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## Alameda-Contra Costa Transit District

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### Administrative Regulation No. 438A:

### Vehicle Use Procedures

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**Issuing Officer:** General Manager  
**Date of Adoption:** 02/10  
**Most Recent Amendment:** 7/18/18  
**See Also:** 200, 216, 217, 438, 251A

**Subject Category:** Section 400, Operations  
**Subsection:** Facilities, Parking, Vehicle Use  
**Control Department(s):** Safety, Security and Training & General Counsel

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#### I. PURPOSE

The purpose of this Administrative Regulation is to establish the requirements and procedures for the use of non-revenue vehicles and privately-owned vehicles for official District business as required by Board Policy 438.

#### II. PERSONS AFFECTED

Please refer to Board Policy 438.

#### III. DEFINITIONS

Please refer to Board Policy 438 for definitions.

#### IV. REGULATION

##### A. Non-Revenue Vehicle Procedures

##### 1. General

While driving a non-revenue vehicle, authorized persons are to remember that their actions represent the professionalism of all District employees to the residents of Alameda and Contra Costa Counties and, to the end, are expected to ensure their use of a District vehicle always leads to a positive perception by the public. In addition, authorized persons are not entitled to any expectation of privacy with respect to a non-revenue vehicle and must allow inspection/search of the vehicle by their supervisor/department.

Personal use of a non-revenue vehicle is prohibited, except under limited circumstances similar to the following:

- Once a month an authorized person uses a non-revenue vehicle to attend a night meeting at a location outside of his/her normal work site and drives the vehicle home after the meeting when doing so is more practical than returning to the normal work site. This exception would also apply to situations where the vehicle is needed to

attend an early morning meeting and is taken home overnight (advance approval required).

- While working out of the office, an authorized person drives a non-revenue vehicle to a nearby location to purchase food for a meal.
- When an authorized person who is assigned a non-revenue vehicle on a take home basis makes a small detour to pick up something at the store on the way home from work.

## 2. Assigned Take-Home Vehicles

- a. Assigned take-home vehicles shall only be assigned to an authorized person pursuant to Board Policy 438.
- b. In order to be considered for an assigned take-home vehicle, the employee must complete the Take Home Vehicle Assignment Authorization Request form and receive written approval from the Department Chief or Executive Director and the General Manager using the criteria set forth in Board Policy 438. The employee must provide a Department of Motor Vehicles (DMV) print out evidencing his/her driving record for the past three years. Authorization will not be granted if the employee has more than one at-fault accident in the last two years, more than two moving violations in the last three years, or a Driving Under the Influence conviction in the last three years. All denials and authorizations shall be kept on file by the General Manager for a period of two years after the date of denial or the termination of take-home use. This requirement must be met for all current and future take-home vehicle assignments.
- c. The General Manager shall semi-annually review the authorized person's monthly reports to determine whether or not a continued assignment of a take-home vehicle is justified.
- d. Authorized persons assigned a take-home vehicle, must maintain a monthly Take-Home Vehicle Trip Log form documenting all miles driven and reasons for after-hours use. This will serve as evidence that the District has complied with IRS tax reporting requirements. Logs are to be submitted to the Payroll Department no later than the fifth business day of each month. Failure to timely file the regularly required reports may result in the entire value of the authorized person's use being considered as income and in the in suspension or loss of take-home vehicle privileges.

## 3. Pool Vehicle Use

- a. For operational efficiency, and when cost-effective, pool vehicles will be provided at certain District facilities and shared amongst authorized persons at that facility. Vehicles will be available through the online Pool Car Reservation System ([Auto Request System](#)) and security guards at facilities with pool vehicles will manage the check-in/check-out procedure. Vehicle keys are to be checked out from and returned to the security guard following use. Authorized persons may not reserve a vehicle for

more than one day at a time; however, if a vehicle is needed for a multiple day out of town trip associated with a conference or meeting, authorization to use said vehicle shall be obtained as part of the travel request.

- b. Advance approval by the General Manager is required in situations where a pool vehicle is taken home overnight rather than returning it to the District after a late night meeting or in situations that require attendance at an early morning meeting. Advance approval requests are automatically sent during the reservation process, triggered when differences in check-out and check-in dates occur. Requests must be made in advance but no later than 4:00 p.m. on the day of use regardless of whether the vehicle is needed for a night meeting or an early morning meeting the next day.
  - c. Authorized persons are required to complete and submit a Vehicle Defect Card, or the online reporting system when it becomes available, each time they use a pool vehicle.
  - d. Authorized Persons and passengers shall leave the vehicle in the condition in which it was found, including the removal of any trash from the vehicle in the appropriate trash receptacle.
  - e. Valuables shall not be stored in the vehicle in plain sight. When necessary, valuables shall be stored in the trunk of the vehicle to deter/prevent theft, damage and other crimes.
4. Special Purpose Vehicles (i.e. Maintenance Trucks, IS Vans, Delivery Trucks)

Special purpose vehicles may be assigned to an authorized person or a department when the job functions:

- Require a vehicle with specialized equipment; and/or
- Require special tools or materials to be frequently utilized and transported and it would be inefficient or impractical to use a pool vehicle or privately-owned vehicle.

5. Fueling and Maintenance of Non-Revenue Vehicles

Vehicles are to be refueled at District-owned facilities. There are currently refueling sites located at each Operating Division and at the Central Maintenance Facility. Authorized persons planning a trip outside the District's service area that will require refueling of a vehicle should use personal funds and submit a receipt for reimbursement pursuant to Administrative Regulation 251A, Travel and Meeting Expense Reimbursement. Authorized persons are responsible for refueling a vehicle that has less than a quarter-tank of gas prior to checking it back in. This will ensure that vehicles have sufficient fuel if they are needed to assist in case of emergency or disaster response. Any authorized person who returns a non-revenue vehicle with less than a quarter-tank of fuel is subject to having their privileges suspended or revoked. Privately-owned vehicles may not be fueled at District-owned facilities.

The following checklist will be performed by the authorized person each time he/she refuels the vehicle: brake operation, lights, horn, turn signals, tire condition, and

windshield wipers. In addition, the exterior and interior of the vehicle should be checked for damage. Any damage or irregularity should be noted on a Defect Card provided at the time of check-in.

If at any time the District Vehicle is not in a safe, operable condition or malfunctions on a trip, the authorized person must immediately notify Operations Control Center at the number provided on the emergency contact card in the vehicle glove box. Upon completion of routine maintenance and inspection of assigned take-home vehicles, the Maintenance Department shall provide vehicle mileage and reports of any damage to the General Manager's Office.

## **B. Accidents, Traffic Violations, Parking Tickets (Non-Revenue)**

### 1. Accidents

#### a. Reporting

In the event of accident or incident involving a non-revenue vehicle, authorized persons are responsible for the following and must:

- i. Immediately report the accident to the Operations Control Center by calling the number provided on the emergency contact card in the vehicle glove box;
- ii. Report all accidents or losses involving non-revenue vehicles to their immediate supervisor and the Risk Management Department, regardless of fault;
- iii. In the event of an accident, or loss, or upon discovering damage to a District vehicle, submit a Vehicle Accident/Incident Report Form to their supervisor and the Risk Management Department by the next business day; and
- iv. Contact law enforcement to report all collisions and incidents involving other parties or property, and be responsible for recording file or case numbers on the Vehicle Accident Report Form.

#### b. Accident Review/Investigation

All authorized persons operating non-revenue vehicles on District business are expected to drive defensively, to anticipate emergency situations and to make every reasonable effort to avoid accidents. In order to prevent the occurrence and reoccurrence of vehicle accidents involving these drivers, the Risk Management Department, in coordination with the Safety, Security and Training Department, will review all accidents reported to Risk Management involving non-revenue vehicles. Upon this review, corrective measures will be imposed against drivers in an effort to prevent future accidents.

#### c. Post-Accident Recommendations

The Risk Management Department in coordination with the Training, Safety and Security Department may recommend employee driver training, suspension of or loss of driving privileges. If recommendations differ, concurrence may be sought from the General Manager and General Counsel. All decisions are final.

Privileges may be restored on a case by case basis upon evidence of a clean driving record for one year after the suspension or loss or moving violations.

## 2. Traffic Violations/Parking Tickets

- a. Any authorized person who receives a traffic citation or parking ticket while operating a non-revenue vehicle while on District business must report it to his/her supervisor as soon as possible. The payment of any parking ticket or traffic citation is the responsibility of the driver. The clearing of citations, including fees and penalties, shall be made on employee's own time. Corrective measures will also be taken against drivers who have accumulated excessive traffic citations while operating non-revenue vehicles. Unresolved parking citations will result in discipline.

## C. Privately Owned Vehicle Procedures

### 1. Authorized Persons

Employees are discouraged from using privately owned vehicles to conduct District business. However, each employee who has been authorized to use a privately-owned vehicle must complete, sign and submit an "Authorization To Use Privately Owned Vehicles For District Business" form to the General Manager. This form shall be submitted upon hiring and renewed annually thereafter. Annual renewals are to be submitted no later January 15th of each calendar year. Once approved, all forms are to be forwarded to the designated Senior Administrative Clerk in the Transportation Department at the General Office. The Senior Administrative Clerk shall maintain a file of completed forms and publish a list of the names and titles of the persons authorized to use their privately-owned vehicle for District business on MYACT until such time as the information can be logged in PeopleSoft system. This list shall be updated as needed with the names of any new hires approved during the calendar year. When processing mileage expense claims, the Finance department shall consult the list to ensure an employee requesting mileage reimbursement has received authorization to use their personal vehicle before reimbursement is provided.

### 2. Personal Liability and Insurance Requirements

An authorized person who is approved to use a privately owned vehicle in the performance of District business shall maintain in effect at all times automobile insurance with limits no less than \$100,000 per person/\$300,000 per incident/\$15,000 property damage as required by Board Policy 438. Please note that these required coverage amounts are higher than the state minimum. Employees shall certify annually that they

carry insurance at the levels described above on the Authorization to use Privately Owned Vehicle Certification Form.

Liability associated with the operation of a privately-owned vehicle on District business is the responsibility of and primary to the authorized person. The District will not be responsible for collision, comprehensive or liability losses for private vehicles; the mileage reimbursement rate is the full and complete compensation for the use of a private vehicle.

The General Manager may reimburse an authorized person the amount of their insurance deductible not to exceed \$500 if a privately-owned vehicle is involved in an accident, theft or vandalism in the course of District business use on a determination by the Risk Management and Safety, Security and Training Departments that the accident/incident was non-preventable.

3. Reporting:

When completing the Authorization to Use Privately Owned Vehicle Certification Form, employees must agree to cooperate fully with the Risk Management Department regarding any accident/incident that occurs while using a privately-owned vehicle on District business. In the event an accident or incident occurs involving a privately-owned vehicle in the course of District business, authorized persons are responsible for the following and must:

- i. Report all accidents or losses involving the vehicles to their immediate supervisor and the Risk Management Department, regardless of fault;
- ii. In the event of an accident, or loss, or upon discovering damage to a privately-owned vehicle, submit a Vehicle Accident/Incident Report Form to their supervisor and the Risk Management Department by the next business day; and
- iii. Contact law enforcement to report all collisions and incidents involving other parties or property, and be responsible for recording file or case numbers on the Vehicle Accident Report Form.

4. Expense Claims for Mileage Reimbursement

An authorized person who drives a privately owned vehicle in the performance of District business will be reimbursed for all business use mileage at the prevailing IRS mileage rate upon receipt by the District of a timely claim for reimbursement from the Authorized Person pursuant to Administrative Regulation 251A.

## V. RESPONSIBILITIES

Each Department Chief and Executive Director shall be responsible for implementing this Administrative Regulation and ensuring that all authorized persons within his/her department are aware of and in compliance with the Board Policies and Administrative Regulations referenced herein.

**VI. ATTACHMENTS**

- 1: Authorization to Use Privately Owned Vehicle for District Business
- 2: Employer Pull Notice Program ([Form INF 1101](#)) Authorization for Release of Driver Record Information (Not attached. Access by the link provided.)
- 3: Take-Home Vehicle Assignment Authorization Request
- 4: Take-Home Vehicle Monthly Trip Log
- 5: Vehicle Accident/Incident Report Form

Approved by:



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Michael A. Hursh, General Manager  
Alameda-Contra Costa Transit District



### AUTHORIZATION TO USE PRIVATELY OWNED VEHICLE FOR DISTRICT BUSINESS

**This authorization must be submitted upon hiring and be renewed annually by January 15<sup>th</sup> every calendar year.**

In accordance with Administrative Regulation 438A, approval is requested to use my privately owned vehicle to conduct official District Business.

*I hereby certify that, whenever I drive a privately owned vehicle on Official District Business, I will have a valid California Driver’s License of the appropriate classification and proof of liability insurance in my possession. In addition, all persons in the vehicle will wear safety belts and the vehicle shall always be:*

1. Covered by liability insurance for the minimum amount prescribed by District policy (\$100,000 for personal injury to, or death of one person; \$300,000 for injury to, or death of, two or more persons in one accident; \$15,000 property damage)\*. Vehicle Code Section 16020 (effective July 1, 1985) requires all motorists to carry evidence of current automobile liability insurance in their vehicle.
2. Adequate for work to be performed.
3. Equipped with safety belts in operating condition.
4. To the best of my knowledge, in safe mechanical condition as required by law.

**\* Note: Minimum insurance requirements prescribed by the District are higher than the minimum requirements under state law.**

I agree to follow the procedures set forth in Administrative Regulation 438A and will not consume alcohol or take substances (prescription, over-the-counter or recreational) a minimum of eight hours prior to using a vehicle for District business that would impair my ability to safely operate said vehicle.

I understand the mileage rate I claim is full reimbursement for the cost of operating the vehicle, including fuel, maintenance, repairs and both liability and comprehensive insurance and will be submitted in accordance with Board Policy No. 155 or Administrative Regulation 251A, whichever is appropriate.

*I further certify that, while using a privately owned vehicle on Official District Business, all accidents will be reported as soon as possible immediately following the accident using the procedures provided in Administrative Regulation 438A. I agree to cooperate fully with the Risk Management Department regarding any accident/incident that occurs while using a privately-owned vehicle on District business.*

*I declare under penalty of perjury that the foregoing information is true and correct and that I understand permission to drive a privately owned vehicle on Official District Business is a privilege which may be suspended or revoked at any time.*

|                                   |   |             |
|-----------------------------------|---|-------------|
| CALIFORNIA DRIVERS LICENSE NUMBER | EXPIRATION DATE   | BADGE #     |
| EMPLOYEE’S SIGNATURE              | PRINT NAME  | DATE SIGNED |
| GENERAL MANAGER’S SIGNATURE       | <input type="checkbox"/> Approved <input type="checkbox"/> Denied | DATE SIGNED |





**Take-Home Vehicle Assignment  
Authorization Request (Renewed Annually)**

Employee Name: \_\_\_\_\_ Department: \_\_\_\_\_ Badge # \_\_\_\_\_  
 Position Title: \_\_\_\_\_ Division: \_\_\_\_\_  
 Vehicle Number: \_\_\_\_\_ City of Residence: \_\_\_\_\_  
 Assigned Work Location: \_\_\_\_\_ Current Odometer Reading: \_\_\_\_\_  
 Daily Commute Miles: \_\_\_\_\_ Daily Business Miles: \_\_\_\_\_

If this is a renewal, provide the number of emergency call-outs in previous year. (Jan. 1- Dec. 31) \_\_\_\_\_

If this is a new request, attach DMV printout for the last three years.

Pursuant to Board Policy No. 438, requests to authorize take home vehicles must meet at least one of the following criteria:

- Emergency Response:** The employee has primary responsibility for responding to emergency situations. A "call-out" is defined as a directive to an employee to report to a work site during off duty time. Documentation listing the number and nature of call-outs for the prior year shall be provided. In addition, there must be an explanation of why alternate transportation cannot be used and why a District vehicle cannot be picked up from a designated parking area. **Attach all justification and back-up documentation to this form.**
- Special Equipment:** The employee has primary responsibility for responding to emergency situations which require an immediate response and the employee needs a special vehicle and/or carries specialized equipment other than communications equipment in order to perform their work outside of normal working hours. A description of this equipment must be submitted with the Take Home Vehicle Request. **Attach all justification and back-up documentation to this form.**
- Irregular Work Location:** Employee starts and/or ends his/her work day at a facility other than his/her assigned work location more than fifty percent of the time.

**I understand that a District-owned take-home vehicle is a fringe benefit that generates a tax liability. If my request for take-home vehicle assignment is approved, I am required to check with payroll to determine my liability.**

**I have read and understand Board Policy 438 and Administrative Regulation 438A governing take-home vehicle assignments. I certify that this request meets the requirements.**

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

- Approved
- Denied

\_\_\_\_\_  
Chief or Executive Director's Signature

\_\_\_\_\_  
Date

- Approved
- Denied

\_\_\_\_\_  
General Manager

\_\_\_\_\_  
Date





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District vehicle entered intersection on a:  green light  yellow light  red light  doesn't apply

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Description of Incident: (For additional information, use an extra

page.) Describe the Incident in detail:

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Employee Signature

Date report was completed

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**Traffic Diagram: IMPORTANT:** Draw a complete diagram of where and how incident happened. Show street names and direction of travel of vehicles involved. Use symbols below to assist you in developing your diagram.



Indicate North with an arrow in the circle



Use the check mark to show points of contact.



Use this symbol to indicate coach stops.



Use this symbol to indicate traffic light/stop sign



Other Vehicle



Your Vehicle

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Time reported to work on day of incident.