understand that I am required to notify my supervisors and the Risk Management and Safety Office immediately of any changes in my license (including but not limited to: changes in name, address, license class, endorsements/restrictions; expiration of license; or any violation). Failure to meet any requirement outlined in this Form or Practice 6-10 will result in the immediate revocation of M-NCPPC driving privileges, and may impact my continued employment.

This authorization is valid as long as I remain an employee of M-NCPPC, and a photocopy of this authorization and my signature shall constitute a valid authorization, even without an original signature. I understand that I may revoke this authorization by providing written notice to the Risk Management and Safety Office in the event my assigned position does not require me to operate M-NCPPC vehicles. I further understand that such revocation prevents me from driving any M-NCPPC vehicle for any purpose whatsoever.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date of Signature