

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF LAURENS )

ORDINANCE #736

**AN ORDINANCE TO REPEAL, RESCIND AND DECLARE NULL AND VOID,  
ORDINANCE #261 AND OTHER MATTERS APPERTAINING THERETO**

**WHEREAS**, Laurens County Council on December 14, 1987 enacted Ordinance #261 entitled “Motor Vehicle Use Policy” which established, among other things, certain regulations, restrictions and limitations on the use of county owned vehicle; and

**WHEREAS**, Laurens County Council, at the time of enactment of said Ordinance believed that such action was necessary and applicable and in the best interest of the public health and safety of the citizens of Laurens County; and

**WHEREAS**, Laurens County Council has determined that the use of county vehicles is best served by policy and procedure rather than ordinance due to changing and fluid circumstances and as such the need for an ordinance to address these matters are no longer necessary or required and should be rescinded and repealed, in toto.

**NOW, THEREFORE**, based upon the findings set forth below, Laurens County Council, pursuant to the authority granted by the Constitution of the State of South Carolina and the General Assembly of this State, hereby repeals, rescinds and does declare Ordinance #261 to be null, void and of no further force or effect.

1. **PURPOSES:** It is the stated purpose of this Ordinance to protect the general health, safety and public welfare of the citizens of Laurens County, South Carolina and to comply with the laws and Constitution of this State.
2. **AUTHORITY:** This Ordinance is adopted under the authority and process granted by the General Assembly of the State of South Carolina and the Constitution of this State. Jurisdiction shall be exclusively within Laurens County.
3. **APPLICABILITY:** The provisions of this Ordinance shall apply to all unincorporated areas of Laurens County, South Carolina.
4. **LANGUAGE:** The language used in this Ordinance, if used in the present tense, shall include the future tense. Words used in the singular shall include the plural, and the plural the singular, unless, however, the context clearly indicates the contrary. The use of the word “shall” is mandatory and the word “may” is permissive.
5. **EFFECTIVE DATE:** The effective date of this Ordinance shall be upon three (3) readings as required by law.
6. **SEVERABILITY:** Should any paragraph, clause, phrase, or provision of this Ordinance be judged invalid or held unconstitutional by a Court of competent jurisdiction, such declaration shall not effect the validity of any other section of the Ordinance as a whole or any part or provision thereof, other than the part so decided to be invalid or unconstitutional. All meanings, enforcement and interpretations shall be pursuant to the laws of the State of South Carolina.

**BE IT SO ORDAINED** by Laurens County Council duly assembled.

SIGNATURES ON FOLLOWING PAGE

LAURENS COUNTY COUNCIL:

James A. Coleman

James A. Coleman, Chairman

Edward A. McDaniel

Edward A. McDaniel, Vice Chairman

Diane B. Anderson

Diane B. Anderson, Council Member

Ted G. Nash

Ted G. Nash, Council Member

P. Keith Tollison

P. Keith Tollison, Council Member

David A. Pitts

David A. Pitts, Council Member

Joseph E. Wood, Jr.

Joseph E. Wood, Jr. Council Member

ATTEST:

Ernest B. Segars

Ernest B. Segars, Administrator  
Laurens County Council  
Laurens County, South Carolina

Betty C. Walsh

Betty C. Walsh, Clerk  
Laurens County Council  
Laurens County, South Carolina

First Reading: April 10, 2012  
Second Reading: April 24, 2012  
Third Reading: June 26, 2012  
Public Hearing: June 26, 2012



# LAURENS COUNTY VEHICLE USE POLICY & PROCEDURE

**Title:** Vehicle Use Policy and Procedure  
**Effective Date:** July 1, 2012  
**Revision Date(s)** Initial Policy – Ordinance #261 – 1987  
Rescinded by Ordinance #736 - 2012

- I. **Purpose** -The purpose and intent of this policy is to provide for safe, efficient and effective use of all county vehicles. It is intended to provide regulations and procedures for effective vehicle management. Laurens County promotes the safety of all employees and citizens through this policy. These procedures are in addition to all Federal, State and local transportation laws and guidelines.

When using county vehicles, employees should be aware that they are representatives of Laurens County Government and that their conduct is a reflection of the entire organization.

Any abuse of the provisions of this policy or failure to comply may result in disciplinary actions up to and including suspension or dismissal from employment. County Vehicle privileges may also be suspended or terminated.

- II. **Vehicle Definition** - Vehicles shall include any automobile, motorcycle, boat, truck, tractor, heavy equipment, or any other motorized vehicle which is owned, leased, or in possession or in control of Laurens County.

- III. **Vehicle Authorization** – All County Vehicles are to be used only for County business purposes and driven by authorized county employees. A Vehicle User Agreement will be signed by all employees and maintained in their personnel file in Human Resources.

A. **Incidental Stops** - Personnel assigned county vehicles shall use the vehicles for county business purposes only. Personal use is limited to incidental stops which are approved as long as the stop is in line with the shortest practical distance between two approved points. Personal use is restricted to obtaining meals and approved breaks. These personal uses are approved insofar as the most practical and closest source is utilized. Incidental use of a County issued vehicle as described in this paragraph shall be approved, in writing, by the employee Supervisor.

B. **Twenty four (24) Hour Usage (Take Home)** - A Twenty-four (24) Hour Usage Authorization Form (See Exhibit A) must be completed before employees are assigned vehicles on a twenty four (24) hour basis. The authorization form should be prepared by the Department Head and forwarded to the County Administrator for approval. Justifications for twenty four (24) hour usage must be due to Economic Savings, Emergency Response, or need for Special Equipment.

C. In accordance with IRS guidelines, a non-cash, taxable fringe benefit of three dollars (\$3.00) per day shall be included in the employee's reported compensation for tax purposes. Employees provided with a vehicle are responsible for maintaining proper documentation of use and for submitting use records to the Finance (Payroll) Department. Personnel who are classified as “emergency” are exempt from this requirement. Emergency Personnel include the following:

1. Sheriff's Office;
2. Detention Center;
3. Fire Prevention;
4. Emergency Management Office;
5. Coroner.



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- D. Business Hour Usage - Business hour use vehicles will be assigned to personnel by Department Heads for county business purposes only.
- E. Overnight Usage - County vehicles taken home overnight shall be locked and parked in a safe location, which is in close proximity to the employee's residence. County vehicles shall not be kept overnight at residences outside of Laurens County unless approved by the County Administrator and/ or the appropriate appointed / elected official.
- F. Personal Vehicles - Personal vehicle use may be allowed in the performance of county business when a county vehicle is not otherwise appropriate or available. Employees who use personal vehicles for County business are responsible for maintaining adequate insurance to meet at least legal minimum insurance requirements. The mileage reimbursement rate approved in the annual budget is intended to cover all costs related to vehicle operation. Accurate mileage records must be maintained and submitted to Finance for reimbursement.
- G. Authorized Passengers are:
1. Laurens County employees;
  2. Persons having official business with Laurens County at time of said trip;
  3. Other persons that may travel with the driver from any approved site to another approved site as long as the particular trip is in line with the shortest practical distance between the two approved points or meets the criteria for limited personal use described in Section III (A).

(NOTE: Laurens County does not carry medical payment coverage, underinsured motorist coverage and only provides minimum limits on uninsured motorist on their vehicles. Injuries to employees in the course and scope of their duties would be covered under the Workers Compensation program. If the county driver was at fault for the accident, non-employees would have a claim against the counties liability coverage. If the other party was at fault the only coverage that could apply is minimum limits uninsured motorist.)

- H. Cargo – Any items carried in a county passenger vehicle must meet all of the following criteria:
1. Be of a size and weight that they in no way offer any danger to or the ability to harm, damage, or cause to depreciate any county vehicle;
  2. Be normally handled by one (1) individual without the aid of any special loading equipment or any special parking needs. All county vehicles designed to carry larger loads would be an exception to this criteria.
  3. Alcoholic beverages or any controlled drugs (illegal) are not permitted in County vehicles at any time. Law Enforcement Personnel, as approved by the Sheriff, may transport alcoholic beverages or drugs that have been lawfully confiscated.



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## V. Driver Requirements:

- A. All drivers who operate vehicles owned by Laurens County are responsible for proper care, use and safety of county property.
- B. Drivers must adhere to the following minimum responsibilities:
  - 1. Possess and maintain a valid State Driver's License which is appropriate to the class of vehicle they will be operating.
  - 2. Where a Commercial Driver's License is necessary, drivers will also be subject to random drug / alcohol testing.
  - 3. Notify their Supervisor and Human Resources of any change in driver's license status within twenty four (24) hours. If an employee is found to have a suspended license, the employee's driving privileges will be taken away and the employee will be subject to disciplinary measures.
  - 4. Practice safe and defensive driving by observing all public safety traffic laws and driving courtesy. Follow all suitable safety procedures including wearing seat belts. Failure to do so will result with disciplinary measures.
  - 5. Complete county sponsored driver training\*, within ninety (90) days of hire date or ninety (90) days from date of job reassignment from a non-driving position to a driving position. Initial course is eight (8) hours and a four (4) hour refresher course shall be completed every three (3) years. Additional specialty training will be required by employees of the Sheriff's Office, Laurens County Emergency Medical Services (EMS), Emergency Management and Fire Prevention.
  - 6. Submit with employment application a ten (10) year driving history from the South Carolina DMV or other appropriate state agency and be subject to the safety sensitive random drug screen pool of employees if their position requires driving a county vehicle.
  - 7. Ensure that all vehicles are used for authorized purposes only.
  - 8. Follow the established accident reporting procedures.
  - 9. Accept legal responsibility for violations and fines resulting from actions of driver and report violations to immediate supervisor in writing.
  - 10. Refrain from transporting excessive loads of unsecured cargo.
  - 11. Pay for parking of county vehicles in situations where free parking is not provided. Parking charges will be reimbursed if conducting official county business. Violators are personally responsible for tickets or other fines resulting from illegal parking.



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12. Use off-street parking, if available, for those vehicles assigned on a twenty four (24) hour basis and driven to and from a place of residence.
13. Employees shall not drive while under the influence of alcohol, controlled substances, smoke or use other tobacco products in county vehicles.
14. It shall be the responsibility of the person assigned a vehicle to see that the vehicle receives proper maintenance and care and to report any damage or breakdown of vehicular equipment immediately. All maintenance requests shall be submitted to Laurens County Vehicle Maintenance Department. Mechanical problems due to operator neglect may result in disciplinary action. It shall be the responsibility of the operator to keep his / her own vehicle as clean as practical at all times. Personnel who are assigned a vehicle should monitor all fluid levels daily.

\*Employees must complete driver training which is scheduled by Laurens County.

**VI. Human Resources Requirements** - The Human Resources Department is responsible for acquiring and maintaining the following documentation in the applicant's / employee's personnel files. This list pertains to driving requirements only.

1. Copy of Driver's License;
2. Training certificate from driver training;
3. Any documentation relating to vehicle accidents or driving violations;
4. Signed understanding of contents of county vehicle policy and vehicle user agreement and if necessary a copy of the twenty four (24) hours usage authorization form.
5. Current ten (10) year Motor Vehicle Driving Record is to be provided by the applicant at time of application. Employees will be responsible for providing current motor vehicle records every tenth (10<sup>th</sup>) year at evaluation time, if their position requires driving. Employees and applicants will be responsible for any costs associated with obtaining this record.

**VII. Department Head / Supervisor Requirements** - Before an applicant is hired, the ten (10) year motor vehicle driving record should be reviewed to ensure suitability for positions requiring use of county vehicles. Periodic review of a driver's Motor Vehicle Record (MVR) is helpful in monitoring overall driver performance and in predicting future problems. This review process also needs to be followed every third (3<sup>rd</sup>) year at evaluation time for employees who are required to drive a county vehicle.

Department heads are assigned the responsibility of completing and obtaining approval of the twenty four (24) hour vehicle authorization form for any employees assigned a vehicle for twenty four (24) hours use. Department Heads / Supervisors should also ensure that all accidents are reported in a timely manner.



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## **VIII. Risk Management Requirements:**

- A. Maintain and administer an aggressive program for county employees that seek to reduce vehicular collisions and liability claims against the County.
- B. Maintain complete records on county collisions, property damage, and liability claims, and provide the County Administrator and his /her staff with meaningful reports on program progress.
- C. Schedule regular Safety Committee meetings to review all vehicle accidents and safety hazards and make recommendations for improvements.
- D. Provide a Driving Course for county employees and maintain records on their attendance and need for retraining.

**IX. Marking** - It is the policy of Laurens County that all county vehicles are marked only with permanent official County decals approved and placed on county vehicles by Vehicle Maintenance personnel.

**X. Vehicle Record Management** - The Laurens County Vehicle Maintenance Supervisor will maintain an information system for all county vehicles, which will record at least, but not be limited to, the oil and fuel use, mileage and maintenance history.

**XI. Safety Equipment** - Seat belts shall be installed in all vehicles and must be worn by the driver and all passengers at all times.

## **XII. Mobile Communications:**

- A. Mobile communications equipment in county vehicles is to be used for county business only.
- B. Personnel shall use hands free features on mobile phones or calls shall be made with the vehicle parked. Calls with the vehicle in motion are to be kept as brief as possible and should not interfere with the driver's concentration of vehicle operations.
- C. While driving during County business hours or for County-related purposes, no employee, other than in an emergency situation, shall operate a cell phone, blackberry or other such electronic device while the County vehicle is in motion. This policy applies to the operation of both personal vehicles and County owned vehicles. Violation of this policy may result in discipline up to and including termination.

## **XII. Accident Reporting:**

- A. Each Department Head is responsible for instituting and reporting accident investigations, which involve county vehicles and his / her department personnel. Reports will be submitted in writing to Risk Management no later than twelve (12) hours after the accident occurred. If an accident occurs on a weekend or holiday, the written accident report should be submitted to Risk Management no



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later than 9:00 A.M. on the first business day following the accident. A first report of injury should be submitted for employee injuries for workers compensation purposes.

- B. Any employee involved in any type of automobile accident while operating a county vehicle which results in personal injury and/or damage to property shall complete each of the following steps unless prevented by injury.
1. Stop as soon as it is safe to do so and turn off engine.
  2. Call 911 for police and if necessary for medical assistance. Guidelines for worker's compensation injuries should be followed, depending on the severity of injuries of the county employee. **The Laurens County Sheriff's Department shall not conduct the on-scene investigation of accidents involving Laurens County owned vehicles.**
  3. Do not move vehicle unless directed by law enforcement.
  4. Do not comment or give information regarding responsibility to other driver(s) or bystanders. An investigating law enforcement officer will ask pertinent questions for determination of fault.
  5. Notify your Supervisor immediately. As soon as the employee is able they should provide a detailed statement of the accident to Risk Management. The FR-10 Proof of Insurance form from the investigating officer and a TR-310 Uniform Traffic Collision report should also be submitted to Vehicle Maintenance Manager as soon as possible.
  6. Notify the Vehicle Maintenance Department at 984-5199. If the county vehicle cannot be driven, then it shall be towed as directed by the Vehicle Maintenance Manager. The Vehicle Maintenance Supervisor will give additional instructions when notified.
  7. Obtain the name and insurance company of other drivers, and provide all required information to the officer investigating the incident. Names and addresses of witnesses are also helpful.
  8. Cards containing the name of the County's insurer are located in vehicle glove compartments.
  9. If the accident results in a fatality and/or three (3) or more people are hospitalized, the County Risk Manager must be informed immediately. If such an accident occurs at night or on holidays or weekends, ask 911 to contact the County Risk Manager.
  10. Any employee driving a vehicle who has an accident will be drug and alcohol tested.





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### XIII. Accident Review

- A. The Laurens County Safety Committee has established an *Accident Review Subcommittee*. This committee reviews all accidents and losses involving Laurens County vehicles, employees, on the job injuries and property damage, and presents its findings to the full Safety Committee for review. The accident committee has the right to request appropriate information from supervisors or employees in order to adequately review the accident.
- B. The Subcommittee will present its findings and recommendations to the Safety Committee, which will determine what recommendations, should be made to the County Administrator, Department Head and the driver. Department Heads may take disciplinary action in accordance with current personnel policies.

Passed and approved on the 26<sup>th</sup> day of June, 2012.

### COUNTY COUNCIL OF LAURENS COUNTY, SOUTH CAROLINA

By: \_\_\_\_\_

*James A. Coleman*  
James A. Coleman,  
Chairman, Laurens County Council

By: \_\_\_\_\_

*Ernest B. Segars*  
Ernest B. Segars,  
Administrator of Laurens County

(SEAL)

ATTEST:

*Betty C. Walsh*

Betty C. Walsh,  
Clerk of Laurens County Council



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## LAURENS COUNTY EMPLOYEE ACKNOWLEDGEMENT OF RECEIPT

TO WHOM IT MAY CONCERN:

I, the undersigned employee of Laurens County, acknowledge that I have received a written copy of the revised “Laurens County Vehicle Use Policy and Procedure” for Laurens County.

I also acknowledge that I have been briefed on the conditions of this policy and that I do understand the terms of this policy and agree to abide by them.

I also understand that any violation of this policy would include, but are not limited to:

- 1.) Oral Reprimand;
- 2.) Written Reprimand;
- 3.) Suspension of Employment;
- 4.) Termination of Employment;
- 5.) Inclusive of possible grounds for criminal prosecution.

EMPLOYEE SIGNATURE:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name Printed

WITNESS:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name Printed

Employee Copy



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Employee Personnel File



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## CERTIFICATE OF RECEIPT

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## OUT OF COUNTY USE AUTHORIZATION

I, \_\_\_\_\_, hereby acknowledge that I have received a copy of the Laurens County Vehicle Use Policy & Procedure, and I understand that it is my obligation and responsibility as a condition of my employment to read this policy and to comply with its terms.

Twenty four (24) Hour Usage (Take Home) - A Twenty-four (24) Hour Usage Authorization Form must be completed before employees are assigned vehicles on a twenty four (24) hour basis. The authorization form should be prepared by the Department Head and forwarded to the County Administrator for approval. Justifications for out of county usage must be due to Economic Savings, Emergency Response, or need for Special Equipment.

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DEPARTMENT HEAD SIGNATURE:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name Printed

ADMINISTRATOR SIGNATURE:

\_\_\_\_\_  
Signature

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Name Printed