
	CITY OF ATLANTA	<i>Control ID</i>	08-CWP-DPW-01
		<i>Effective Date</i>	6/14/2021
VEHICLE USE POLICY		<i>Revision Number</i>	
		<i>Revision Date</i>	
		<i>Approved By</i>	<small>DocuSigned by:</small> 
		<i>Department Policy Owner</i>	Department of Public Works, Office of Fleet Services,

1. OVERVIEW

This Vehicle Use Policy (“Policy”) sets forth the policies and guidelines to be followed at all times in the management, use and safe operation of all City of Atlanta vehicles.

As a public employer entrusted with the responsibility of administering public funds, the City of Atlanta must ensure that all City vehicles are utilized in a cost-effective and responsible manner for the sole purpose of providing services to the citizens of the City of Atlanta. All City of Atlanta employees entrusted with the management and use of City of Atlanta vehicles are required to comply with this Policy, in addition to all applicable federal, state, and local laws and any department-specific procedures implemented related to the maintenance and use of City vehicles.

2. PURPOSE

The objective of this Policy is to support the City’s goals as it relates to fleet utilization and management through initiatives including, but not limited to, fleet right-sizing, green fleet vehicles, fuel conservation, pooled vehicle utilization and employee safety; establishing procedures and guidelines for the management and use of all City of Atlanta vehicles; ensuring that all City vehicles are used for purposes appropriate to City of Atlanta business; informing all employees of the City of Atlanta about the applicability of regulations and policies to enhance employee safety and reduce risk related to vehicle operations; ensuring that vehicles are used in compliance with these regulations and policies; and providing appropriate guidance concerning rights and responsibilities to employees with respect to the proper use of vehicles.

3. SCOPE

This Policy applies to all vehicle operators and vehicles owned and managed by the City of Atlanta.

4. RELATION TO OTHER LAWS AND OTHER POLICIES

This Policy should be closely reviewed in conjunction with the provisions of the of the City of Atlanta Code of Ordinances (the “Code”) governing the use of City-owned or City-leased motorized equipment set forth in Chapter 2, Article XII, Section 2-1701 *et seq.* of the Code.

5. DEFINITIONS

For purposes of this Policy, the following terms are defined as follows:

Commissioner shall mean the administrative head of each department regardless of the title of a particular department head.

Vehicle shall be any equipment owned or operated by the City of Atlanta that is powered by an engine and capable of transporting at least one vehicle driver.

Emergency Vehicle shall be any vehicle operated by sworn public safety personnel that is equipped with lights and a siren for the purposes of responding to public safety emergencies.

Mission Critical Vehicle shall be any specialized vehicle, or any vehicle required to perform the daily core function of an employee's job.

Non-Mission Critical Vehicle shall be a vehicle not meeting the definition of a mission critical vehicle and utilized solely for convenience or travel purposes that can be met through use of the shared carpool.

Specialized Vehicle shall include any vehicle singular in purpose and limited in quantity as needed to fulfill the task for which it was built, including but not limited to marked law enforcement and emergency vehicles, large service trucks, street sweepers, sewer cleaner trucks, garbage trucks, dump trucks, utility trucks, and fire suppression vehicles.

Take Home Vehicle shall include any vehicle authorized by the Chief Operating Officer to be driven home overnight on a regularly assigned basis.

Underutilized Vehicle shall be any vehicle (*i.e.*, cars, light trucks, SUVs) driven less than 700 miles per month to conduct City business.

6. IDENTIFICATION OF CITY OWNED VEHICLES

All vehicles owned and operated by the City shall be visibly marked with (1) the name "City of Atlanta"; (2) the official seal of the City; (3) lettering "For Official Use Only"; and (4) a tracking number.

Vehicles for the exclusive use of the Department of Police, for the purpose of detecting crime, as well as vehicles for the exclusive use of the Mayor, Chief Operating Officer, Chief of Staff, and Commissioners in the administration of their duties shall not be subject to any visual identification requirements.

7. QUALIFICATIONS OF VEHICLE OPERATORS

All permanent fulltime employees are eligible to operate vehicles owned or operated by the City of Atlanta. Extra Help employees may be eligible to operate vehicles owned or operated by the City of Atlanta with approval by their direct manager. Any exceptions must be approved by the Chief Operating Officer or his/her designee in writing.

All employees shall possess a valid State of Georgia Driver's license at all times during the operation of any vehicle owned or operated by the City of Atlanta. Employees required

to operate or drive commercial motor vehicles during the scope of their employment shall also possess a valid Commercial Driver's license at all times during the operation of any commercial motor vehicle.

The driver's license number of City employees who operate City owned vehicles will be checked on at least an annual basis to verify that the City employee has a valid State of Georgia Driver's license.

1. The City department representative who works with Department of Public Works Fleet Services or the City department representative who assigns pool vehicles is defined as the Fleet Services liaison. The Fleet Services liaison will obtain the State of Georgia Driver's license number for each City employee who operates a City owned vehicle.
2. The Fleet Services liaison will verify the City employee State of Georgia Driver's License status using the website: <https://online.dds.ga.gov/DLStatus/> or its equivalent should the State of Georgia move the driver's license status check website to a new URL.
3. The website verification will be printed off or saved electronically annually.
4. The website verification will be retained for one year either electronically or in a file or folder maintained by the Fleet Services liaison.
5. The Fleet services liaison will make the verification checks available during an audit from the Work Safe Atlanta Audits and Inspection Sub-Committee.

Any employee whose driver's license is revoked or suspended shall immediately discontinue the operation of any vehicle owned or operated by the City of Atlanta and shall notify his/her supervisor within 24 hours of the revocation or suspension.

The Office of Fleet Services shall reserve the right to require driver training and examination of all vehicle operators.

All new employees shall complete a defensive driving course prior to operating a non-emergency City vehicle unless the new employee provides valid documentation documenting successful completion of defensive driving course within thirty (30) days of his/her start date. Existing employees shall complete a defensive driving course within twelve (12) months of the Policy implementation date and renew certification every three (3) years. Failure to complete defensive driver training may result in disciplinary action, including suspension of employee driving privileges. All employees who operate City vehicles will be notified of recurrent defensive driving training as required and scheduled by the department's Safety Manager or supervisor.

8. ASSIGNMENT OF CITY VEHICLES

Each Commissioner shall be responsible for determining the number and type of vehicles required to fulfill their department's duties and responsibilities and shall coordinate with the Office of Fleet Services when purchasing the vehicles.

Each Commissioner shall be responsible for the assignment of vehicles. The Office of Fleet Services will keep an accurate inventory, including assignee for vehicles. The Office of Fleet Services will also provide Each Commissioner a vehicle assignment report on a quarterly basis.

All employees shall be provided with a copy of the City of Atlanta's Vehicle Use Policy and must acknowledge receipt of the Policy by executing the attached acknowledgment. The executed acknowledgement shall be kept in the employee's departmental employment file. An employee who fails or refuses to execute the Policy acknowledgment and/or any departmental forms in connection with the assignment of any vehicle shall be precluded from operating City vehicles.

Prior to the assignment of any vehicle, a vehicle inspection form shall be completed to document the current mileage, exterior and interior condition of the vehicle. Any damage to the vehicle shall be noted on the vehicle inspection form.

9. RETURN OF CITY VEHICLES

At the time of return, a vehicle inspection form shall be completed to document the current mileage, exterior and interior condition of the vehicle. Any damage to the vehicle shall be noted on the vehicle inspection form.

When an employee separates from a department, including but not limited to a transfer to another City of Atlanta department, resignation, retirement or termination, the employee shall return all vehicles, including all equipment and fuel keys, to the Commissioner or his/her designee.

10. OPERATOR RESPONSIBILITY

All employees shall be responsible for using City of Atlanta vehicles exclusively for City business and are expected to exercise reasonable care in the operation and safekeeping of vehicles at all times. No City of Atlanta vehicle operator or passengers are allowed to use tobacco and non- tobacco smoking materials, including but not limited to cigarettes, e-cigarettes, vaporizers, pipes or cigars, in vehicles. Employees are responsible for adhering to all City policies, local, state, and federal laws, guidelines, and regulations while operating City vehicles.

All employees shall be subject to disciplinary action, up to and including dismissal, in conformance with the provisions of the Code of Ordinances of the City of Atlanta, Georgia for failure to conform to this Policy.

11. GENERAL MAINTENANCE

Each department assigned City vehicles shall ensure that all vehicles in its custody are maintained in good working condition by conducting routine inspections and remaining in compliance with established preventative maintenance, testing and certification schedules.

No vehicle operator shall begin operation of a vehicle until a pre-trip inspection is performed. A daily pre-trip inspection shall include, at a minimum, an inspection of the vehicle body, tires, lights, horn, brakes, windshield, mirrors, seatbelts, fuel level, emergency equipment, and all other operating systems.

Vehicle operators shall also conduct a daily post-trip inspection including all of the items performed as part of the pre-trip inspection.

All vehicles shall be kept clean on the inside and outside. It may be necessary to suspend external washing of vehicles during drought conditions.

It is the operator's responsibility to ensure that vehicle maintenance schedules are followed per the Office of Fleet Services schedules and guidelines.

12. SAFETY BELTS

All employees driving or riding in City of Atlanta vehicles equipped with safety belt restraints shall wear these restraints at all times during the operation of the vehicle.

Vehicle operators shall also ensure that all passengers riding in City of Atlanta vehicles equipped with safety belt restraints shall wear these restraints at all times during the operation of the vehicle, including in parking lots and landfills.

13. WIRELESS TELECOMMUNICATIONS EQUIPMENT

No vehicle operator shall use a handheld wireless telecommunications device while driving or operating City of Atlanta vehicles. The use of a hands-free speaking device such as a speakerphone or earpiece, which does not require the vehicle operator to manually hold the device, is permissible while driving or operating a City of Atlanta vehicle. Only one earpiece may be used during the operation of the vehicle.

In the event a vehicle operator needs to make or receive a business-related call or transmission using a handheld wireless telecommunications device, the vehicle operator must locate a lawfully designated area to park and make or receive the call or transmission while the vehicle is safely parked and non-operational.

Vehicle operators using City of Atlanta vehicles shall familiarize themselves with and abide by the provisions set forth in O.C.G.A. Section 40-6-241(c) (the Georgia Code) regarding cellphone use while driving. (Appendix B)

14. DRIVER RISK MANAGEMENT SYSTEM (DRMS) EQUIPMENT

The DRMS technology captures video footage when a risky driving event occurs. Examples of these unsafe behaviors can include, but are not limited to: speeding, failure to stop for a stop sign or signal, following too closely, failure to wear safety belts, smoking in vehicles, use of a handheld electronic device, inattention/distraction, collisions, near collisions, and obstructing the event recorder.

In the event the DRMS is triggered, system personnel will review the event, determine whether a risky driving event has occurred, and the driver's supervisor will be notified. As soon as possible, but no later than seven (7) days after the event, the driver's supervisor is to review the video footage and determine the appropriate action for the event in accordance with the guidelines outlined in this Policy. This may include coaching the employee on the correct behavior and/or progressive disciplinary action as described below and in Section 29 of this Policy. Proper assignment of vehicles as described in Section 9 of this Policy is critical to ensure the appropriate driver receives corrective and/or disciplinary actions.

All employees driving or riding in City of Atlanta vehicles equipped with DRMS equipment shall at no time obstruct and/or disconnect or otherwise prevent the functionality of DRMS Equipment of any City vehicle.

Any employee who operates a City vehicle wherein the DRMS technology is triggered, including violating traffic laws and where there is no accident or damage, shall be disciplined progressively. The City reserves the right to accelerate the disciplinary action process based on risky driving behaviors. The point system set forth in Appendix C (COA Driving Points / Scores) shall be used to determine levels of discipline according to the following guidelines:

Points Assessed	Corrective Action(s)
Driver assessed 10 more points in 1 month	Additional coaching + Oral Admonishment + DDC training req.
Driver assessed 20 or more points in a 3-month period.	Written Reprimand
Driver assessed 30 or more points in a 6- month period.	5-days suspension without pay + Driving privileges suspended until Defensive Driving course completed *impacts performance evaluation rating
Driver assessed 40 or more points in a 9- month period.	10-days suspension without pay + Driving privileges suspended until Defensive Driving course completed
Driver assessed 50 or more points in a 12-month period	Separation

In the event the DRMS equipment is triggered and an accident occurs with or without damage, or where operator negligence is determined to be a factor in the occurrence in the accident, the employee shall be disciplined in accordance with the provisions set forth in this Policy (see Section 28-Disciplinary Action) as well as any other applicable City policies and provisions of the City of Atlanta Code of Ordinances.

15. FUEL CONSERVATION

All vehicle operators shall operate City of Atlanta vehicles in a manner that will ensure maximum fuel savings, including but not limited to compliance with the following fuel conservation tips:

- Eliminate unnecessary trips.
- Plan all travel routes in advance.
- Remove excess weight from vehicles prior to operation.
- Operate vehicles at moderate speeds within the speed limit, with the exception of specific state law exemptions for emergency vehicles.
- There shall be no unnecessary idling of vehicles. All vehicles should be turned off when parked unless it is necessary to leave the vehicle running to operate essential attachments or components related to the primary use of the vehicle.
- Develop and maintain proper driving habits (i.e., do not over accelerate, avoid constant braking).
- Inflate tires properly.
- Ensure vehicles are routinely scheduled for preventative maintenance.

16. FUELING OF CITY VEHICLES

The Office of Fleet Services shall be responsible for issuing fuel keys for vehicles assigned to the respective departments. Each department will be responsible for identifying employees who will be registered with the Office of Fleet Services to have approval to fuel a vehicle at a designated fuel station.

All vehicles requiring fuel for operation shall be assigned a dedicated fuel key. A fuel key can only be used for the vehicle to which it is assigned. Under no circumstances shall a fuel key be utilized to fuel a personal vehicle. Each operator must be registered with the Office of Fleet Services to access the pump. An employee who is registered to refuel shall not allow another employee to utilize his/her access. Allowing an unauthorized employee to fuel a vehicle will result in disciplinary action, up to and including termination.

All fuel keys shall be assigned in writing. If a fuel key is lost or damaged, the department will be charged \$35.00 for a replacement fuel key.

All vehicles shall be fueled at one of the City of Atlanta's designated fueling stations, unless the vehicle operator has received written authorization to operate a vehicle outside of the territorial limits of the City and is unable to reach a City fueling station to refuel. Vehicle operators can obtain a current listing of all City fueling stations from the Office of Fleet Services.

When fueling a vehicle at one of the City of Atlanta's designated fuel stations the vehicle operator will require a fuel key for the vehicle and the operator must be registered with the Office of Fleet Services to access the pump. Under no circumstances shall an employee who is registered to refuel allow another employee to utilize their access who is not registered to refuel. Allowing a non-registered employee to fuel a vehicle will result in disciplinary activity up to and including termination.

Vehicle operators should not allow vehicles to run low on fuel. It is recommended that vehicles be refueled when the fuel level reaches $\frac{1}{4}$ tank in order to prevent fueling emergencies. Failure to follow these recommendations may result in disciplinary action.

17. TRAFFIC VIOLATIONS

All employees are responsible for adhering to all applicable local, state, and federal laws governing the operation of motor vehicles and emergency vehicles.

All employees are required to report and provide a copy of all traffic and parking citations received during the operation of any City vehicle to their immediate supervisor no later than the business day following the issuance of the citation.

Any employee who receives a traffic or parking citation while operating a City vehicle is personally responsible for the payment of any fines associated with the citation within the time provided by law.

Failure to timely pay traffic or parking citations issued to an employee while operating a City vehicle shall serve as grounds for disciplinary action and loss of authorization to operate City of Atlanta motorized equipment.

In the event it is determined that an employee has failed to timely make a payment associated with a citation, wherein the City of Atlanta is named as the responsible party, the Chief Financial Officer shall be authorized to recover and satisfy the outstanding fines subject to and in compliance with all applicable state and/or federal laws.

18. PRIVATE USE OF CITY VEHICLES

The use of any City of Atlanta vehicle for any purpose other than the City's business is prohibited.

No passengers shall be transported in City of Atlanta vehicle except when transportation of passengers is necessary to conduct City business.

All employees shall be subject to disciplinary action, up to and including dismissal, in conformance with the provisions of the Code of Ordinances of the City of Atlanta for failure to conform to this Policy.

19. MILEAGE LOGS

Each Department or Office is required to designate an employee to maintain vehicle use logs to track business use of vehicles except emergency response vehicles. Logs should include information such as driver, location, mileage, time of day, time in/out, and reason for use (see Appendix A Sample Vehicle Use Log). The specific form and frequency of completion can be defined by the Department or Office designated employee, based upon the vehicle types and usage. The designated employee is required on at least a monthly basis to review all available vehicle use data including fuel records, and vehicle use logs.

Departments shall provide information from the take home vehicle logs for all authorized employees during the calendar year to report all recorded commutes, including instances of zero use, to the Department of Finance.

20. USE OF CITY VEHICLES OUTSIDE CITY LIMITS

No City of Atlanta vehicle shall be used outside the territorial limits of the City of Atlanta, excluding vehicle usage associated with Metropolitan Atlanta travel required to reach City-owned facilities, without prior authorization granted in writing by the Commissioner prior to travel. All travel outside the City limits of the City of Atlanta in City vehicles must be solely and exclusively for City business.

Authorization to travel outside the state of Georgia in City vehicles shall rest solely with the Mayor or his/her designee. Requests for travel outside the state of Georgia in City vehicles shall be submitted by the Commissioner to the Office of Fleet Services for approval by the Mayor or his/her designee.

21. OVERNIGHT USE (TAKE HOME) OF CITY VEHICLES

No employees shall be authorized to drive City of Atlanta vehicles home overnight on regularly assigned basis except for the Mayor, Chief Operating Officer, Chief of Staff, Chief of Police, Fire Chief, Commissioner, and/or employees designated as first responders for emergency incidents.

The term “*first responder*” refers to those employees who in the early stages of an emergency incident are responsible for the protection and preservation of life, property, evidence or infrastructure and have been designated the primary individual responsible for managing and providing immediate support services during prevention, response, and recovery operations.

No vehicle shall be assigned to an employee serving as a first responder to drive home overnight until approved by the Chief Operating Officer or his/her designee in writing.

The Chief of Police is also authorized to select sworn members of the Atlanta Police Department, who reside within the territorial limits of the City of Atlanta, to drive City owned marked patrol vehicles home overnight on a regularly assigned basis, in furtherance of public safety visibility and in conformance with departmental standard operating procedures.

All authorizations to drive City of Atlanta vehicles home overnight on a regularly assigned basis shall be approved by the Chief Operating Officer or his/her designee in writing and will serve as the basis for the creation of a master list of such employees which will include each employee’s pertinent information (e.g., full name and address, work location, position number and classification, City vehicle number, one-way mileage to the employee’s home, miles driven for the previous reporting period and in the case of first responders, the number of emergency callbacks for the previous reporting period, etc.).

The Office of Fleet Services shall ensure that the master list of employees authorized to drive take home vehicles is filed with the Department of Finance annually

In the event an employee assigned and authorized to drive a vehicle home overnight is on leave encompassing more than three (3) business days, the assigned vehicle must be parked at a secure location at the employee’s residence and not on a City street. If the employee does not have a secure location to park the City vehicle for an extended period of time, he/she will be required to park the vehicle at a City location.

Employees who are authorized to drive City of Atlanta vehicles home overnight on a regularly assigned basis shall be subject to fringe benefit withholding as provided for under Internal Revenue Service rules and regulations.

22. END OF SHIFT PARKING OF ASSIGNED CITY VEHICLES

All City vehicles assigned for on duty use shall be parked at a secure City of Atlanta parking location, pre-designated by each respective department at the end of each daily shift.

23. CITY CAR SHARE PROGRAM (FLEET POOL)

All employees not assigned a vehicle for operational use at the departmental level shall be eligible to apply for authorization to participate and utilize the City’s car share program to facilitate City business related transportation needs.

The Chief Operating Officer or his/her designee shall be responsible for authorization of all applications to participate and utilize the City’s car share program.

All employees authorized to participate in the City's car share program shall follow the policies and procedures established by the Office of Fleet Services.

24. VEHICLE ACCIDENT GUIDELINES

In the event that a vehicle operator is involved in a motor vehicle accident or collision, regardless of the location, he/she shall immediately:

- Call 911 to request police to the scene for reporting purposes and request medical attention if necessary.
- If the vehicle is operable, and no further damage or hazard to the roadway or individuals would result, it should be removed from the immediate roadway.
- Follow all law enforcement directives regarding the movement of the motor vehicle involved in the accident or collision.
- Take additional measures necessary to prevent further accidents or injuries.
- Report the accident immediately to his/her immediate supervisor/safety officer, providing all pertinent information, such as location, nature of accident, names of employees involved, and extent of injuries and damage.
- While at the scene, if possible, obtain the names, addresses and phone numbers of all involved parties and witnesses, as well as the names and badge numbers of any law enforcement officers.
- Make NO COMMENT or statement to anyone as to personal liability or City liability. Direct all inquiries to the Department of Law at (404)-546-4100.

Supervisors shall:

- *Report the motor vehicle accident in the Risk Management Information System as soon as possible, and in no case later than forty-eight (48) hours of the occurrence of the accident.*
- Supervisors or safety officers shall also be responsible for overseeing the alcohol/controlled substance testing procedures for the involved vehicle operator and for contacting the Office of Fleet Services to obtain a vehicle repair estimate.
- Ensure that all required information is entered into the Risk Management Information System, and that police accident reports, together with all other relevant documentation including photographs of all property damage, including infrastructure such as hydrants, light poles, traffic control devices, etc., are uploaded in the Risk Management Information System for automatic routing to the Office of Fleet Services, Office of Risk Management, and Department of Law's Claims Unit.
- Supervisors or safety officers must notify risk management to preserve the DRMS video.

Employees and supervisors shall be subject to disciplinary action, up to and including dismissal, for not reporting accidents or for failing to follow the Vehicle Accident Guidelines as outlined in this section. All vehicles involved in any accident, regardless how minor, must be inspected by the Office of Fleet Services.

25. DRUG/ALCOHOL TESTING

In the event that a vehicle operator is involved in a motor vehicle accident or collision, all supervisors or safety officers notified of the occurrence of a motor vehicle accident or

collision shall ensure that an alcohol/drug analysis is conducted if (1) the accident was classified as preventable; or (2) reasonable suspicion exists.

Reasonable suspicion must be based on specific, objective facts about the conduct of an individual that would lead the reasonable person to suspect that the individual is or has been using drugs and/or is under the influence of alcohol. Observations which may constitute a factual basis for determining reasonable suspicion may include but are not limited to the following, alone or in combination:

- Slurred speech.
- The smell of alcohol on the individual's breath or clothing.
- Inability to walk a straight line.
- Behavior which is so unusual and inappropriate in its nature as to create an unsafe work environment or disrupt the normal working condition.
- Transport and possession of alcohol and/or illegal drugs.

All supervisors or safety officers shall ensure that an alcohol/drug analysis examination is performed as soon as possible following the actual occurrence of an accident or collision. Any employee required to be tested must be driven to the testing / sample collection location by a supervisor or by other means. No employee requiring testing shall drive himself or herself to the testing / sample collection location.

26. CATEGORIES OF ACCIDENTS

All Commissioners or their designees shall be responsible for ensuring that all City vehicle accidents are investigated to establish whether the accident was the result of the employee's negligence or abuse and, if so, document and classify the accident utilizing the following classifications:

Public Property Accident

Any accident involving a vehicle that occurs on a City street, highway, expressway, park road or on public property. The police agency having jurisdiction over the location shall be notified whenever an employee is involved in a public property accident.

No Damage Accident

A motor vehicle accident has occurred, but there are no bodily injuries and no damage to vehicles or property.

Minor Accident

Total damage cost for City vehicles, equipment and property is less than \$2,500 with NO injuries to involved parties.

Moderate Accident

Total damage cost for City vehicles, equipment and property is greater than \$2,500 and less than \$8,000, and/or there is any injury requiring outpatient only medical treatment.

Major Accident

Total damage cost for City vehicles, equipment and property is greater than \$8,000 and less than \$18,000, and/or there is any injury requiring inpatient medical treatment.

Severe Accident

Total damage cost for City vehicles, equipment and property is greater than \$18,000, and/or any accident involving a death or bodily injury requiring long-term care or treatment.

27. EMPLOYEE LIABILITY

In the event it is determined that an employee involved in a motor vehicle accident or collision, resulting in damage to City property, operated the vehicle in a negligent or reckless manner, the employee shall be required to reimburse the City for the damages to the City's property, pursuant to 2-1718 (g) of the City of Atlanta Code of Ordinances.

28. EMPLOYEE LIABILITY APPEAL RIGHTS

All fines imposed by the Commissioner or his/her designee regarding motor vehicle accidents or collisions resulting in damage to City property shall be imposed simultaneously with any disciplinary action imposed upon the employee by the department for the same motor vehicle accident. An employee retains the right to appeal the imposition of any fine and/or disciplinary action with the Department of Human Resources as provided in the civil service rules and regulations.

29. DISCIPLINARY ACTION

A. Operator Negligence

Any employee, who operates a City vehicle in a careless or negligent manner, including violating traffic laws, shall be disciplined progressively in conformance with the provisions of the Code of Ordinances of the City of Atlanta. In addition, any discipline related to this Policy may be reflected in the employee's annual performance evaluation.

B. Discipline for Preventable Accidents

A preventable accident is an accident that would not have occurred if the employee had exercised due care and attention, regardless of whether a citation was issued by the police. If the accident is found to have been preventable, the involved employee(s) shall be disciplined in accordance with the following guidelines (with consideration given to the definitions provided in Section 26 of this Policy (Categories of Accidents) and Section 114 of the City of Atlanta Code of Ordinances as progressive disciplinary action is imposed).

1. No Damage Accident

- a. Oral Admonishment as set forth in Section 114-502 of the City of Atlanta Code of Ordinances shall be given verbally and shall communicate a warning of an error or inappropriate behavior. The

employee should be advised that the date and nature of the oral admonishment will be documented in the supervisor's file.

2. Minor Accident

- a. **First Minor Accident** – A written reprimand as set forth in Section 114-502, of the City of Atlanta Code of Ordinances shall be written and given promptly following the act or behavior in question; the employee shall be required to attend and satisfactorily complete a defensive driving course as scheduled by the department's Safety Manager or supervisor.
- b. **Second Minor Accident** – Within twelve (12) months of first accident, up to ten (10) days suspension without pay as set forth in Section 114-528 of the City of Atlanta Code of Ordinances; and satisfactory completion of a defensive driving course as scheduled by the department's Safety Manager or supervisor.
- c. **Third Minor Accident** – Within twenty-four (24) months of first accident, dismissal, or suspension up to twenty (20) days without pay as set forth in Section 114-528 of the City of Atlanta Code of Ordinances. Satisfactory completion of a twelve (12) month probationary period, and the satisfactory completion of defensive driving course are also required. Defensive Driving Course training will be scheduled by the department's Safety Manager or employee supervisor.

3. Moderate Accident

- a. **First Moderate Accident** – Suspension without pay up to fifteen days (15) days, the satisfactory completion of a defensive driving course as scheduled by the department's Safety Manager or supervisor, and the satisfactory completion of a twelve (12) month probationary period.
- b. **Second Moderate Accident** – Dismissal or suspension without pay up to thirty (30) days, the satisfactory completion of a defensive driving course as scheduled by the department's Safety Manager or supervisor, and the satisfactory completion of a twelve (12) month probationary period.

4. Major Accident

- a. **First Major Accident** – Dismissal or suspension without pay up to thirty (30) days, the satisfactory completion of a defensive driving course as scheduled by the department's Safety Manager or supervisor, and the satisfactory completion of a twelve (12) month probationary period.
- b. **Second Major Accident** – Dismissal

5. Severe Accident

- a. ***First Severe Accident*** – Dismissal or suspension without pay up to thirty (30) days, the satisfactory completion of a defensive driving course as scheduled by the department's Safety Manager or supervisor, and the satisfactory completion of a twelve (12) month probationary period.

Any exceptions from the imposition of the above disciplinary guidelines must be approved in writing by the Chief Operating Officer.

30. OTHER DISCIPLINARY ACTION

All employees shall be subject to disciplinary action, up to and including dismissal, in conformance with the provisions of the Code of Ordinances of the City of Atlanta, Georgia for failure to conform to this Policy.

31. POLICY EXCEPTIONS

The Mayor or his/her designee retain the authority to approve and provide exemptions from this Policy that are in writing and in compliance with the Code of Ordinances of the City of Atlanta, Georgia.

ACKNOWLEDGEMENT AND SIGNATURE

I hereby acknowledge that, I have received a copy of the City of Atlanta Vehicle Use Policy (the "Policy"), dated _____: that, I have read the Policy; and that, I am bound and will abide by the Policy's requirements and any applicable supplements and any additional or amended policies and procedures issued from time to time.

I further acknowledge that I understand that any violation of this Policy may subject me to disciplinary action, up to and including termination.

I fully understand and agree that if I am determined to be financially liable or assessed a monetary fine pursuant to this Policy, I authorize the Chief Financial Officer to recover the funds via payroll deduction. I understand and agree that the Chief Financial Officer may recover such reimbursements via payroll deduction until the reimbursement obligation is fully satisfied

I understand that refusal to sign this acknowledgement does not exempt me from adhering to and being held accountable to the guidelines of this policy.


Printed Name of Employee

Title

Employee Signature

Date

Appendix A Sample Pre-Trip/Post Trip Inspection Mileage Log Form



CITY OF ATLANTA
DEPARTMENT OF PUBLIC WORKS
OFFICE OF FLEET SERVICES

Pre - Trip / Post - Trip

Employee Name: _____
Please print (Last Name, First Name)

Phone Number: _____

Department: _____

Time Of Day: _____

Vehicle Number: _____

Vehicle Make: _____

Vehicle Model: _____

Vehicle Mileage: _____
Beginning Of Trip Mileage

Destination: _____

Time Out: _____

Date: _____

Reason For Use:

Mark each item as:

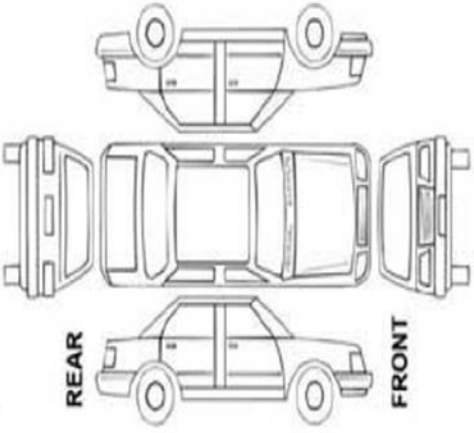
EXTERNAL CONDITION & FLUIDS			
Body Damage	<input type="radio"/> Satisfactory	<input type="radio"/> Missing	<input type="radio"/> N/A
Paint	<input type="radio"/> Satisfactory	<input type="radio"/> Missing	<input type="radio"/> N/A
Doors	<input type="radio"/> Satisfactory	<input type="radio"/> Missing	<input type="radio"/> N/A
Decal	<input type="radio"/> Satisfactory	<input type="radio"/> Missing	<input type="radio"/> N/A
Windshield/Windows	<input type="radio"/> Satisfactory	<input type="radio"/> Missing	<input type="radio"/> N/A
Fuel (Min 1/4 full)	<input type="radio"/> Satisfactory	<input type="radio"/> Missing	<input type="radio"/> N/A

INTERNAL CONDITION & ELECTRICS			
Seat & Seat Belts	<input type="radio"/> Satisfactory	<input type="radio"/> Missing	<input type="radio"/> N/A
Air Condition	<input type="radio"/> Satisfactory	<input type="radio"/> Missing	<input type="radio"/> N/A
Headlights	<input type="radio"/> Satisfactory	<input type="radio"/> Missing	<input type="radio"/> N/A
Horn	<input type="radio"/> Satisfactory	<input type="radio"/> Missing	<input type="radio"/> N/A
Hazard & Turn Signal	<input type="radio"/> Satisfactory	<input type="radio"/> Missing	<input type="radio"/> N/A
Brake	<input type="radio"/> Satisfactory	<input type="radio"/> Missing	<input type="radio"/> N/A

Check Item: **Cleanliness:** YES NO **Accident:** YES NO

Comments: Damage noted, repairs due, etc Mark on diagram any damage and date noted

***Circle any identified accidental damages**



REAR **FRONT**

Time In: _____

Vehicle Mileage: _____
End Of Trip Mileage

Appendix B

Georgia Hands Free Law

§ 40-6-241. Distracted driving; restrictions on operation of wireless telecommunication devices and stand-alone electronic devices; penalty; exceptions

(a) As used in this Code section, the term:

(1) "Stand-alone electronic device" means a device other than a wireless telecommunications device which stores audio or video data files to be retrieved on demand by a user.

(2) "Utility services" means and includes electric, natural gas, water, waste-water, cable, telephone, or telecommunications services or the repair, location, relocation, improvement, or maintenance of utility poles, transmission structures, pipes, wires, fibers, cables, easements, rights of way, or associated infrastructure.

(3) "Wireless telecommunications device" means a cellular telephone, a portable telephone, a text-messaging device, a personal digital assistant, a stand-alone computer, a global positioning system receiver, or substantially similar portable wireless device that is used to initiate or receive communication, information, or data. Such term shall not include a radio, citizens band radio, citizens band radio hybrid, commercial two-way radio communication device or its functional equivalent, subscription based emergency communication device, prescribed medical device, amateur or ham radio device, or in-vehicle security, navigation, or remote diagnostics system.

(b) A driver shall exercise due care in operating a motor vehicle on the highways of this state and shall not engage in any actions which shall distract such driver from the safe operation of such vehicle.

(c) While operating a motor vehicle on any highway of this state, no individual shall:

(1) Physically hold or support, with any part of his or her body a:

(A) Wireless telecommunications device, provided that such exclusion shall not prohibit the use of an earpiece, headphone device, or device worn on a wrist to conduct a voice-based communication; or

(B) Stand-alone electronic device;

(2) Write, send, or read any text based communication, including but not limited to a text message, instant message, e-mail, or Internet data on a wireless telecommunications device or stand-alone electronic device; provided, however, that such prohibition shall not apply to:

(A) A voice based communication which is automatically converted by such device to be sent as a message in a written form; or

(B) The use of such device for navigation of such vehicle or for global positioning system purposes;

(3) Watch a video or movie on a wireless telecommunications device or stand-alone electronic device other than watching data related to the navigation of such vehicle; or

(4) Record or broadcast a video on a wireless telecommunications device or stand-alone electronic device; provided that such prohibition shall not apply to electronic devices used for the sole purpose of continuously recording or broadcasting video within or outside of the motor vehicle.

(d) While operating a commercial motor vehicle on any highway of this state, no individual shall:

(1) Use more than a single button on a wireless telecommunications device to initiate or terminate a voice communication; or

(2) Reach for a wireless telecommunications device or stand-alone electronic device in such a manner that requires the driver to no longer be:

(A) In a seated driving position; or

(B) Properly restrained by a safety belt.

(e) Each violation of this Code section shall constitute a separate offense.

(f) (1) Except as provided for in paragraph (2) of this subsection, any person convicted of violating this Code section shall be guilty of a misdemeanor which shall be punished as follows:

(A) For a first conviction with no conviction of and no plea of nolo contendere accepted to a charge of violating this Code section within the previous 24 month period of time, as measured from the dates any previous convictions were obtained or pleas of nolo contendere were accepted to the date the current conviction is obtained or plea of nolo contendere is accepted, a fine of not more than \$50.00, but the provisions of Chapter 11 of Title 17 and any other provision of law to the contrary notwithstanding, the costs of such prosecution shall not be taxed nor shall any additional penalty, fee, or surcharge to a fine for such offense be assessed against a person for conviction thereof;

(B) For a second conviction within a 24 month period of time, as measured from the dates any previous convictions were obtained or pleas of nolo contendere were accepted to the date the current conviction is obtained or plea of nolo contendere is accepted, a fine of not more than \$100.00, but the provisions of Chapter 11 of Title 17 and any other provision of law to the contrary notwithstanding, the costs of such prosecution shall not be taxed nor shall any additional penalty, fee, or surcharge to a fine for such offense be assessed against a person for conviction thereof; or

(C) For a third or subsequent conviction within a 24 month period of time, as measured from the dates any previous convictions were obtained or pleas of nolo contendere were accepted to the date the current conviction is obtained or plea of nolo contendere is accepted, a fine of not more than \$150.00, but the provisions of Chapter 11 of Title 17 and any other provision of law to the contrary notwithstanding, the costs of such prosecution shall not be taxed nor shall any additional penalty, fee, or surcharge to a fine for such offense be assessed against a person for conviction thereof.

(2) Any person appearing before a court for a first charge of violating paragraph (1) of subsection (c) of this Code section who produces in court a device or proof of purchase of such device that would allow such person to comply with such paragraph in the future shall not be guilty of such offense. The court shall require the person to affirm that they have not previously utilized the privilege under this paragraph.

(g) Subsections (c) and (d) of this Code section shall not apply when the prohibited conduct occurred:

(1) While reporting a traffic accident, medical emergency, fire, an actual or potential criminal or delinquent act, or road condition which causes an immediate and serious traffic or safety hazard;

(2) By an employee or contractor of a utility services provider acting within the scope of his or her employment while responding to a utility emergency;

(3) By a law enforcement officer, firefighter, emergency medical services personnel, ambulance driver, or other similarly employed public safety first responder during the performance of his or her official duties; or

(4) While in a motor vehicle which is lawfully parked.

Appendix C COA Points / Scores

Category	Event Detail	Event Score	Category	Event Detail	Event Score
Event	Accelerating	0	Outcomes	Near Collision	5
	Braking	0		Near Collision –	0
	Cornering	0		Possible Collision	0
	Rough/Uneven Surface	0		Collision	0
	Other	0		Positive Recognition	0
Distractions	Cell Handheld - Observed	3	Traffic	Rolling Stop	3
	Cell Handheld - Distraction	3		Stop Sign	5
	Cell Hands Free - Observed	0		Red Light	5
	Cell Hands Free - Distraction	3		Not on Designated	3
	Food / Drink – Observed	0		Speed Policy	5
	Food / Drink - Distraction	3		Posted Speed	5
	Electronic Device - Observed	0		Other Violation	5
	Electronic Device - Distraction	3			
	Passenger – Distraction	3	Driver	Drowsy	5
	Other Distraction	3		Falling Asleep	10
Awareness	Late Response	4	Driver	Other Concern	3
	Blank Stare	4		Aggressive	5
	Not Scanning Roadway	3		Aggressive – Level 2	10
	Intersection Awareness	3			
	Mirror Use	3	Other	Smoking	3
Fundamental	Failed to Keep an Out	3		ER Obstruction	0
	Too Fast for Conditions	5		Camera Issue	0
	Unsafe Lane Change	5		Passenger Unbelted	5
	Following Distance [<1	5		Driver Unbelted	5
	Following Distance [≥ 1 sec	4		Driver Unbelted	5
	Following Distance [≥ 2 sec	2		Driver Unbelted	1
	Following Distance [≥ 3 sec	1		Driver Unbelted	1
				Driver Unbelted	1
				Driver Unbelted	1
				Driver Unbelted	1