



4.13 VEHICLE LOSS CONTROL

Purpose

The purpose of this rule is to limit the City's financial risk and to maximize the safety of drivers, passengers, and the public when vehicles are driven on City business. This rule applies to all city employees, volunteers and others authorized to drive on city business in any vehicle. This rule covers only the driving of vehicles; it is not intended to cover the operation of equipment.

Bureau managers are responsible for enforcing these rules, and shall ensure that all employees who drive are notified of these rules and the potential consequences of violation.

Unless otherwise provided by a collective bargaining agreement or noted herein, this policy defines the minimum standards for all City bureaus. Requests to deviate from this policy must be submitted in writing, reviewed by the Risk Manager and Fleet Services, and approved by the Bureau Director in charge of the requesting bureau. Nothing herein shall be construed to limit a bureau from setting higher standards as needed to meet the particular needs of that bureau.

Use of City Vehicles

Except as noted below, employees of the City are prohibited from authorizing or allowing the use of any vehicle for any purpose except official City business. Generally, use of City vehicles to commute to and from work is prohibited.

Exceptions:

1. Bureaus may adopt written policies that allow use of City vehicles to accomplish brief personal tasks or business incidental to official use, within an area nearby the official use, such as a stop for a personal errand on the way between business appointments.
 2. Bureaus may authorize use of City vehicles to commute to and from work in compliance with bureau work rules and [CityFleet Take Home Vehicle Policy](#).
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Driver Qualifications

Bureaus shall allow only qualified drivers to drive City, Fleet, or other designated vehicles on City business. Bureaus shall ascertain that all of the following eligibility criteria are met before authorization to drive on City business is granted to an individual.

The qualified driver must:

1. Possess a valid, unrestricted driver's license, free of interlocking or other monitoring device requirements; and
 2. Be at least 18 years old; and
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3. Possess the necessary license or certification for the vehicle being driven; and
 4. Successfully complete a defensive driving course approved by Risk Management within three months of receiving driving privileges, and every three years thereafter; and
 5. Follow all Oregon and Washington rules for obtaining a driver's license upon relocating and notify their supervisor or bureau driving coordinator of the new license number; and
 6. Have and maintain an acceptable motor vehicle record, as determined by Risk Management.
 - a) Bureaus may require non-City employees or job candidates to submit motor vehicle records to City Risk for evaluation per [HR Administrative Rule 3.09 Driving Records](#);
 - b) Current City employees who will drive on City business must be entered into the City Motor Vehicle Record monitoring system by employing bureaus before they are allowed to drive on City business;
 - c) Risk Management monitors employee's Motor Vehicle Record and notifies bureaus if the employee's driving record fails to meet the City's eligibility criteria per [HR Administrative Rule 3.09 Driving Records](#);
 - d) It is the responsibility of the driver to restore their drivers' license or rehabilitate their Motor Vehicle Record to restore their qualifications.

City vehicles may be driven by qualified drivers, authorized by their appointing bureau, who are:

1. Current City employees.
2. An officer or legal agent representing the City.
3. A volunteer or other person acting on behalf of the City, specifically authorized to drive a City vehicle.

Driver Responsibilities

The following apply to anyone who drives a City, Fleet, or other designated vehicle, as discussed below, on City business. In addition, bureaus may set higher standards to meet the particular needs of the bureau.

- 1) **Inspect Vehicle.** Inspect the vehicle at the beginning of each shift or prior to each trip to ensure the vehicle is in safe operating condition prior to use.
 - 2) **No Smoking or Vaping.** No person shall smoke or carry any lighted smoking/vaping instrument in any City owned or leased motor pool vehicle. See [Administrative Rule on Smoking and Tobacco](#).
 - 3) **Wear seat belts.** The driver and all passengers must wear seat belts when the vehicle is in motion.
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- 4) **Obey All Driving Laws.** Be familiar with and comply with all applicable state and local driving laws. The Oregon Driver Manuals for drivers, motorcycles, mopeds, bicyclists, and CDL operators are available at any DMV office or on the [DMV website](#).
 - 5) **Obey All Parking Regulations.** Be familiar with and comply with all applicable parking regulations. Note: City vehicles identified by public registration plates, may park without fee for the maximum time limit allowable at metered spaces. City vehicles are subject to ticketing:
 - a) If the vehicle remains past the maximum time allowed on the meter; and/or
 - b) The vehicle does not have public registration plates.
 - c) Report any parking violations in a City or Fleet vehicle to your supervisor by the beginning of the next work shift. Drivers are personally responsible and liable for any fines. Fines shall be paid or otherwise resolved promptly by the driver.
 - 6) **Obey City and Bureau safety policies and rules.**
 - 7) **Mobile Communication Device Limitations.*** No person shall drive on City business while operating a cell phone or other mobile communication device, either with or without a hands-free accessory except as follows:
 - a) This prohibition does not apply to sworn members of the Bureau of Police and the Bureau of Fire and Rescue. Those bureaus shall be responsible for developing and enforcing separate work rules related to the use of mobile communication devices while driving and shall provide clear expectations for safe, approved use.
 - b) This prohibition does not apply to the Director and staff of the Office of Government Relations conducting City business while traveling to and from the state capitol when the legislature is in session and using a hands-free accessory.
 - c) Making or receiving calls for emergency dispatch, reporting illegal activity or to prevent injury to people or property are allowed but drivers shall make every effort to safely park the vehicle if possible before making such calls.
 - d) Employees who use fixed mounted two-way radios are permitted to monitor the radio and to briefly respond. If a longer response is needed, the driver is expected to park the vehicle before making the call.
- * A Mobile Communication Device is defined under state law as a cellular phone, text messaging device or wireless two-way communication device designed to receive and transmit voice or text communication.
- 8) **Report Traffic Crimes, Violations and/or Offenses.** Employees must notify their supervisor by the beginning of the next work shift after receiving a notice of a traffic crime, violation, and/or offense while driving on City business.
 - a) Drivers are personally responsible and liable for any traffic crimes, violations, and/or offenses.
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- b) Fines shall be paid or otherwise resolved promptly by the driver.
- 9) **Crash Reporting.*** In the event of a crash while driving a City, Fleet, or other designated vehicle, drivers shall notify the vehicle owner. Employees must immediately notify their supervisor.
- a) Each city vehicle carries a Vehicle Crash Reporting Kit containing an insurance card, report form and instructions.
 - b) When driving a non-City owned vehicle on City business, employees must immediately notify their supervisor, and fill out the Vehicle Crash Reporting Kit found on-line as soon as possible.
 - c) Drivers are responsible to complete and submit any DMV or other state reports or forms.

*Note the definition of a crash is: any unintentional collision involving a motor vehicle and another vehicle, person, or object, which results in property damage, personal injury or death. The crash may occur on public or private property.

- 10) **License Restrictions.** Drivers must notify their supervisor of any license restriction, suspension or revocation no later than the beginning of the next work shift.
- 11) **Passengers.** Drivers are responsible to assure that any passengers who ride in any vehicle while on City business are authorized by this Administrative Rule as noted below.
- 12) **Vehicle Fueling.** When City vehicles are used, City Motor Pool fueling facilities must be used whenever possible. Drivers are required to complete training before using the fueling system. Training is provided through written materials which drivers must read before they dispense fuel. The information is updated every year.
- 13) **Weapons.** Weapons are not permitted in City vehicles. This section does not apply to sworn police officers. See Administrative Rule on Workplace Violence.
- 14) **Make City vehicles available for scheduled service.**
- 15) **Maintain clean vehicle.**
- 16) **Report** City vehicle damage, safety issues, or mechanical problems to Fleet Services.
- 17) **Vehicle Modifications.** Fleet Services is responsible for providing all vehicle modifications to City vehicles. Bureaus and drivers may not make modifications or have them made in any other location.

Prohibited Activities

In addition to potential disciplinary action (see [Administrative Rule on Discipline](#)) violation of any of the following may also result in the withholding of driving privileges:

1. Driving while impaired.
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2. Preventable crash(es) while driving in the course and scope of employment whether in the employee's private vehicle or while using a City vehicle.
 3. Citation(s) while driving in the course and scope of employment whether in the employee's private vehicle or while using a City vehicle.
 4. Restrictions, suspensions or revocation of a Motor Vehicle License by a state Department of Motor Vehicles.
 5. Declaration by the Oregon Department of Motor Vehicles as a Habitual Offender. The Washington Department of Licensing as a Habitual Traffic Offender or an equivalent declaration from another state.
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City-wide Motor Vehicle Record Monitoring System

Driver's licenses and Motor Vehicle Records of all City employees and non-employees who drive on City business are monitored. Drivers will be entered into the City-wide Motor Vehicle Record monitoring system at the time of hire or upon receiving driving privileges. Driver records will be reviewed by Risk Management in accordance with Supplement A in [HR Administrative Rule 3.09 Driving Records](#).

1. All drivers will notify their Bureau of changes to their license state of issue within 30 days.
 2. Bureaus will notify Risk Management of driver changes within 60 days. Changes include new license numbers, reassignment to non-driving duties, terminations, retirements, end of season and end of appointment for temporary workers.
 3. Upon notification, Risk Management will update the City-wide driver tracking system.
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Privately Owned Motor Vehicles

Use of a personal vehicle for official City business is voluntary unless specifically stated as a condition of employment. An employee's supervisor may authorize use of a private vehicle for transportation to alternative work locations, or for local or out of town travel. Drivers are responsible for ensuring the vehicle is in sound mechanical condition and adequate for providing the required transportation in a safe manner.

Out of Town Rental Vehicles

See [FIN 6.13 Out of Town and Overnight Travel and Related Procedures](#)

Passengers

Only authorized passengers are allowed to ride in City vehicles and other vehicles used for City business.

Authorized passengers are:

1. City employees conducting City business.
 2. Officers and legal agents representing the City.
 3. Volunteers acting on behalf of the City.
 4. Vendors and contractors working on behalf of the City.
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5. Participants in official City business and programs.
 6. Representatives of other governmental agencies working with the City.
 7. Anyone with prior authorization by the bureau.
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Crash Analysis Review

Crashes involving vehicles used to conduct City business are subject to a Crash Analysis Review.

Each bureau may establish its own Crash Analysis Review Process. Bureaus may also join together to establish a common process committee to serve more than one bureau.

Administrative Rule History

Adopted by Council March 6, 2002, Ordinance No. 176302
Effective April 5, 2002
Revised October 15, 2002
Revised July 28, 2003
September 16, 2005
Revised July 9, 2007
Revised January 1, 2010
Revised October 19, 2010
Revised November 4, 2011
Revised April 25, 2016

City of Portland
Motor Vehicle Record Loss Control Plan

Background: *<Insert Employee's Name>* does not meet the City of Portland Insurability Criteria set forth in Human Resources Administrative Rule 3.09 Driving Records and/or other driver expectations noted in Human Resources Administrative Rule 4.13 Vehicle Loss Control. This Motor Vehicle Record Loss Control Plan was developed to ensure employee and public safety, as well as, loss control around property damage and liability.

Term of Plan: *<Insert the period of time the Loss Control Plan will be in force e.g. until driving record meets the city's criteria.>*

Plan Conditions and Restrictions: *<Insert Employee's Name>* is allowed to drive on city business only under the conditions and restrictions outlined in this Plan. This driving must be essential to accomplishing job requirements.

During the Term of this Plan, *<Insert Employee's Name>* is:

- Allowed to drive on city business only when absolutely necessary and subject to prior review and approval by the supervisor.
- Required to attend a *<Insert the type of driver training the employee will be required to attend and successfully complete e.g. Safe Driver Course and/or Behind the Wheel Driver Training.>* This training will be completed by: *<Insert deadline for driver training.>*
- Restricted to the following types of driving *<Insert the type of driving e.g. emergency response, to and from meetings, on-call etc.>*
- Restricted to driving between the hours of *<Insert the hours of the day the employee will be allowed to drive on city business.>*
- Allowed to drive the following vehicles: *<Insert the type of vehicle the employee will be allowed to drive e.g. personal vehicle, city vehicles, or rental vehicles.>*
 - If a private vehicle will be used on city business, the employee is required to provide proof of automobile liability coverage for the private vehicle.
 - Liability insurance must specifically allow the employee to drive for business purposes and cover the private vehicle(s) that will be used.
- *<Not allowed to transport clients or other passengers (recommended)>* or *<Is allowed to transport the following clients or other passengers>*:
 - *<List the type or name(s) of clients or passengers allowed to ride with employee.>* Subject to the following restrictions:
 - *<Insert restrictions that apply to carrying passengers>*:
 - *<e.g. only when required or emergency situation>*;
 - *<certain hours of the day; certain purposes>*;
 - *<specific types of supervision, check-ins, or over site, etc.>*
- Required to cooperate and comply with loss prevention measures, including but not limited to:
 - Monitoring device installed on the vehicle to determine speed of travel monitored and documented on a daily basis by supervisor.

- Unannounced spot checks of driving performed by the supervisor at different times throughout the shift e.g. following the employee during the work shift to determine driving behaviors.
- No incidental driving for errands or non-essential travel.
- **<Insert other appropriate loss prevention measures.>**

Failure to comply with this Loss Prevention Plan will result in removal of driving privileges **<Insert additional personnel related ramifications for failure to comply>**. I have read, understand, and agree to comply with the Conditions and Restrictions outlined in this Loss Control Plan.

Employee Signature Date

Supervisor Signature Date

Bureau Director Signature Date

Risk Manager Signature Date