



POLICY 2.28

5-C I recommend that the Board adopt the proposed **revised** Policy 2.28, entitled "School District Owned Vehicles."

[Contact: Joseph Sanches, PX 47573.]

Development

CONSENT ITEM

- The Board approved development of this revised Policy at the development reading on November 22, 2011.
- This policy is to define the conditions of appropriate use of District-owned vehicles, including use related to take home vehicles; to establish procedures for the operation of such vehicles; and to address IRS regulations concerning commuting. See sections 4, 5, 6, & 7.
- The Superintendent or designee is authorized to assign an employee a take home vehicle, consistent with the criteria as provided herein. See section 3(a).
- Employees provided a take home vehicle are required to maintain insurance to address any potential personal negligence of the employee. See section 7(b).
- A periodic review, annual and monthly, of vehicle usage is required. See section 3(c).
- Applicants convicted of certain traffic crimes are not hired for positions that require driving of District-owned vehicles. See section 8.
- Many of the revisions have been provided to address the Take Home Vehicle Audit completed in 2011 requiring the following to be addressed:
 - The level of approval required for authorization of take home vehicles.
 - Acceptable percentage of mileage attributable to commuting and business miles.
 - Frequency of management review of take home vehicle business usage.
 - Annual review of the need for vehicle assignment which includes take home use.

POLICY 2.28

SCHOOL DISTRICT OWNED VEHICLES

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3 1. **Purpose.** This policy is to define the conditions of appropriate use of District-
4 owned vehicles, to establish procedures for the operation of such vehicles and to
5 addresses IRS regulations concerning commuting.
- 6 2. **Scope.** This policy applies to all District employees who operate District owned
7 vehicles.
- 8 3. **Policy Statement.** The Superintendent or designee may assign vehicles to certain
9 employees, either solely for use during normal working hours or as a take home
10 vehicle, consistent with the criteria as provided herein. District-owned vehicles
11 shall be used exclusively for the conduct of official school business, and the use of
12 such vehicles for personal purposes such as attending to personal affairs, social
13 engagements or unapproved commuting is prohibited. If an employee is assigned
14 a take home vehicle, this shall be an employment condition. Any use of the take
15 home vehicle other than driving between the employee's residence and approved
16 work center during non-duty hours shall be a de minimis use as provided herein.
- 17 a. **Criteria for Assigning Vehicle.** District vehicles may be assigned to
18 employees on the basis of their job duties and responsibilities, as determined
19 by the Superintendent. However, the following criteria shall be considered by
20 the Superintendent or designee in assigning an employee the responsibility of
21 driving a District-owned, operated or controlled vehicle to his or her residence
22 after the duty day is concluded.
 - 23 i. The employee is on-call and/or has emergency response duties during off
24 duty hours.
 - 25 ii. The employee is assigned duties at multiple work sites.
 - 26 iii. If the employee qualifies under (i) or (ii) above on a temporary basis, s/he
27 may be assigned a District vehicle on a corresponding temporary basis.
 - 28 iv. There is a need for the employee to have access to a specially equipped
29 vehicle in order to fulfill departmental missions.
 - 30 v. If it will be more cost effective to the District to provide the employee with
31 a vehicle, because the employee's mileage reimbursement consistently
32 averages more than the cost of assigning a District-owned vehicle to that
33 employee.

- 34 vi. The employee's collective bargaining agreement provides for the
35 employee to be provided with a vehicle.
- 36 b. Compliance with IRS Rules. Employees authorized to take home District-
37 owned vehicles will be subject to applicable IRS requirements. Pursuant to
38 the Internal Revenue Code, the annual value of commuting will be included on
39 the employee's W-2 form at the end of each calendar year and shall be in
40 accordance with IRS rules and regulations. The Chief Financial Officer shall
41 be responsible for obtaining the necessary information from employees for the
42 reporting required herein.
- 43 c. Periodic Review of Continuing Need. Vehicle usage and assignments shall be
44 periodically reviewed as provided herein.
- 45 i. Annual Vehicle Assignment Review. By January 15 of each year, an
46 updated Take Home Vehicle Authorization Assignment Form must be
47 completed and approved and submitted to the employee's Division
48 Director and the Superintendent. Upon approval, the original document
49 shall be provided to the Chief Financial Officer and a copy to the Director
50 of Transportation.
- 51 ii. Monthly Vehicle Usage Review. Supervisors of employees assigned
52 District-owned vehicles shall review monthly the vehicle utilization logs of
53 the employees' use of District assigned vehicles.
- 54 4. **General Responsibilities of Operators and Occupants.** The following
55 provisions shall apply to any employee operating a District-owned vehicle. Failure
56 to comply with these provisions may subject the employee to disciplinary action up
57 to and including suspension or termination.
- 58 a. License. Employees who operate District-owned vehicles for District business
59 shall have a current and valid driver's license as required by law.
- 60 b. Business Purposes Only. The District-owned vehicles furnished to
61 employees, whether for use during duty hours or for take-home, are to be
62 used exclusively for District business and shall not be used at any time for the
63 operator's private, personal use or convenience, except as provided herein.
- 64 c. Used Only by Employee(s). Only employees may drive or operate District-
65 owned vehicles. Occupants of District-owned vehicles shall be limited to
66 personnel employed by the District or individuals whose business is directly
67 related to District business.
- 68 d. Use of Seat Belts. Employees, as drivers or passengers, and any other
69 approved passengers shall use seat belts.

- 70 e. Employees' Responsible for Moving and Parking Citations. Employees are
71 financially responsible for any moving violations and parking citations that may
72 be incurred while using District-owned vehicles. Failure of the driver to pay
73 the fines may cause the loss of driving privileges of District-owned vehicles.
- 74 f. Safe Driving Practices. Employees shall obey traffic regulations, exercise
75 reasonable care and observe safe driving practices at all times while driving
76 vehicles owned, leased, or rented by, or on loan to, the District.
- 77 g. Authorization Required. Employees shall not alter or add any equipment to a
78 District-owned or leased vehicle without authorization from the Director of
79 Transportation or designee.
- 80 h. Vehicle Utilization Logs Maintenance. Vehicle utilization logs will be
81 maintained by all employees assigned District-owned vehicle and shall be
82 submitted monthly to the employees' supervisors for review.
- 83 i. Smoking or Tobacco Use Prohibited. Driver and passengers are prohibited
84 from smoking or using tobacco in District-owned vehicles, in accordance with
85 Board Policy [7.19](#).
- 86 j. Responsibility for Care and Maintenance. Employees using any District-
87 owned vehicle are responsible for its care and return in good condition. All
88 employees' assigned District-owned vehicles are responsible for meeting
89 established vehicle maintenance schedules as set by the Department of
90 Transportation. Preventive maintenance inspection of each vehicle will be
91 made as scheduled by the Director of Transportation and consistent Florida
92 Statutes, State Board of Education Rules and School Board policies.
- 93 k. Reporting Vehicular Non-Accident Damage or Theft. Any damage to the
94 body or tires of District-owned vehicles, as well as mechanical damage or
95 failure as a result of wear and tear or vandalism, must be reported within 24
96 hours to the Department of Transportation and turned over to the department
97 for inspection and repairs.
- 98 l. Reporting Vehicular Theft. An employee must report immediately to the
99 Department of Transportation and the Department of Risk and Benefits
100 Management the theft of the District-owned vehicle or District property from
101 the vehicle.
- 102 m. Use of Equipment and Technology Prohibited While Operating Vehicle.
103 Employees are not permitted to use pagers, digital assistants, handheld
104 electronic games, or laptop computers while operating a District-owned or
105 leased vehicle. Cell phones may be used while driving, but only in limited
106 work-related use as to report an accident, car trouble or if there is imminent
107 danger. Every effort should be made to pull out of traffic when cell phone use

108 is necessary. This provision shall not be applicable to sworn law enforcement
109 personnel in School Police.

110 n. Gasoline Purchases. Gasoline required by out-of-county travel will be
111 secured on certified credit identification when such certified credit identification
112 is available. Otherwise, gasoline purchases will be paid for by the driver of the
113 District-owned vehicle and reimbursed on expense accounts provided for such
114 purposes. Gasoline purchases for District-owned vehicles, when possible, will
115 be made either at the school garage or other designated places.

116 o. Compliance with Other Administrative Procedures. All employees who drive
117 District-owned vehicles must comply with other administrative procedures as
118 established by the Superintendent.

119 5. **Reporting Required for Traffic Violation, Change in License Status and**
120 **Accident.** Any District employee who fails to provide notice as required herein,
121 or who knowingly operates a District-owned vehicle with a suspended or revoked
122 license, will be subject to disciplinary action up to and including termination.

123 a. Time Required for Notification of Suspension or Revocation of Driver's
124 License. Employees shall notify their supervisors of the suspension,
125 restriction, or revocation of their operator's or commercial driver's licenses
126 upon the employees' learning of such information but no later than the next
127 working day.

128 b. Review Required by Supervisor. When an employee has provided
129 notification of the suspension, restriction or revocation of his or her operator's
130 or commercial driver's license, the supervisor shall consult with the Director of
131 Transportation and the Director of Human Resources to determine the
132 consequences to the employee and to determine the circumstances, if any,
133 under which the employee will be permitted to continue or resume the
134 operation of District-owned vehicles.

135 c. Notification for Traffic Citations. Employees shall notify their supervisor of
136 any traffic citation received while operating a District-owned vehicle by the
137 next working day. Failure to provide the required notice may result in
138 disciplinary action, up to and including termination.

139 i. Any driver who receives a citation but is found innocent of charges by the
140 appropriate judicial body shall not be charged with the traffic citation for
141 employment purposes.

142 ii. A traffic citation shall not be charged against the employee for
143 employment purposes when malfunctioning District-owned equipment is
144 the cause of a violation.

- 145 iii. Failure to timely notify an employee's supervisor of a traffic violation or
146 change in license status constitutes a separate violation from any
147 discipline or penalty imposed due to the traffic violation or license change.
- 148 d. Reporting Vehicular Accidents and Care of Vehicles. In the event a vehicle
149 owned by the District is involved in an accident, the driver shall immediately
150 report the accident to the local law enforcement agency, and shall report such
151 accident as soon as possible to the supervisor, Director of Transportation and
152 to the Director of Risk and Benefits Management .
- 153 i. Employees are responsible for reporting unsafe or defective equipment to
154 their supervisor and Director of Transportation. A District-owned vehicle
155 that is unsafe shall not be operated until necessary repairs are made.
- 156 ii. Under no conditions ~~shall will~~ District-owned equipment be repaired by a
157 private shop or a private individual unless formal approval is given by the
158 Director of Transportation or the Superintendent.

159 **6. Prohibition of Alcohol, Drugs, Weapons, and Other Contraband.**

- 160 a. Alcohol, illegal substances, weapons and other unauthorized materials or
161 things may not be transported or possessed in District-owned vehicles. Any
162 employee determined to be in violation of the provisions in this section shall be
163 subject to disciplinary action, up to and including termination, and subject to
164 criminal penalties.
- 165 b. The prohibition herein regarding weapons shall not be applicable to personnel
166 authorized to carry weapons in the performance of their official duties.
- 167 c. Operation of District-owned, rented or leased vehicles by employees impaired
168 by or under the influence of alcohol or illegal substances is strictly prohibited.
169 Any such operation is an unauthorized use of a District vehicle and the
170 employee operating such District vehicle will cease to be a permissive user.
171 The employee will not be protected by any insurance or self-insurance
172 provided by the School Board.

173 **7. Take-Home Vehicle Use.**

- 174 a. Completion of Form. Any employee authorized to take a vehicle home shall
175 complete and sign the [Take Home Vehicle Form \(PBSD](#)) as required
176 provided by the Department of Transportation. Such form shall be completed
177 and signed by the employee and his or her supervisor. The original form shall
178 be provided to the Director of Transportation, with a copy to the Department of
179 Accounting to report such authorization and to supply all related information
180 required by IRS Regulations, and a copy to Department of Risk and Benefits
181 Management with proof of insurance as required herein.

182 b. Liability Insurance Requirements. Prior to the issuance of a take home
183 vehicle to a District employee, the employee must present a copy of the
184 insurance as required by this section to his or her supervisor. Employees
185 provided with take home vehicles shall be required to obtain maintain an
186 automobile liability insurance policy with limits of \$100,000/\$300,000 bodily
187 injury and \$50,000 in property damage. This provision is required because an
188 employee is personally liable for damages resulting from the employee's own
189 negligence, misuse or abuse while operating a take home vehicle outside of
190 the scope of the District's employment.

191 e. De Minimis Use Permitted. Personal use of take home vehicles is prohibited
192 except for de minimis personal use (such as ~~Because employees who drive~~
193 ~~home vehicles have no other means of transportation during work hours,~~
194 commuting to and from home to work; stopping for a personal errand on the
195 way between a business delivery and the employee's home; or traveling to
196 and from lunch, for medical appointments and personal errands). ~~is allowed~~
197 ~~provided there is only minor deviation from the normal route traveled and the~~
198 ~~nature of this travel is not inconsistent with the type of vehicle.~~

199 d. Responsibility for Obtaining IRS Needed Information. The Office of
200 Compensation and HR Planning shall be responsible for obtaining the
201 necessary information from employees authorized to take home vehicles for
202 commuting in conformance with IRS regulations.

203 e. Revocation of Use. Authorization for take home vehicles may be revoked at
204 any time without cause. Employees do not have the right to contest a decision
205 to authorize or revoke a take home vehicle.

206 8. **Traffic Crimes Committed By Applicants or Employees**

207 a. Applicants for positions that require the driving of a District-owned vehicle shall
208 will not be hired if their driver history record contains either a plea of guilty,
209 nolo contendere or an adjudication withheld within the preceding seven (7)
210 years for one of the following crimes:¹

211 i. Driving under the influence of alcoholic beverages, chemical substances
212 or controlled substances, or with unlawful blood alcohol levels.

213 ii. Leaving the scene of an accident where there was an injury and/or
214 property damage exceeding five hundred dollars (\$500.00).

215 iii. Reckless driving resulting in an accident.

216 iv. Fleeing or attempting to elude a police officer.

217 b. Employees who operate a District-owned vehicle during the performance of

218 their regular duties and who plead nolo contendere or who are found guilty of
219 committing any of the crimes listed in subsection (a) above will be subject to
220 disciplinary action up to and including suspension and termination. Employees
221 who receive a citation for a traffic violation and are involved in an accident
222 while operating a District-owned vehicle must inform their immediate superior
223 as soon as possible but not later than twenty-four (24) hours of the incident.
224 Failure to do so will subject the employee to disciplinary action up to and
225 including suspension and termination.

226 ¹Applicants for the position of Bus Driver shall be required to meet the standards
227 contained in Policy 2.18.

228 ~~1. Vehicles furnished to employees are to be used exclusively for District business and shall not be~~
229 ~~used at any time for the operator's private use or convenience.~~

230 ~~2. Vehicles may be assigned to all employees whose mileage reimbursement consistently averages~~
231 ~~more than the cost of assigning a District-owned vehicle to that employee.~~

232 ~~3. Vehicle utilization logs will be maintained by all employees assigned District-owned vehicles.~~

233 ~~4. The Superintendent or designee may assign certain employees the responsibility of driving a~~
234 ~~District-owned, operated, or controlled vehicle to their residence after their duty day is concluded.~~
235 ~~This shall be an employment condition and the vehicle shall only be driven between the~~
236 ~~employee's residence and an approved work center during non-duty hours. Following are criteria~~
237 ~~to be considered in assigning certain employees the responsibility of driving a District-owned,~~
238 ~~operated or controlled vehicle to their residence after their duty day is concluded.~~

239 ~~a. The employee is on-call and/or has emergency response duties.~~

240 ~~b. The employee is assigned duties at multiple work sites.~~

241 ~~c. Temporary assignment. If employee qualifies under (a) or (b) above on a temporary basis~~
242 ~~he may be assigned a District vehicle on a corresponding temporary basis.~~

243 ~~5. Occupants of District vehicles shall be limited to personnel employed by the District or individuals~~
244 ~~whose business is directly related to District business.~~

245 ~~6. Preventive maintenance inspection of each vehicle will be made as scheduled by the~~
246 ~~Transportation Department.~~

247 ~~7. Gasoline required by out-of-county travel will be secured on certified credit identification when~~
248 ~~such certified credit identification is available. Otherwise, gasoline purchases will be paid for by~~
249 ~~the driver of the District-owned vehicle and reimbursed on expense accounts provided for such~~
250 ~~purposes. Gasoline purchases for District-owned vehicles, when possible, will be made either at~~
251 ~~the school garage or other designated places.~~

252 ~~8. In the event a vehicle owned by the District is involved in an accident, a complete report shall be~~
253 ~~provided as soon as possible to the Director of Transportation and to the Director of Risk~~
254 ~~Management.~~

255 ~~9. Employees are required to safely drive vehicles owned, leased, or rented by, or on loan to, the~~
256 ~~District.~~

257 ~~10. All employees who drive District vehicles must comply with standards established by the~~
258 ~~Superintendent.~~

259 ~~11. Any District employee who knowingly operates a District-owned vehicle with a suspended or~~
260 ~~revoked license will be subject to disciplinary action up to and including termination.~~

261 ~~^{12.} Applicants for positions that require driving a District-owned vehicle will not be hired if their driver~~
262 ~~history contains either a plea or nolo contendere or an adjudication within the preceding seven (7)~~
263 ~~years for one of the following crimes:⁴~~

264 ~~a. Driving under the influence of alcoholic beverages, chemical substances or controlled~~
265 ~~substances, or with unlawful blood alcohol levels.~~

266 ~~b. Leaving the scene of an accident where there was an injury and/or property damage~~
267 ~~exceeding five hundred dollars (\$500).⁵~~

268 ~~c. Reckless driving resulting in an accident.~~

269 ~~d. Floeing or attempting to elude a police officer.~~

270 ~~13. Employees who operate a District-owned vehicle during the performance of their regular duties~~
271 ~~and who plead nolo contendere or who are found guilty of committing any of the crimes listed in~~
272 ~~Section 12 of this policy, will be subject to disciplinary action up to and including suspension and~~
273 ~~termination. Employees who receive a citation for a traffic violation and/or involved in an accident~~
274 ~~while operating a District-owned vehicle must inform their immediate superior within twenty four~~
275 ~~(24) hours of the incident. Failure to do so will subject the employee to disciplinary action up to~~
276 ~~and including suspension and termination.~~

277 ~~14. Employees who operate their personal vehicle for District-owned business shall have a current~~
278 ~~and valid driver's license and motor vehicle insurance in accordance with § 322.03 and §~~
279 ~~627.733, Fla. Stat. Failure to comply with these requirements may subject the employee to~~
280 ~~disciplinary action up to and including suspension and termination.~~

281 ~~Violation of the conditions in this policy will result in disciplinary action, up to and including~~
282 ~~termination from employment.~~

283

284 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.41, 1001.42 ~~230.23(17); 230.23005~~

285 LAWS IMPLEMENTED: Fla. Stat. §§ ~~230.22(1) & (2)~~

286 HISTORY: 2/18/72; 12/5/73; 7/21/82; 11/17/99; ___/___/11

Legal Signoff:

The Legal Department has reviewed proposed Policy 2.28 and finds it legally sufficient for adoption by the Board.

Attorney

Date



THE SCHOOL DISTRICT OF PALM BEACH COUNTY

Take Home Vehicle Assignment Registration

- New Request
- Annual Renewal (July 1 each year)
- Change/Update

Employee completes this form to request an assignment of a District vehicle to take home. After the form is completed and signed the employee routes the form to immediate supervisor for review and approval (see page 2 for approval process).

Employee ID	Employee First Name	Employee Last Name	Employee Last Name
Primary Work Station	Department	Division	
Home Address		City	Zip Code
Estimated Daily Commute Miles	Daily Business Miles	Vehicle Type Requested Select One	Driver's License # State Issued

VEHICLE ASSIGNMENT CATEGORY* Check applicable assignment category.

1. The employee is on-call and/or has emergency response duties during off duty hours that require a vehicle that is outfitted with communications or other equipment the employee would need if on call 24 hours a day. Explain the communications or other equipment needed if on call

2. The employee is assigned duties at multiple work sites and would otherwise have to return to the workplace before going home, is able to work longer if allowed to commute in an employer-provided vehicle. Explain normal route and how much time would be saved.

3. The employee qualifies under (1) or (2) above on a temporary basis. Provide explanation under questions (1) or (2) and enter the expected numbers of days here. _____
4. If it will be more cost effective to the District to provide the employee with a vehicle, because the employee's mileage reimbursement consistently averages more than the cost of assigning a District-owned vehicle to that employee. Attach support describing the job duties of the employee, the employee's estimated annual mileage reimbursement compared to the annual cost of a District owned vehicle (see "How to Attach"). Will a new or existing car will be used? New car Existing car
5. The employee does not meet any of the other criteria above but the employee's collective bargaining agreement (CBA) provides for the employee to be provided with a vehicle. List applicable CBA _____
6. There is a need for the employee to have access to a specially equipped vehicle that the employee is not likely to use more than minimally for personal purposes because of the design, including but not limited to: marked police vehicle, unmarked police vehicle and qualified specialty utility repair truck. Explain the type of qualified vehicle: _____

* (1) through (6) will most likely result in an amount that is equal to \$1.50 per day, multiplied times the number of days the vehicle is used, which is included in the wages on the employee's W-2; (5) will most likely result in a higher amount, which is included in wages on the employee's W-2 than (1) through (4) since a different IRS valuation will need to be used; (6) will most likely result in no additional wages on the employee's W-2.

I have read and fully understand Board Policy 2.28 (School District Owned Vehicles) and what is expected of me as a District employee. I further understand that failure to comply with any part of the policy may lead to disciplinary actions.

Employee Signature _____

[How to Route Form](#)

Signature of Employee

PBSD TBA (New 11/29/2011)

COPY - Accounting Services

COPY - Transportation

Page 1 of 2

APPROVAL PROCESS - ADMINISTRATIVE USE ONLY

STEP 1 - SUPERVISOR

Review the request (page 1) and indicate your recommendation below. Sign the form by pressing the signature box. If the request is recommended, route the form to your director by selecting "Approve" in the submit field at the bottom of page one and pressing "Go". If the request is denied, select "Reject" from the drop down submit field and press "Go". You may enter comments in the notes section of the routing window (see Routing Directions on page 1).

Do you recommend that this employee receive a District vehicle? Yes No

Signature of Supervisor

Signature of Supervisor

STEP 2 - DIRECTOR

Indicate your approval/non approval below. Sign the form by pressing the signature box. If the request is approved, route the form to the Superintendent (or designee) by selecting "Approve" in the submit field at the bottom of page one and pressing "Go". If the request is denied, select "Reject" from the drop down submit field and press "Go". You may enter comments in the notes section of the routing window (see Routing Directions page 1).

Do you approve that this employee receive a District vehicle? Yes No

Signature of Director

Signature of Director

STEP 3 - SUPERINTENDENT/DESIGNEE

Indicate your approval/non approval below. Sign the form by pressing the signature box. If the request is approved, route the form to "Vehicle" by selecting "Approve" in the submit field at the bottom of page one and pressing "Go". If the request is denied, select "Reject" from the drop down submit field and press "Go". You may enter comments in the notes section of the routing window (see Routing Directions on page 1).

Do you approve that this employee receive a District vehicle? Yes No

Signature of Superintendent/Designee

Signature of Superintendent/Designee

STEP 4 - TRANSPORTATION

Enter the required vehicle information below. Press the signature box and route the form to "Accounting" by selecting "Approve" in the submit field at the bottom of page one and pressing "Go". If the request is denied, select "Reject" from the drop down submit field and press "Go". You may enter comments in the notes section of the routing window (see Routing Directions). " (see Routing Directions on page 1).

Vehicle #	Make/Model	Year	Assigned: Odometer Reading
<input type="text"/>	<input type="text" value="Select One"/>	<input type="text"/>	<input type="text"/>

Signature of Transportation Representative

Signature of Transportation Representative

STEP 5 - ACCOUNTING SERVICES

Enter the required vehicle information below. Press the signature box. At the bottom of page 1 select "Approve" and press "Go". In the routing window select "Routing Completed" and press "Send".

Is this employee considered to be a control employee (Reg. § 1.61-21(f)(6))? <input type="radio"/> Yes <input type="radio"/> No	Employee's Salary
Does the vehicle qualify as a qualified nonpersonal use vehicle? <input type="radio"/> Yes <input type="radio"/> No	<input type="text"/>

Signature of Accounting Representative

Signature of Accounting Representative

IRS Valuation Rule applied Reg. §1.61-21 automobile lease valuation rule or vehicle cents per mile or commuting rule