



COMMISSION ORDER

STATE OF MISSOURI
County of Franklin

} ss.

Tuesday, June 08, 2021
Policy

IN THE MATTER OF AMENDING THE VEHICLE USE AND TRAVEL EXPENSE POLICY

WHEREAS Section 49.275 RSMo. authorizes the County Commission of the County of Franklin, Missouri, in its discretion and in addition to any other allowance provided by law, to provide such transportation for any County official, deputy, or employee as is reasonably necessary to the efficient performance of his or her official duties; and

WHEREAS such transportation may be provided by furnishing County-owned automobiles or by paying a reasonable cash allowance for the use of privately owned automobiles, or by paying a fixed amount per mile for miles actually traveled in privately owned automobiles, or by furnishing gasoline and oil, or in such other manner, or combination of manners, as the County Commission may direct; and

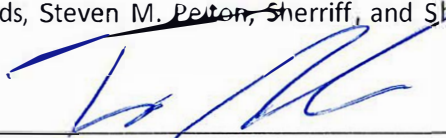
WHEREAS the County Commission of the County of Franklin previously approved Commission Order No. 2020-266 which adopted a vehicle use and travel expense policy; and

WHEREAS the County Commission of the County of Franklin desires to amend the vehicle use and travel expense policy for elected officials, deputies, and County employees.

IT IS THEREFORE ORDERED, by the County Commission of the County of Franklin, Missouri that the following amended vehicle use, and travel expense policy marked Exhibit A and attached hereto and incorporated herein by reference is hereby adopted.

IT IS FURTHER ORDERED, that if any part of this Commission Order is invalid for any reason, such invalidity shall not affect the remainder of this Order.

IT IS FURTHER ORDRED, that a copy of this Order be provided to Tom Copeland, County Assessor, Angela Gibson, County Auditor, Tim Baker, County Clerk, Doug Trentmann, County Collector, Matt Becker, Prosecuting Attorney, Mary Jo Straatmann, Public Administrator, Jennifer L. Metcalf, Recorder of Deeds, Steven M. Peaton, Sheriff, and Shakara Bray, Purchasing Director.



Presiding Commissioner



Commissioner of 1st District



Commissioner of 2nd District

EXHIBIT A
VEHICLE USE AND TRAVEL EXPENSE POLICY

Section 1: USE OF VEHICLES AND EQUIPMENT.

A. Eligibility Requirements.

Employees may not drive vehicles for County business without the prior approval of their department supervisor. Before approving a driver, each department supervisor must verify the existence of the appropriate valid motor vehicle operator's license and check the employee's motor vehicle driving record. Employees approved to drive on County business are required to inform their supervisor of any changes that may affect their legal or physical ability to drive or their continued insurability.

- (1) Department supervisor will notify the County Clerk when a new driver is hired, so their name may be added to the list of authorized drivers. In addition, the County Clerk will periodically request department supervisors to provide an updated list of individuals authorized to operate County-owned vehicles and/or equipment.
- (2) All departments with authorized County drivers, including Emergency Management, Highway, Prosecuting Attorney, Building Department, Assessor, Planning and Zoning and Sheriff Office, are responsible to ensure that all drivers in their respective departments maintain a valid motor vehicle operator's license which has not been revoked or suspended. Periodic motor vehicle records checks may also be initiated by the Department Head or Elected Official and reported to the County Clerk to ensure that drivers of County vehicles maintain a valid license.
- (3) Authorized drivers of County-owned vehicles must, as a condition of employment, be able to always meet the driver approval standards of this policy. For all other jobs, driving is considered an incidental function of the position.

B. Acquisition and Assignment of County Vehicles.

- (1) The County Commission will determine and authorize the distribution and basic utilization of all County-owned vehicles. County vehicles will be permanently assigned to those departments that have demonstrated a continuing need for them. Employees who need transportation in the course of their normal work may be assigned a County vehicle for their use. Any requests for additional vehicles or departmental assignment changes must be requested through the County Commission for determination and authorization.

C. Retention of County Vehicles at Private Residence.

- (1) County employees will not drive County-owned vehicles to or from an employee's place of residence before or after normal working hours except as authorized herein. The County Commission authorizes the following County elected officials and department heads who are on-call 24 hours a day to retain on a regular basis a County-owned vehicle at their private residence during non-working hours to be used at their discretion.

Officeholders:

Presiding Commissioner
Commissioner District 1
Commissioner District 2
Sheriff
Prosecuting Attorney

Department Administrators:

Public Works Director/Highway
Facilities Director
Director of Emergency Management

- (2) In addition to these positions, an elected official or department supervisor may authorize other employees to drive County-owned vehicles to or from their place of residence outside normal working hours when it has been determined that the vehicle is being used for a purpose that serves the County and that the vehicle is not being used solely to provide transportation to or from the employee's place of residence. Notwithstanding the foregoing, employees are not permitted to drive County-owned vehicles to or from their place of residence if that residence is located outside of Franklin County. A list of employees, positions, and vehicles assigned must be provided to the County Commission on an annual basis. Any additions to the list throughout the year must be provided to the County Commission.
- (3) Employees who are assigned police or maintenance vehicles as defined by the IRS are exempt from both taxation and record keeping requirements. All other drivers who are allowed to drive a County vehicle to or from their place of residence must maintain records documenting personal use of the vehicle. It is the responsibility of the driver to maintain accurate records. Employees with questions regarding the definition of personal use should contact their tax advisor.
- (4) Drivers subject to the record keeping requirements must submit annually to the HR Department the odometer reading and the number of personal miles driven in the County-owned vehicle(s) assigned to them during the year. Employees must also certify the accuracy of the information. The value of the personal miles will be considered taxable compensation to all employees subject to the record keeping requirements.

D. Maintenance of County Vehicles.

- (1) The maintenance of all County vehicles will be the responsibility of the Department to which the respective vehicles are assigned.
- (2) Employees must notify their elected official or supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others.
- (3) Employees must report any accident, theft, or malicious damage involving a County vehicle or personal vehicle used on county business to their elected official or Department Supervisor.
- (4) If a vehicle is disabled for any reason, the Supervisor of the department to which the vehicle is assigned must be notified. The Department Supervisor will then determine if a towing agency will be required.

E. Record Keeping.

The Department to which a vehicle is assigned shall be responsible for keeping all administrative, maintenance, and repair records pertaining to such vehicle.

F. Employee Responsibility.

(1) Employees who drive a County-owned or personal vehicle on County business must, in addition to meeting the eligibility requirements previously listed in the policy, exercise due diligence to drive safely; to maintain the security of the vehicle and its contents; and to follow the rules of conduct and other guidelines outlined in this policy. Employees are also responsible for any driving infractions or fines as a result of their driving.

(2) To protect the interest and safety of employees and the County, the County Commission expects employees who drive County-owned vehicle or personal vehicles on official County business to observe the following safety standards and rules of conduct.

(a) Use of Alcohol and Controlled Substances

Employees are not permitted, under any circumstances, to operate a County vehicle or a personal vehicle for County business, when under the influence of or using intoxicating beverages or drugs. Prescription drugs will only be taken according to physician requirements. Employees will notify their supervisor when using prescription or over-the-counter drugs that may impair their ability to safely operate a vehicle.

(b) Personal Use of County-Owned Vehicle

County employees (except for elected officials and authorized department heads) will not use a County-owned vehicle for non-business purpose except for "de minimis" personal use. De minimis personal use is limited to meal and scheduled rest periods. This use is exempt from IRS record keeping requirements. During overnight trips outside of the Union, Missouri area, employees may drive County-owned vehicles to restaurants, or other *limited* personal use during non-working hours.

(c) Vehicular Ridership

Only employees and other individuals directly involved in the conduct of County business will be permitted ridership in a County-owned vehicle. Under no circumstance may anyone other than an authorized County employee be allowed to operate a County-owned vehicle. Family members, friends, or other personal acquaintances not directly involved in County business will not be allowed to ride in a County vehicle except for out-of-town travel. Any individual riding in a County vehicle must carry supplemental insurance to cover any personal injury including medical bills and lost wages in case of an accident.

(d) Seat Belts

In accordance with State Law, seat belts are required to be worn in ALL County-owned vehicles.

(3) The improper, careless, negligent, destructive, or unsafe use or operation of County-owned equipment or vehicles, as well as failure to adhere to this policy, can result in disciplinary action up to and including termination of employment.

G. Personal Vehicle Usage

(1) With the prior approval of their elected official or department head, County employees may use their own vehicles for business purposes. All applicable provisions of this policy,

including employee responsibility for safety and conduct, apply to employees using their personal vehicle on County business.

- (2) Employees who use their personal vehicle for approved business purposes will receive a mileage allowance equal to the maximum mileage allowance as established from time to time by the County Commission. This allowance is to compensate for the cost of gasoline, oil, depreciation, and insurance. In addition, employees driving on County business may claim reimbursement for parking fees and tolls actually incurred. Mileage reimbursement will not be allowed for personal use including commuting to and from home and work. However, an employee who has gone home after completing a day's work and is subsequently called out after hours to locations other than their regular work site or employees leaving from their residence on out-of-town business trips may request reimbursement for this mileage.
- (3) Employees who use their personal vehicles for business purposes must make sure that their personal vehicle meets any County or legal standards for insurance, maintenance, and drivability.
- (4) Employees driving their personal vehicle on County business are responsible for obtaining collision insurance on their personal vehicle and/or paying the cost of deductibles and repairs if their personal vehicle is damaged while on County business.

Section 2: VEHICLE ACCIDENT REPORTING PROCEDURE

The following procedure has been adopted when an accident occurs involving the use of County-owned vehicles or employees driving their own vehicles while on authorized County business.

- (a) The proper law enforcement agency must be contacted when a vehicle accident occurs involving a County-owned vehicle or employee(s). An accident report must be completed by the concerned parties. The procedure outlined in the Worker's Compensation policy should be followed in accidents where the employee sustained injuries.
- (b) The employee(s) at the scene of the accident should obtain as much information as possible from other persons involved in the accident and witnesses, including names, addresses, phone numbers, insurance carriers, driver's license numbers, and vehicle plate number. Each employee will provide only the information required by law enforcement authorities. In addition, the employee must not sign any statements or talk with an investigator.
- (c) When a vehicle accident occurs, the employee must notify as soon as practical his department supervisor or elected official. Failure to report an accident, with or without complete details, as soon as practical could result in disciplinary action, up to and including discharge. In addition, any County liability coverage may be withdrawn for failure to cooperate with the County's insurance carrier or County officials.
- (d) An employee involved in an accident or the employee's immediate supervisor is required to complete a report for all accidents. The form must be submitted within one working day following the accident. The report and a police report shall be submitted to the County Clerk as soon as possible who shall file the report with the County's auto liability carrier.

Section 3: COMMERCIAL DRIVER'S LICENSE

Any County employee who operates "commercial vehicles," shall be required to have an appropriate commercial vehicle drivers' license.

Section 4: DRIVER'S LICENSE REVOCATION AND SUSPENSION

Employees are not permitted, under any circumstances, to operate a County-owned vehicle or a personal vehicle for County business without possessing a valid motor vehicle operator's license. An employee must inform their supervisor any time their license is suspended or revoked. If driving a County-owned vehicle is a requirement of the position, and an employee's license is revoked or suspended, the following policy will apply:

- (a) **Revocation of License.**
If the employee's license is revoked, whether indefinitely or for a specific period, the employee may be terminated from employment with the County.

- (b) **Temporary Suspension of License.**
If a temporary suspension is imposed, the individual will be demoted or transferred to a position that does not require driving responsibilities, if available. At the end of a temporary suspension period, the elected official or department supervisor will review the status of the suspension.
 - 1. If all driving restrictions are removed and the employee's license is restored while working in a non-driving position, the employee may be reinstated to their previous position upon written proof and approval by the elected official or department supervisor. Reinstatement is not guaranteed.
 - 2. If more than one temporary stay has been offered by the legal system, the elected official or department supervisor, at their discretion, may offer a temporary extension to the employee fixing a predetermined expiration date.
 - 3. If at any time during the temporary suspension period, the employee's license is revoked, whether indefinitely or for a specific period of time, the employee may be terminated from employment with the County.

Section 5: TRAVEL EXPENSES

- (a) **Policy.**
The County will reimburse employees for official travel and related expenses incurred while carrying out official duties or attending professional conferences and training courses which will benefit both the employee and the County. All official travel must be approved in advance by the elected official or department supervisor. When approved, the cost of travel, meals, and tips (up to the maximum allowable which shall be established from time to time by the County Commission), lodging, and other expenses directly related to accomplishing official travel objectives will be reimbursed by the County. County policy applies to all County employees, regardless if the County is reimbursed by other funding sources or grants with contradictory policies.

- (b) **Travel Advance.**
A travel advance may be obtained for estimated mileage, meals, and lodging by submitting a request for cash advance form. The request form must be approved by elected official or department supervisor, Purchasing Agent, and by the County Commission and forwarded to the Auditor for processing. Employees should allow ample time for the processing of travel advance requests. If County business requires an employee to stay overnight, they should make reservations in advance of the trip through the County Commission or requisition the payment in advance of the trip.

- (c) **Requirements for Reimbursement.**

When travel is completed, employees must submit a completed expense account report and a requisition for reimbursement to the County Commission within 30 days. Reports must be accompanied by receipts for all individual expenses. The expense report will include the current procedure and maximum reimbursement amounts for meals and mileage. Employees should contact the Purchasing Agent for guidance and assistance on procedures related to travel arrangements, travel advances, expense reports, reimbursement for specific expenses, or any other business travel issues. Under no circumstances will employees be reimbursed for expenses that are not properly substantiated. This requirement is necessary to prevent the County's expense reimbursement plan from being classified as a "non-accountable" plan.

(d) Reimbursable Expenses.

All efforts will be made to keep travel expenses to a minimum and employees are expected to limit expenses to a reasonable amount. The following expenses for approved travel will be reimbursed according to the established allowances or actual cost when accompanied by receipts or other documentation as required or appropriate.

- (1) Direct travel including air, bus, taxi, and train fares:
- (2) Direct travel by personal vehicle at the established rate per mile. The County Commission shall set the maximum allowable reimbursement rate each year by Commission Order. In any year wherein the Commission fails to adopt a new Commission Order pertaining to mileage reimbursement shall result in the previous one remaining in effect.
- (3) Overnight lodging when travel extends beyond 50 miles from the County.
- (4) Meals and tips. The County Commission shall set the maximum allowable each year by Commission Order. In any year wherein the Commission fails to adopt a new Commission Order pertaining to meals and tips shall result in the previous one remaining in effect.
- (5) Rental car (should be on a case-by-case basis as determined by the Elected Official or Department Head).
- (6) Other reasonable and related expenses.

(e) Non-Reimbursable Expenses.

The following travel expenses will not be reimbursable:

- (1) Cost incurred by a spouse or other relative accompanying an employee.
- (2) Personal expenditures such as personal phone calls, movie rentals, valet service, laundry and cleaning, intoxicating beverages, entertainment, or side trips.

(f) Personal Travel.

Employees on official County travel may be accompanied by a family member or friend, when the presence of a companion will not interfere with the successful completion of business objectives or increase the expense to the County. Generally, employees are also permitted to combine personal travel by personal vehicle and personal leave time with County travel as long as the additional personal leave time is approved, and any additional personal travel and other personal expenses are paid by the employee.

(g) Vehicle Accident Reporting.

Employees who are involved in a vehicle accident while on official travel must promptly report the accident to their immediate supervisor.

(h) WEX Cards

WEX Fleet cards are to be used only for fuel purchases, roadside services, and maintenance (i.e., oil change, tire repair, wiper replacement). When making a fuel purchase, a user will be prompted to enter the Drive ID, as well as the vehicle's odometer reading. Any associated

vehicle repairs, parts, or service must be approved prior to scheduling or ordering of such. These services should also be obtained from a County approved vendor. Transaction receipts shall be maintained by each department and shall, upon request, be provided to the County Commission, Purchasing Agent, or County Auditor.