

MUNICIPALITY OF MONROEVILLE
ALLEGHENY COUNTY, PENNSYLVANIA

ORDINANCE NO. 2427

AN ORDINANCE OF THE MUNICIPALITY OF MONROEVILLE REGULATING
THE USE OF MUNICIPALITY VEHICLES

WHEREAS, the Municipality is spending an increasing amount of taxpayer revenue to purchase fuel and maintain its fleet of nearly 120 vehicles; and,

WHEREAS, some of those vehicles are driven by Municipality employees who serve neither a 24-hour capacity to the Municipality nor serve a public safety role in their duties; and,

WHEREAS, the Municipality must make the distinction between the use of Municipality-owned vehicles for public safety and public works and other employees.

NOW, THEREFORE, be it ordained and enacted this 9th day of September, 2008 by the Council of the Municipality of Monroeville as follows:

SECTION 1. STATEMENT OF PURPOSE.

To provide guidelines and rules covering mileage reimbursement for use of personal vehicles on Municipality-related business and assigned use of Municipality-owned vehicles for Municipality business and take-home status to answer emergency situations. This ordinance also outlines rules which shall be observed when operating Municipality-owned vehicles or personal vehicles for performance of Municipality business.

SECTION 2. ADMINISTRATION

- A. This ordinance shall supersede all other previous policies and will control as to any conflicts regarding other policies setting forth guidelines governing the assignment of Municipality-owned vehicles and mileage reimbursement.
- B. The Department of Finance is the source of authority for the administration and control of this ordinance.
- C. The Director of Finance shall be responsible for the review of assigned vehicles and mileage reimbursements in order to determine the ordinance is properly administered. This review shall coincide with the annual preparation of the Municipality's budget.

SECTION 3. ELIGIBILITY

- A. For the purposes of this ordinance, the Municipal Manager, Chiefs of Police, Police Supervisors, Police Special Operations Personnel, Superintendent of Public Works, Public Works Foreman of Street Maintenance and Storm Sewers, Public Works Senior Foreman, Public Works Foreman of Traffic Signals and Markings and Director of TV-15 are considered to serve in a 24-hour capacity and are entitled to the use of a Municipality-owned vehicle.

- B. Employees driving a personal vehicle at minimum of 1,200 miles per month on Municipality business may be assigned a Municipality-owned vehicle during working hours only, subject to availability of vehicles.
- C. Municipality vehicle assignments will be reviewed annually as part of the budget review process and for IRS reporting purposes.
1. Justification forms for assigned vehicles shall be made available through the Department of Finance (DOF). Department heads are required to submit justification forms to DOF during the course of the year to reflect any changes occurring due to reassignment or turnover.
 2. DOF shall maintain an electronic listing of employees assigned take-home vehicles by department. DOF will annually distribute each department's listing of employees taking home vehicles to Council, the Mayor and Municipal Manager no later than the first weekday in November. Any employee not on the list will require justification forms to be submitted to DOF by November 15th of each year. DOF will update the list and forward it to Personnel in early December to insure the appropriate amount is deducted from each employee's paycheck in accordance with IRS requirements.
 3. No Municipality employee shall be assigned a Municipality-owned vehicle to commute back and forth to work, except for those employees listed in Section 3 A and public safety personnel and then only under the following circumstances:
 - i. is called out at least twelve (12) times per quarter, or forty-eight (48) times per year to respond to emergencies for which they are primarily responsible and that require immediate attention to protect against imminent harm to life or property;
 - ii. cannot use alternative forms of transportation (e.g. personal vehicles, mass transit, taxis, etc.) to respond to such emergencies; and,
 - iii. cannot pick up a Municipality-owned vehicle at either their work site OR other designated site without a negative impact on their ability to respond to such emergencies requiring immediate response to protect life and property.
- D. Any employee assigned a Municipality-owned vehicle may be assessed a taxable benefit through his or her regular Municipality paycheck. The determination of this taxable benefit is made by Personnel based on rules set forth by the IRS in Publication 15-B, Employer's Tax Guide to Fringe Benefits, as amended from time to time. This benefit is not a monetary benefit to the employee; however, it does increase the employee's taxes based on the value of the benefit.
- E. For those employees who are not assigned a Municipality-owned vehicle, reimbursement for authorized use for a personal vehicle on Municipality business will be at the rate per mile recognized by the IRS. Department heads are required to keep records of said authorizations in accordance with section 7B of this ordinance.

SECTION 4. GENERAL RULES

Use of a Municipality vehicle by an employee is neither a right nor a privilege; rather it is a trust conferred to facilitate necessary performance of job duties. Use of a Municipality vehicle should always lead to positive perceptions by our citizens. As required by the position, when an employee operates a Municipality vehicle or a personal vehicle for which reimbursement is received, the following rules shall be observed (failure to abide by these rules shall result in discipline up to and including termination):

- A. Municipality vehicles shall be used only in the performance of Municipality business including meetings, schools, conferences or other business related events. As approved, assigned vehicles may be driven to and from work. Municipality vehicles shall not be used for private or personal business. Personnel are prohibited from transporting personal property from one place to another, personal shopping trips, etc.
- B. Persons assigned a Municipality vehicle may utilize the vehicle for meal purposes and authorized breaks within the general locality where the employee is performing duties or reporting for assignments.
- C. Municipality vehicles will not be used to transport family members or other passengers not engaged in Municipality business.
- D. Municipality and/or personal vehicles operated for Municipality business shall be operated in a safe and courteous manner at all times. Municipality and/or personal vehicles operated for Municipality business shall be required to comply with the laws and ordinances concerning operation of motor vehicles and rules of the road and shall not be operated by an individual using or under the influence of drugs and/or alcohol. Seat belts for the driver and any passenger must be fastened at all times.
- E. Except for the performance of official Municipality business, no alcohol or controlled substances or prohibitive offensive weapons shall be carried in a Municipality vehicle without the express permission of the Director of Finance.
- F. Maximum, economical, and efficient use shall be made of all Municipality vehicles. Unnecessary driving will not be permitted or tolerated. Employees will take the most direct route to, from or between job assignments.
- G. All Municipality-owned vehicles shall be fitted with a global positioning systems (GPS) transmitter.
- H. An employee who is operating a Municipality vehicle or private vehicle on Municipality business is required to pay for moving violations and/or parking citations for which he/she is responsible.
- I. Should a Municipality employee assigned to a Municipality vehicle on a twenty-four (24) hour basis, be absent from work for more than three (3) work days, the employee and the Municipal Manager shall ensure the vehicle is returned to the work place during the employee's absence.
- J. Assigned and take home vehicles shall not be used on a part-time job or driven to and from a part-time job not associated with the Municipality organization.
- K. The lack of a Municipality provided take home vehicle is not a sufficient reason for an employee to refuse to respond to an after hour call back. Call backs will continue to be

governed by existing Municipality and Departmental policies, and employees who refuse to respond may be subject to disciplinary action.

- L. An employee who operates an assigned vehicle or a private vehicle for Municipality business must have the appropriate valid driver's license, a current state safety inspection sticker, a current emissions sticker (if applicable), current license plates for the vehicle and proof of financial responsibility.
- M. An employee who is assigned a vehicle is responsible for reporting any changes altering the driving record to DOF. If an employee, while operating a Municipality vehicle or personal vehicle on Municipality business, is involved in a motor vehicle accident, the employee shall immediately report the incident to the immediate supervisor and the DOF, Police Department, Municipal Manager and Council.
- N. When an employee who does not have a take home vehicle is called out, he or she will normally drive a personal vehicle to the regular reporting location and transfer to a Municipality vehicle.
- O. It is the responsibility of each employee assigned a Municipality-owned vehicle to keep accurate records of the mileage, and for what purpose the vehicle(s) are being used. Failure to do shall result in the loss of take-home vehicle privileges.

SECTION 5. CARE OF ASSIGNED VEHICLES

- A. An employee who is assigned a vehicle shall ensure all of the vehicle's required preventive maintenance and repair work is performed on schedule and in a timely manner so as to obtain optimum running condition and maximum fuel economy. Under no circumstances will a vehicle with a serious safety problem be permitted to operate until properly repaired.
- B. Employees assigned vehicles shall be responsible for the appearance and cleanliness (interior and exterior) of the vehicle.
- C. When an assigned vehicle is not in business use, it shall be properly secured, and where possible, parked in a private drive or parking area.
- D. Unassigned vehicles shall not be taken home at night except in special instances approved by the DOF.
- E. Smoking shall be prohibited in all Municipality-owned vehicles.

SECTION 6. REVOCATION OF TAKE HOME AUTHORIZATION

Take home authorization may be revoked:

- A. For failure to comply with the provisions of this ordinance.
- B. For a change in job assignment, duties or responsibilities such that a take home vehicle is no longer justified.
- C. When it is in the best interest of the Municipality of Monroeville.

SECTION 7. MILEAGE REIMBURSEMENT

For the purposes of this ordinance, Council and heads of major administrative units are deemed eligible for monthly mileage reimbursements, subject to the following provisions.

- A. The mileage reimbursement rate shall be indexed to the current IRS rate and printed on the Mileage Reimbursement Form.
- B. Mileage Reimbursement Forms shall be available on the Municipality of Monroeville's website. The Mileage Reimbursement Form, which shall document date, destination, purpose for the trip and miles driven, is completed by the employee and submitted to the appropriate Departmental Director member for approval.
- C. The approved Mileage Reimbursement Form must be submitted to the Finance Department by the third Wednesday of the month in order to receive payment within the same month.
- D. Mileage reimbursement shall be paid once a month.

SECTION 8. VEHICLES RELINQUISHED

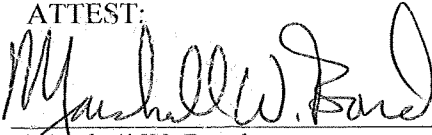
All Municipality-owned vehicles relinquished as per this ordinance shall be auctioned.

SECTION 9. All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed. The following Ordinance or parts thereof are specifically repealed; and

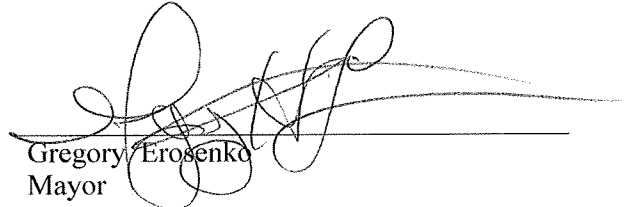
SECTION 10. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Municipality that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

ORDAINED and ENACTED this 9th day of September, 2008.

ATTEST:



Marshall W. Bond
Municipal Manager



Gregory Erosenko
Mayor

ENTERED INTO LEGAL BOOK: September 19, 2008