

PROCEDURE - MCES and Regional Administration Fleet Management Procedure

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| Section/Number: | 3-4a | Total Pages: | 8 |
| Dept. Responsible: | Environmental Services and Risk Management | Effective Date: | 7/1/02 |
| Special Note: | See Travel & Meeting Reimbursement Policy , Management of Regional Assets Policy , and the Vehicle Liability Claims Procedure for more information. | Revision No. | 1 (5/1/03) |

I. Policy:

The management of the regional assets of the Metropolitan Council, which include goods, supplies, real estate, buildings, equipment and money, will be done responsibly and in accordance with the governing state and federal laws, rules, and regulations. The Metropolitan Council will take all prudent steps to manage, control and protect the assets under its responsibility.

II. Procedure:

Employees are expected to know and obey all federal, state, county, city and Metropolitan Council laws, rules, and procedures when driving Metropolitan Council owned vehicles and personally owned vehicles on Metropolitan Council business.

Any employee who does not have a valid driver's license is prohibited from driving Metropolitan Council vehicles or personal vehicles while conducting Council business, both inside and outside of Council property. Employees who are discovered to have driven a Council vehicle or personal vehicle while conducting Council business without a valid driver's license will be subject to discipline, up to and including termination of employment.

Employees who receive a parking or traffic violation notice while conducting Met Council business are responsible for the disposition of the violation notice. Under no circumstances will MCES be responsible for or reimburse employees for parking or traffic violations. This procedure applies to Met Council owned vehicles and personally owned vehicles on Council business.

In all instances, the concern for safety of employees and the public shall be an overriding consideration. Further, the potential for liability on the part of the Metropolitan Council shall supersede all other outstanding conditional factors. **Failure to comply with the Council vehicles procedures may be subject to discipline up to and including termination.**

Copies of Procedures: 3-4d (Fleet Management) and 3-4-5a (Vehicle Liability Claims), plus proof of insurance should be kept in all Council vehicles.

USE OF METROPOLITAN COUNCIL AND MCES-OWNED VEHICLES

This section applies to the use of all MCES vehicles (automobiles, vans, and trucks).

- **Personal use of Metropolitan Council vehicles, with the exception of home to work trips in conjunction with a business use of a car, is prohibited.** Use of a Council vehicle for commuting will only be allowed in specific situations and must be approved prior to use by the Division Director or General Manager. Driving of a Council vehicle by anyone except an employee with a valid driver's license is prohibited. Unauthorized passengers will not be transported in MCES vehicles.
- People riding in Council vehicles are required to wear seatbelts. Smoking is not allowed in Council vehicles.
- If the vehicle needs fuel, please check with your facilities' administration regarding the process to fill the gas tank.
- Employees using Council vehicles should exercise common sense and a high level of courtesy when using the vehicle.
- Employees may be held liable for damages to vehicles and required to make full restitution to the Council for repair costs in cases of vehicle abuse.
- Any radio, stereo, or other device utilizing earphones will not be worn by any driver. The use of radar detectors in MCES vehicles is prohibited.
- In those cases where it is absolutely necessary to transport workers in the back of a truck, the workers will sit on the bed of the truck with their backs against the truck cab or headboard. In **no** case will workers be allowed to ride in the standing position in the back of a truck, or with any part of their body hanging over the side or rear of the truck body.
- Drivers hauling any cargo will ensure that the cargo is properly secured before placing the vehicle in motion.
- Consumption of alcoholic beverages or use of drugs in a MCES vehicle by a driver or passenger is prohibited. No alcoholic beverages or firearms will be allowed in a MCES vehicle. Please see the following Metropolitan Council policies and procedures for more information: [Workplace Violence Prevention Policy](#), [Non FTA Drug & Alcohol Policy](#) and the [MCES Drug & Alcohol Testing Procedure](#).
- All accidents, regardless of severity, will be reported immediately to the appropriate supervisor and to the Police Department having jurisdiction in the area where the accident occurred in a timely manner in accordance with state reporting laws. See Risk Management's [Vehicle Liability Claims Procedure](#) for more information. The driver, working with their supervisor will be responsible for completing the required report forms, the [METC Incident Report Form](#), and if needed, the [State of Minnesota Crash \(Accident\) Form](#).
- MCES vehicles will be locked whenever they are unattended in an offsite location.

Fleet Manager:

The Fleet Manager is responsible for overall management and administration for all MCES fleet vehicles. The Fleet Manager will establish standard procedures for adequate vehicle storage, monitor routine maintenance to assure reliability, monitor vehicle utilization to ensure proper fleet size and ensure vehicle replacement frequency based on mileage accumulation and/or age of vehicle. When replacement vehicles are required, the Fleet Manager may use the state contract or the Council bid process to order new vehicles. Decals, unit numbers, and license must be applied to the vehicles prior to use. The Fleet Manager will designate local representatives in the Departments or Business Units to provide daily fleet supervision, input and assistance to the Fleet Manager and Fleet Administrator.

RECORDKEEPING AND LICENSE CHECKS

A formal record of each vehicle's usage shall be maintained and will include mileage, date, hours used, purpose and person using the vehicle. All records will be forwarded to the Fleet Manager or a designee at Regional Maintenance. Fleet information will be tracked in Synergen.

Periodic license checks will be done for all employees who may drive an MCES vehicle as part of their regular duties.

REPAIRS or ACCIDENTS

- **Repairs/Maintenance** - If you encounter a problem or maintenance issue with the vehicle that needs to be addressed, call the Central Office/Mears Park receptionist, the Fleet Manager or designee at MCES Regional Maintenance. Maintenance and repairs will be arranged through the Fleet Manager or his/her designees.
- **Accidents/Damage to Vehicle** - A METC Incident Report Form must be completed **every** time a MCES vehicle incurs damage or some type of loss, regardless of cost and severity. Types of loss may include, but are not limited to theft, dents, accidents, injuries to non-employees, and property damage. If you have an accident, you must also complete a State of Minnesota Crash (Accident) Form when required by law. See Procedure 3-4-5a Risk Management - Vehicle Liability Claims. The driver, working with their supervisor, will be responsible for completing the required report forms.

A. Use of Council Vehicles (Central Office/Mears Park Motor Pool of automobiles)

Note: Other MCES motor pools shall follow these procedures, but will adapt them to their business unit or location.

The Central Office/Mears Park Motor Pool of automobiles is available to provide transportation for MCES or RA representatives on Council business and is to continue to be maintained as a ready and reliable source of transportation services. **The use of Council vehicles for personal use is prohibited.**

CHECK OUT PROCEDURE

1. Contact the Central Office/Mears Park receptionist to reserve a vehicle.
2. **Valid License Check** - Employees will need to present their valid drivers' license to the person checking out the vehicle, prior to using the vehicle.
3. Employees using a Council vehicle must complete a ***Requisition for Motor Pool Vehicle*** form available from the Central Office/Mears Park receptionist. This completed form must be signed and turned in to the Central Office/Mears Park receptionist when the vehicle is returned.
4. **Off Hours Checkout** - If the employee needs the vehicle during a time in which the receptionist is not on duty, the vehicle may be checked out prior to use, when the receptionist is present. For example, the employee may check out a car at 4:30 p.m. on Monday, for use at 7:00 a.m. on Tuesday. The employee will not take possession of the car until 7:00 a.m., but will receive the keys and complete the form on Monday.

B. MCES Trucks and Vehicles (Non-CDL)

Any MCES employee who is required to drive a MCES vehicle as part of their regular job duties will be required to follow these procedures. There are many types of MCES vehicles used by employees in varying degrees and for an array of assigned purposes. Uniform rules and regulations governing their operation becomes necessary to help ensure employee and passenger safety, disciplinary equity, and vehicle maintenance. See the [MCES Regular Driving Position List](#) for a list of positions that include driving MCES vehicles as part of their regular job duties.

DRIVER QUALIFICATION, SELECTION, AND DISQUALIFICATION

1. Human Resources will conduct a pre-employment check of the applicant's motor vehicle record. The applicant may be disqualified from being considered for that position based on their record, but may be considered for a position that does not require driving.
2. Disqualification may occur if any of the following are found on the motor vehicle record:
 - a) Two or more moving violations and/or preventable accidents in the previous 18 months or three or more in the previous 36 months. The applicant may submit the appropriate accident reports for an accident preventability evaluation.

- b) If the MVR reflects a history of alcohol/drug-related offenses and the employee has not completed a court approved rehabilitation program and their record has not been cleared of further offenses.
 - c) If the drivers' license is suspended.
 - d) If the employee committed a felony involving a motor vehicle, has had a hit & run, has committed a homicide or assault with a motor vehicle, or has fled or attempted to elude police.
3. All new hires are asked to sign a MCES Driver Safety Contract at the time of hire. By signing the contract, they indicate that they understand all policies and procedures and that they are committed to practicing safe driving habits.
 4. Fleet management will conduct a Motor Vehicle Record check annually and prior to the completion of their 6-month probationary period for those employees who operate a MCES vehicle on a regular basis. In the event that the MVR reveals the same conditions barring new hires, the employee may be removed from driving responsibilities until the record meets the appropriate minimum requirements, or discharged in the case of probationary employees.

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| C. MCES Trucks and Vehicles (Commercial Drivers License Required) |
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Only employees with valid a Commercial Driver's License (CDL) will be allowed to drive MCES vehicles that require a commercial license. Employees required to have a CDL as a condition of their employment should adhere to all CDL requirements. If their CDL is disqualified, they may be subject to reassignment or discipline up to and including termination of employment at the Council.

CDL REQUIREMENTS and DRIVER QUALIFICATION FILE

MCES will keep a driver qualification file for each driver for as long as the driver is employed by MCES and for 3 years after the driver leaves MCES employ, per the Federal Motor Carrier Safety Regulations.

DISQUALIFICATION OF CDL

Minnesota Statutes 171.165, 171.166 should be referenced to determine the length and the review of the disqualification of a CDL.

Reasons for a disqualification:

If driver is convicted of one of the following offenses committed while on-duty and employed:

- driving under the influence of alcohol (or with alcohol concentration of .04% or more)
- refusal to undergo testing for alcohol
- driving under the influence of, transportation, possession, or unlawful use of an illegal drug
- leaving the scene of an accident in a MCES vehicle
- any felony involving the use of a MCES vehicle, including the sale, use and transport of illegal substances
- violation of an out-of-service order

D. Use of Private Vehicle for Company Use

The immediate manager of the employee is to authorize use of a personally owned vehicle only when an MCES-owned vehicle is not available or use is not practical.

Employees using private vehicles while performing council business are eligible for expense reimbursement only in the event the private vehicle being used is covered by vehicle insurance meeting the amounts required by state law. Expense reimbursement forms must be submitted to his/her manager for approval. The Council assumes no liability for uninsured vehicles used in violation of this policy. Proof of insurance is subject to audit. See [Policy 3-3-2 Travel and Meeting Reimbursement](#).

Employees will be paid not more than the amount of the standard mileage allowance as determined by the Internal Revenue Service for the use of their private vehicles in the performance of authorized Council business. The Council will not pay expense for routine travel between an employee's place of residence and his/her primary work location. Employees authorized to travel to an alternate work location will be reimbursed for the mileage in excess of their usual daily mileage traveled between the employee's residence and primary work location, on a round trip basis.

E. Loss of Driving Privileges

All employees who are in a job class which requires a valid driver's license must notify their supervisor and the Fleet Management Department (651) 602-4507 of any loss of driving privileges. Written notification by the employee must take place prior to the start of his/her next shift immediately after being notified of a suspension, revocation or pending suspension or revocation. Failure to notify a manager will result in disciplinary action.

After a supervisor has been notified of an employee's loss of driving privileges, the supervisor, in consultation with their Assistant/Deputy General Manager, Human Resources and Labor Relations, as appropriate, will consider the following factors in determining any **action**:

1. Status of employee – are they in their probationary period.
2. Information concerning suspended/revoked license
 - Manner in which supervisor was notified (i.e. employee notified the employer vs. Council was notified through periodic license review)
 - If employee failed to notify supervisor, length of time license has been suspended without such notification
 - Total length of suspension
 - Is employee criminally liable, (i.e. has employee driven with suspended, if so, to what extent)
 - Personal vehicle vs. Council vehicle
 - Reason for suspended license (e.g. DWI/DUI, parking tickets, medical reasons --see Note below.
 - On duty conduct vs. off duty conduct
 - Council exposure to liability (e.g. does employee drive alone while on duty or with others; if others, co-workers, clients or general public)

- Compliance with the U.S. Department of Transportation (DOT) reporting guidelines if employee holds a Commercial Driver's License. Note that DOT regulation §383.33 **Notification of driver's license suspensions states:**

“Each employee who has a driver's license suspended, revoked, or canceled by a State or jurisdiction, who loses the right to operate a commercial motor vehicle in a State or jurisdiction for any period, or who is disqualified from operating a commercial motor vehicle for any period, shall notify his/her current employer of such suspension, revocation cancellation, lost privilege, or disqualification. The notification.....”

3. Effect of suspension on other license held and/or required for position. (e.g. Commercial Driver's License). Refer to DOT §383-51 regarding “Disqualification of drivers”.
4. Employee's job duties and importance of ability to drive
 - Does position require driving, and if so, is it a substantial part of the job duties
 - Position requires driving, but some adjustment can be made for a limited period of time
 - Position requires occasional driving
5. The employee's work record (performance appraisals, length of service, prior discipline for same or similar offenses and prior discipline for other offenses)
6. The employee's attitude toward the situation during the investigation

Notwithstanding the factors identified above, any employee who is required to hold valid driver's license, and a substantial or critical part of his/her job duties require driving, any suspension of driving privileges in excess of *one hundred twenty (120)* days will normally result in an employee being discharged for just cause.

In some cases, the employee may be transferred or demoted to another position subject to compliance with bargaining agreements and Council policies.

An employee may use accrued time, other than sick or supplemental sick, for hours that employee is unable to work because of license suspension (other than any hours include in disciplinary suspension). There may be occasion where sick leave is appropriate (e.g. inpatient chemical dependency treatment). An employee should address these specific issues with his/her supervisor prior to the leave.

Note: In the event an employee has lost driving privileges due to medical reasons, the notification provisions identified above are required and discipline may result if an employee fails to report loss of privileges. However, discipline will not normally be considered for the loss of driving privileges due to an underlying medical condition or treatment for a medical condition.

MCES Regular Driving Position List

Note: Driving records will be checked as a condition of employment prior to employment, as well as on a regular basis as an employee.

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| Assistant Business Unit Manager | Mgr - Construction Services |
| Assistant Operator | Mgr – Drafting and Records |
| Business Unit Coordinator | Mgr - Engineering Design/WWTP |
| Business Unit Manager | Mgr - Environmental Monitoring |
| Computer Sys Specialist | Mgr - Industrial Waste |
| Construction Inspector | Mgr. - Interceptor Engineering |
| Contract Administrator | Mgr - Municipal Services |
| Drafter I | Mgr – Water Resources Management |
| Drafter II | Painter |
| Drafter III | Pipefitter |
| Electrician | Planner |
| Engineer | Pipefitter - Planning & Scheduling |
| Environmental Scientist | Planning Analyst |
| General Lead Electrician | Plant Operator |
| General Lead Machinist | Principal Contract Administrator |
| Industrial Hygienist | Principal Engineer |
| General Lead Pipefitter | Principal Environmental Scientist |
| Industrial Waste Tech I | Process Engineer |
| Industrial Waste Tech II | Project Administrator |
| Information Specialist | Reg. Land Surveyor |
| Interceptor Serviceworker I | Senior Engineer |
| Interceptor Serviceworker II | Senior Environmental Scientist |
| Interceptor Serviceworker Lead | Senior Information Coordinator |
| Laboratory Assistant | Senior Information Specialist |
| Lead Electrician | Senior Computer System Specialist |
| Lead Machinist Mechanic | Senior Planner |
| Lead Painter | System Hardware Tech II |
| Lead Pipefitter | System Hardware Tech III |
| Lead Safety Specialist | Technician I |
| Machinist - Planning & Scheduling | Technician II |
| Machinist Mechanic | Technician III |
| Machinist Mechanic - Apprentice | Vehicle Mechanic |
| Mgr - Area Interceptor | |
| Mgr – Contracts & Procurement | |
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