



## **CITY OF NEW BRAUNFELS POLICIES AND PROCEDURES**

### **PROCEDURE(S): CITY VEHICLE POLICY**

**EFFECTIVE DATE: MAY 20, 2019**

**REVISION DATE(S): OCTOBER 1, 2022, MAY 31, 2024, MAY 7, 2025**

## **CITY VEHICLE POLICY**

### **Driver Safety & Vehicle Operation**

1. The City defines a vehicle as any passenger car, truck, motorized equipment, or similar type as defined by the Texas Motor Vehicle Law which is owned, leased, rented, or otherwise under the care, custody, or control of the City of New Braunfels, including police and fire vehicles.
2. To operate any City vehicle or any other motor vehicle in the course of City business a team member must:
  - a Have a valid Texas Drivers' License for the class of vehicle to be driven;
  - b Have no record of two or more DWI or DUI convictions in the preceding 12-month period;
  - c Be at least 16 years old; and
  - d Be otherwise qualified under federal and state regulations to drive the vehicle in question.
  - e If a question arises regarding driving ability, comply with requirements outlined in the City of New Braunfels Team Member Policy Library, Fit for Duty policy.
3. By applying for or continuing employment in a position that may include driving a City vehicle, a person thereby consents to potential periodic checks of their driving and eligibility records with all applicable state and federal databases at the discretion of the City.
4. Acceptable Driving Record: Applicants and/or team members applying for a position which involves driving a City vehicle or their personal vehicle for City business shall maintain an acceptable driving record through the duration of employment. Any recorded convictions or violations present on a driving record will be subject to review for eligibility as determined by Human Resources and the Department Director or designated department representative.
5. Driver Training: Supervisors shall arrange for team members who drive a city vehicle or their own vehicles to conduct City related business to attend a Defensive Driving Course (no less than every three years). Additionally, supervisors may require drivers who



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demonstrate questionable driving capabilities, habits or are involved in a preventable accident to attend driver training.

6. Citations: Team members are responsible for paying any violation(s) fines out of their personal funds for traffic citations received while operating a City vehicle or their personal vehicle for City business.
7. Team members who operate any City vehicle as defined in this policy in the course and scope of their employment two or more times a week must notify their supervisor:
  - a When they have renewed their Drivers' License/CDL and provide a copy of their renewed license to their Supervisor and the HR & Risk Management Coordinator.
  - b If they are prescribed a medication that could impair their ability to operate a motor vehicle or equipment.
  - c When their driver's license becomes invalid or suspended for any reason. Such team members will immediately be prohibited from operating any vehicles on City business.
  - d Team members have a duty to report any information/event that potentially affects their ability to comply with this policy. This duty to report information/events applies to both on and off duty tickets and/or incidents.
    1. Violations must be reported to their Supervisor immediately during regular working hours or by the next working day, if after hours. Drug and alcohol violations by a CDL operator, even if off-duty, must be reported to the Federal Motor Carrier Safety Administration (FMCSA) by Human Resources. Notice to Human Resources must be in writing and include:
      - a Driver's full name and license number;
      - b Date of the incident;
      - c Nature of the violation;
      - d Whether or not the violation was committed in a commercial vehicle; and
      - e Location of the offense.
8. A team member shall operate any vehicle used for City business in a careful and prudent manner and shall obey the laws, policies, regulations, and procedures of the state, City, and any political subdivision pertaining to such operation. A team member's operation of a vehicle shall, at all times, set a proper example for other persons.



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9. Telematics system: City vehicles are equipped with a telematics system used to monitor safe driving behaviors such as idle times and speed. City team members who perform regular driving duties for City business within the course and scope of their employment will be provided a fob, assigned only to them, in order to drive a City vehicle. It is the responsibility of the designated City team member to keep track of their assigned fob and not allow another City team member or unauthorized user to utilize their assigned fob.
10. Drivers/Operators are prohibited from using all tobacco products, including smokeless tobacco and electronic cigarettes, in City vehicles or while operating City equipment.
11. Requirements for Use of Personal Vehicles on City Business: Any team member using a personal vehicle on City business shall be required to maintain auto liability insurance of at least the minimum required by state law. If a personal vehicle is damaged while being used for City business, the individual's insurance will remain responsible.
12. As required by law, passenger restraint systems must be worn by the driver and passenger when a vehicle is in operation. The driver is responsible for ensuring compliance by all occupants. If the restraint system is inoperable, the vehicle cannot be used until it is repaired.
13. Department Pool Vehicles: Team members are encouraged to use "pool" vehicles in lieu of personal vehicles while on company business. Only authorized team members as defined by this policy may operate pool vehicles. If a team member is not sure they are eligible to operate a vehicle, it is their responsibility to verify their eligibility with Human Resources, or their supervisor, prior to use.
  - Pool vehicles may be checked out by the Department Fleet Representative.
  - The vehicles must be signed in and out by the responsible party, or their designee:
    1. If the person checking the vehicle out is not going to be the driver, the driver must be listed on the checkout form.
    2. The date and time the keys are picked up and returned must be recorded.
    3. The overall mileage, fuel tank, and condition of vehicle must be recorded before and after each use.
    4. The driver must evaluate the general condition of the vehicle before each use (i.e. tire condition, body damage, lights and signals are functional, etc.)
    5. If the driver identifies any issues they are to return the keys immediately and report the issue.



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14. Stickers, Decals and/or emblems: No unauthorized stickers, decals or emblems will be placed on City vehicles or equipment. Authorized identification decals and/or emblems shall be placed on the vehicles and equipment in a consistent manner.
15. Authorization to Ride in City Vehicles: Authorization for non-City passengers to ride in a City vehicle is based on business necessity. Upon authorization, non-City passengers may need to sign a release of liability based on the nature of the business.
16. Maintenance and Repairs: Vehicle operators will report any needed repairs, maintenance, or other condition requiring fleet service work. In order to maintain a safe fleet, departments will adhere to the fleet maintenance schedule for all assigned and/or pool vehicles.
  - a. Drivers/Operators are responsible for pre-trip and post-trip inspections (checking fluids, lights, etc). For CDL and heavy-duty equipment operators, a pre/post trip inspection checklist will be provided by the department. Drivers/Operators are responsible for cleanliness of vehicles/equipment.
17. Team members will be issued a fuel card for their assigned vehicle. Fuel cards are not to be used to fill up any non-City vehicle or equipment.
18. At-fault accidents: Team members shall not have been involved in an excessive amount of traffic accidents within the fiscal year.
  - a. The evaluation of whether or not the amount of traffic accidents have been excessive shall be based upon frequency and severity and shall be determined by the team members Department Director, the Human Resources & Risk Management Coordinator and Safety Coaches.
19. Exceptions and Grandfather Clause: Team members hired before the implementation of this policy who would become immediately ineligible to operate City vehicles under it may be grandfathered after review on a case-by-case basis. If a team member did commit a serious violation, the following procedures will be followed:
  - a. The team member may immediately be removed from their position if its primary functions involve operation of City vehicles and be reassigned to a non-driving position, if feasible. Reassignments must be reviewed and approved by the City Manager.



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- b Decisions on reassignment will be handled on a case-by-case basis and involve review of the team member's work history, overall driving record, and safety record.
- c A reassigned team member will receive payment based on the classification of their new position immediately after the reassignment.
- d If the team member cannot be reassigned, they will be separated from employment within thirty (30) days from when the team member was determined to be ineligible for their position.

If the team member continues with the City in any position, driving checks on the team member will continue normally as described in this policy. Grandfathered team members will be considered as starting with a clean record immediately upon implementation of the policy. The City Manager has the authority to grant exceptions to this policy.

## Video Camera Monitoring

**1. Purpose:** To assist in the implementation and growth of a just culture and ensure safety compliance within the City of New Braunfels by implementing a comprehensive driver observation program utilizing vehicle-mounted cameras. This policy aims to:

- Clearly define "prompts" or "events" that initiate video audits/footage review.
- Enhance driver safety culture and performance through quality improvement initiatives and peer-mentoring programs.
- Ensure City of New Braunfels compliance with all applicable federal, state, and local traffic laws and regulations.

**2. Scope:** This policy applies to all City of New Braunfels owned, leased, or otherwise-operated refuse trucks equipped with camera recording systems. Camera recording systems may be driver-oriented, outward-oriented, or combination.



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### **3. Footage Review:**

#### **Camera footage may be reviewed in response to:**

- Formal and specific complaint alleging an event that a reasonable person would consider a significant risk to the safety of the team member or the public.
- For “Peer Review” purposes, including:
  - Demonstrating specific lessons learned from past examples of effective and ineffective driving habits, actions, and processes.
  - Training or demonstrating ‘real world’-specific functions, tasks, or processes that may be otherwise difficult to explain verbally.
- Other training or professional development needs.

*NOTE: In the spirit of a ‘just culture’, City of New Braunfels trainers, supervisors, and leaders will make every attempt to guard the identities of team members who are involved in video footage used for peer review purposes, individual trainings, or professional development programs.*

#### **Driver Camera Footage *WILL* be reviewed in response to:**

- Formal complaints of damage to City of New Braunfels or private property.
- Automated “significant event logs” as indicated in approved City of New Braunfels software. (Samsara, Routeware, etc.). Significant event logs could consist of things such as hard braking, rapid acceleration, etc.
- A team member being placed on a Performance Improvement Plan or Development Plan.

*NOTE: If driver video audits will be a part of a Performance Improvement Plan, the amount and frequency of audits shall be established during PIP design. Driver video audits should only be added to PIPs for issues related to violations of the City of New Braunfels safe driving program.*



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- **Review Process:** Camera footage will be reviewed by department leadership or designated team member as mentioned above, or as a part of a randomized quarterly audit.
- **Record Keeping:** All audits, whether random or prescribed will have a City of New Braunfels Video Footage Review Form completed and kept in the team member's personnel file.
- **Confidentiality:** All video footage reviewed during audits will be treated as confidential and will only be accessed internally by authorized personnel.

#### 4. Driver Expectations:

- **Legal compliance:** All drivers must comply with all applicable traffic laws and regulations.
- **Professional Conduct:** Drivers must maintain professional conduct while operating company vehicles.
- **Safety Awareness:** Drivers must be aware of their surroundings and take proactive measures to avoid accidents and incidents.
- **Cooperation:** Drivers are required to fully cooperate with all authorized investigations or inquiries involving camera footage. This includes but is not limited to:
  - Accidents or collisions involving company vehicles.
  - Reports of unsafe or unlawful driving behavior.
  - Incidents involving customer complaints, workplace disputes, or other concerns.
  - Requests from law enforcement, regulatory authorities, or other legally authorized entities.
  - Failure to cooperate may result in disciplinary action, up to and including termination of employment.

#### 5. Training:

- **Initial Training:** All drivers must complete and acknowledge initial training on safe driving practices and the use of vehicle-mounted cameras.



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- **Ongoing Training:** Ongoing training will be provided to reinforce safe driving practices and address re-occurring violations of the City of New Braunfels Safe Driver Program.

### **Take Home Vehicles**

Take home vehicles are subject to the Driver Safety & Vehicle Operations section, as referenced in the previous section.

#### **A. Eligibility Criteria**

1. Responds to emergency calls from home, is on call-back or stand-by status, and/or is called back frequently.
2. Must have prior approval by their Department Director.
3. Authorized take home area is 15 miles (direct, not road miles) from 100 Main Plaza, New Braunfels 78130.
4. The team member has primary responsibility for responding to emergency situations which require immediate response to protect life or property and/or the team member needs a special vehicle and/or carries specialized equipment other than communications equipment in order to perform their work outside of normal working hours.
5. Needs a vehicle to perform essential functions of the job.
6. Is otherwise deemed in the best interest of the City.

#### **B. Terms of Use**

1. The utilization of a take home vehicle at a part-time job coordinated through the Police Department is permitted in accordance with the "Extra Jobs" Policy under the Police Department.
2. Supervisor approval must be obtained before a City owned take home vehicle is operated outside of Comal, Guadalupe, Bexar, Hays or Travis Counties.
3. In some circumstances, the use of a take home vehicle may be considered a taxable fringe benefit under IRS regulations. These operators will be taxed in accordance with IRS Publication 963. Designated Police and Fire vehicles and vehicles taken home for the



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purpose of responding to emergencies are exempt.

4. The City Manager has the authority to grant exceptions to this Policy.