

SALT LAKE CITY ORDINANCE  
No. \_\_\_\_\_ of 2006  
(City-Owned Motor Vehicles)

AN ORDINANCE AMENDING CHAPTER 2.54 OF THE SALT LAKE CITY  
CODE, RELATING TO CITY-OWNED MOTOR VEHICLES.

Be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Chapter 2.54 of the Salt Lake City Code, relating to city-  
owned motor vehicles be, and the same hereby is, amended as follows:

**2.54.020 Designation Of Ownership-Insignia Required:**

All motor vehicles owned and operated by the city shall, ~~have a sign painted in a conspicuous place on both sides of the vehicle, display an identification mark designating the vehicle as the property of the city, thereof, designating the city's ownership in the following language: "Property of Salt Lake City"~~ under conditions and as required by ~~Section 41-1a-407~~ title 41, chapter 7 of the Utah eCode or its successor. The designation shall be in letters not less than three inches (3") in height and kept clearly visible at all times in full compliance with state law; provided, however, that ~~nothing in this chapter shall be construed to require such a display on any police or fire department vehicle, exempt from such requirements under state law to be so painted.~~ Nothing in this chapter shall be construed to require such a display on any police or fire department vehicle, exempt from such requirements under state law to be so painted.

**2.54.030 Use Policy And Restrictions:**

A. No motor vehicle owned by the city may be taken home by any city employee except under the following circumstances:

1. Authorization to regularly take home a city-owned vehicle is granted by the department director and approved by the chief administrative officer or his or her designee based on a demonstrated need for such vehicle to be taken home to serve the public interest; or

2. Due to an isolated incident of use when, because of the lateness of the hour or other peculiar circumstances, it is impractical or impossible to return such vehicle to city custody at the end of a duty shift.

B. Authorization to regularly take home a city-owned vehicle may be granted to a full-time employee for a "demonstrated need" based on at least one of the following criteria:

1. The employee has been designated as the director of a city department;

2. The vehicle is assigned to a sworn and certified law enforcement officer of the Salt Lake City police department, pursuant to the department's take home car program requirements. Specifically, off-duty use of the vehicle is ~~unrestricted~~ restricted to commuting to and

~~from the employee's place of residence while within the Salt Lake County boundaries, including travel to and from approved secondary employment in a city vehicle is prohibited unless the secondary employer reimburses Salt Lake City directly for the vehicle costs, and approved for use outside of the county limits while going to and from work.~~

3. The full-time employee must respond to at least five (5) emergency situations or callbacks to work per month;

4. The nature of the employee's work requires immediate response to emergency situations, regardless of frequency, that require the use of specific safety or emergency equipment that cannot be reasonably carried in the employee's personal vehicle.

C. 1. Employees who have a demonstrated need as set forth in subsection B of this section, may use city-owned motor vehicles on a voluntary basis to travel to and from their homes only with the knowledge and consent of the appropriate department head, and only if such employees make payment to the city for such use according to a written fee schedule adopted by the mayor or mayor's designee. Such fee schedule shall include a policy favoring those employees who live within the city. The fee required shall be no greater than the total actual costs incurred by the city for such voluntary use, including depreciation and capital costs.

2. The mayor shall, by written policy, set forth liability insurance coverage to such employees, which coverage shall be not less than two hundred thousand dollars (\$200,000.00) per incident, shall cover bodily injury, death, and property damage and shall be in addition to that required by Utah Code Annotated sections 31A-22-304 and 63-30d-80229.5.

D. Under no circumstances shall a city-owned vehicle be authorized for take-home use for an employee who resides farther than twenty five (25) thirty five (35) miles from the City & County Building corporate limits of Salt Lake City, regardless of the department in which the employee is employed. Employees qualifying for a take-home vehicle as of May 1, 2006 will be grandfathered from this limitation for a period of five (5) years beginning May 1, 2006. Such grandfathered use (which allows the employee to take home a vehicle to a residence up to thirty-five (35) miles from the corporate limits of Salt Lake City) shall apply only as long as the employee resides in his or her residence as of May 1, 2006. If the employee thereafter changes residence, he or she must comply with the twenty-five (25) mile limitation.

E. Under no circumstances shall a city vehicle be used for any purpose other than city business, to promote a city interest, or for any use ~~other than~~ authorized by the mayor or the mayor's designee.

#### **2.54.040 Maintenance And Upkeep:**

A. It shall be the duty and responsibility of the driver or operator of a city vehicle to see that it is properly serviced, maintained, and cleaned. This includes, but is not limited to, having the appropriate servicing performed on the vehicle equipment at all designated intervals as set forth by the ~~department of administrative services~~ Public Services Department. A sticker will be affixed to the vehicle in a conspicuous place indicating time of usage and service due for the vehicle.

B. If the driver or operator of the city vehicle fails to have the vehicle properly serviced or maintained as prescribed by the ~~administrative services department~~ Public Services Department within ten (10) working days or two hundred (200) miles of the required service or maintenance time, itsuch failure may result in loss of use of the vehicle to the user or department as well as possible disciplinary action.

**2.54.050 Accident Involvement Or Damage-Reporting Requirements:**

A. ~~In the event~~ If a city vehicle is involved in an accident or is otherwise damaged, the police department and ~~administrative services department~~ Public Services Department must be notified immediately. A written report shall be prepared by the driver or operator of such vehicle relating to the accident and/or damage on forms prescribed by the Public Services Department ~~director of administrative services~~, and forwarded to the ~~administrative services department~~ Public Services Department. Additional copies shall be made available to all departments requiring a copy of such report.

B. If the driver or operator of the city vehicle fails to submit the report to the Public Services Department ~~director of administrative services or his or her designee~~ within a reasonable period of time, the city department which has been assigned the vehicle may lose the use of it, and the driver or operator may be subject to disciplinary action.

C. In the event any person is injured in an accident involving the operation of a city vehicle, the driver or operator of the vehicle must notify the city attorney and risk manager ~~must be notified~~.

**2.54.060 Violation-Penalty:**

Any violation of provisions of this chapter shall be grounds for suspension or dismissal from employment, but shall not be considered a criminal offense.

SECTION 2. That this ordinance shall take effect immediately upon the date of its first publication.

Passed by the City Council of Salt Lake City, Utah this \_\_\_\_\_ day of \_\_\_\_\_, 2006.

\_\_\_\_\_  
CHAIRPERSON

ATTEST:

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

Transmitted to Mayor on \_\_\_\_\_.

Mayor's Action: \_\_\_\_\_ Approved, \_\_\_\_\_ Vetoed.

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CHIEF DEPUTY CITY RECORDER

(SEAL)

Bill No. \_\_\_\_\_ of 2006.

Published: \_\_\_\_\_.

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**Salt Lake City  
Take-Home Vehicle Policy  
Review  
April 25, 2006**

**BACKGROUND**

Take-home use of city-owned motor vehicles is governed by City Ordinance 2.54. The ordinance identifies four criteria that allow employees to take-home a city vehicle on a regular basis:

1. Department Director.
2. Sworn and certified law enforcement officer.
3. Five emergency situations or callbacks are responded to per month.
4. The nature of an employee's work requires immediate response to emergency situations, regardless of frequency, and requires the use of specific safety or emergency equipment that cannot be reasonably carried in the employee's personal vehicle.

Accompanying these criteria are some restrictions.

1. Under no circumstances shall a city-owned vehicle be authorized for take-home use for an employee who resides farther than thirty five (35) miles from the corporate limits of Salt Lake City, regardless of the department in which the employee is employed.
2. For all but sworn officers, under no circumstances shall a city vehicle be used for any purpose other than city business, to promote a city interest, or for any use other than authorized by the mayor or the mayor's designee.
3. For sworn officers and certified law enforcement officers, off-duty use of the vehicle is unrestricted while within the Salt Lake County boundaries, including travel to and from approved secondary employment; and approved for use outside of the county limits while going to and from work.

Employees who are authorized to take-home city-owned vehicles are then assessed the following fees adopted by the Mayor but not spelled out in the ordinance:

<b><u>Current Reimbursement Policy</u></b>	
<b><u>Bi-Weekly Rate Chart</u></b>	
Police/Fire within city limits	-
All others within city limits	6.92
Within 5 miles	25.38
Within 10 miles	27.69
Within 15 miles	30.00
Within 20 miles	32.31
Within 25 miles	34.62
Within 30 miles	34.62
Within 35 miles	34.62

## **PURPOSE OF STUDY**

Since the adoption of the ordinance in FY 2000-01 there has been an increased emphasis on reducing the number of vehicles to eliminate additional costs and to lessen the use of fossil fuels. In addition gas prices are at all-time highs which have made the costs of the take-home vehicle program increase dramatically. Fuel prices are not predicted to decrease in the foreseeable future.

For these reasons the ordinance and policies have been reviewed by a city team to look at more cost-effective alternatives and opportunities to the current program while weighing in the benefits and efficiency of response time from off-duty staff.

## **FACTS**

### 1. Current number of vehicles taken home by city staff:

- Police Department            413
- Fire Department                21
- Other City Departments       12

*Note: Since the police department has the vast majority of take-home vehicles, much of the data that follows concerns them.*

2. Of these take-home vehicles, 104 belong to police employees living within the city limits.
3. Average cost of personal use and commuting for the take-home fleet is \$.26/mile.
4. Police Department take-home vehicles accumulate 14,380 rounds trip miles per day commuting to and from home.
5. Total take-home vehicle expense is \$736,162 per year. Of that total, \$295,181 is reimbursed to the city by employees. The remaining \$440,981 is absorbed by the General Fund.
6. In 2005, Police Officers responded to 233,000 calls. This does not include traffic stops and issues they respond to that are not given a case number. 10,000 of these were responses by off-duty staff.
7. Non-city public safety agency take-home vehicle policies:

#### **Salt Lake County Sheriff's Office**

- No cost to employee
- Must live within the County to have take-home
- Can be used for personal reasons including 2<sup>nd</sup> job
- Family members can ride in vehicle

#### **Davis County Sheriff's Office**

- No cost to the employee
- Must live within 10 miles of County limits but policy isn't enforced
- Officers can use the vehicle for 2nd job

### **Utah County Sheriff's Office**

- No cost to employee
- Must live within the county to have take-home vehicle
- No personal, social or unofficial use
- No family or friends

### **Sandy City**

- No cost to employee
- Must live within Salt Lake County or not more than 20 miles south
- Take-home vehicle can only be used for commuting except if living in Sandy City limits

### **Murray City**

- No cost to employee
- Must live within Salt Lake County
- No personal use

### **Provo City**

- No cost to employee
- Off-duty use allowed within Utah County for on-call employees

### **Layton City**

- No cost to employee
- Must live within 15 miles of Layton City limits
- Family members may ride in the vehicles in city limits

### **Ogden City**

- No cost to employee if they live within the city or no further than 13 miles from the Public Safety building
- Standard IRS rate is applied if outside limits
- Off-duty use allowed within Ogden City limits
- Part-time use allowed if benefits to Ogden City are validated
- Vehicles cannot exceed 18,000 miles per year
- No family or friends allowed to ride in vehicle

### **West Valley City**

- No cost to employees living within West Valley City limits
- Outside city limits employees are charged \$1.00/mile one way
- No personal use outside West Valley City limits.
- No family or friends allowed to ride in vehicle

### **Issues**

1. The current City ordinance dictates that personal commuting mileage for reimbursement purposes is calculated by measuring from the city boundary. This is difficult to calculate and enforce because there is no standard point to calculate from nor can technology be used to automate the process.
2. Vehicle manufacturing costs continue to skyrocket and vehicle replacement funds allocated for replacement are not increasing at the same rate.

3. Fuel costs have increased 83% over the last three years and they are expected to continue to rise.
4. The average take-home vehicle accumulates 35 miles/day in take-home mileage, or 6,475 miles per year. There are many take-home vehicles that exceed 60 miles/day in off-duty miles.
5. The rising cost of vehicles, fuel, oil and maintenance items have caused our vehicle cost-per-mile (CPM) to rise from \$.18/mile to the current \$.26/mile.
6. 46 police vehicles exceeded 20,000 miles in one year. 17 police vehicles exceeded 25,000 miles in a year. Many of these high-mileage vehicles belong to employees who live within city limits and took advantage of the "unrestricted off-duty use." This will result in vehicles needing replacement sooner than the budgeted 5 year replacement cycle.
7. The city absorbs the \$440,981 non-reimbursed cost of take-home vehicles.
8. Vehicle life is extended by having a car per officer program because the vehicle is not being used 24/7 as would be the case if officers used a "shared pool" concept of vehicle assignment. Most agencies that do not have a take-home program utilize the "shared pool" concept.
9. Vehicle condition is shown to be better when employees feel ownership by being assigned to them.
10. Parking space can remain at minimum levels with a take-home car per officer program since officers drive their vehicles home. Otherwise, sufficient parking would have to be constructed to accommodate the influx of personal vehicles as well as police pool vehicles.

### **Recommendations**

#### Status Quo

After analyzing the costs, considering the policies of other municipal agencies, and evaluating possible options, the committee does not recommend that the city accept a status quo option with take-home vehicles. Status quo would result in the city continuing to subsidize take-home vehicles out of the General Fund in the amount of \$440,981 and increasing each year. Employees would continue to use vehicles in the current manner which would require earlier replacement and increased costs in future years as the vehicles wear out. The committee does not believe that the benefit of take-home vehicles by off-duty employees is cost-effective for the City to subsidize fully.

#### Elimination of All Take-Home Vehicles

The committee does recognize that some benefit is gained by public safety employees taking a vehicle home within certain limitations. The main reason for this is response time to emergency situations for first responders. This benefit diminishes the further away from the city an employee lives. Additionally if the ordinance eliminated all take-home vehicles there would be operational and cost concerns. The City would need to provide parking for the City vehicles which



would require a parking lot to be constructed at an estimated cost of \$960,000. The only location currently available to the City that would accommodate the number of cars in the take-home program would be adjacent to the parks facility. The rough engineering estimate is that the parking lot would need to accommodate 800 cars which would require 5 acres. Parking lot costs are estimated at \$1,200 per stall. This does not include security or other operational changes if the City were to implement a "shared pool" concept with vehicles. Further extensive research would be needed to evaluate if this would be beneficial operationally or financially. The benefits of reducing fossil fuel use would be negated or worse under this condition since employees would need to drive their personal vehicles to work and home and in many cases this parking facility would require a longer commute. Eliminating personal use would potentially be more beneficial to the environment than eliminating take home vehicles.

It must be recognized that data does indicate there is a trend among large metropolitan agencies across the country to eliminate take-home vehicle programs and operate fleet needs through the use of "shared pool" programs. Employees are on their own to commute and are assigned a pool vehicle upon reporting to work. Police department representatives from San Diego, Las Vegas and Reno gave the following reasons for eliminating their take-home programs:

- Ability to reduce the number of fleet vehicles as much as 50%. To do this those agencies operationally changed to 12 hour shifts. This would be a major change to Salt Lake City's operation and more extensive research and analysis would be needed to evaluate this before it were implemented.
- Increased vehicle control since they would be located at a City facility during off-duty time.
- Decreased vehicle expense due to the elimination of personal use.

While this program has the benefits indicated above, the cities also pointed out there are some drawbacks and costs associated with this type of program as follows:

- Vehicles do not last as long and are usually kept in a much worse condition due to employees not assuming ownership of them. With good policies and monitoring in place this usually becomes a short term situation that improves over time.
- Vehicles under the "shared pool" concept would have to be replaced at 3-year rather than 5-year intervals.
- Adequate parking is needed to accommodate the vehicles as well as employees vehicles. This would have to be a secure facility to prevent vandalism and theft.
- Lockers would need to be constructed at facilities to accommodate overnight storage of weapons and specialized equipment.

- The responses made by off-duty employees would need to be absorbed by on-duty employees.
- Employees called back from off-duty would not be able to respond as quickly.
- If a "shared pool" concept were implemented the total number of vehicles that could respond in an emergency situation would be reduced.
- Decrease in employee morale.

#### Standard Point of Reference

The committee believes that adopting a standard point of reference that will not change over time will allow a take-home vehicle program to be more easily administered and implemented. The recommendation is to use the City & County Building as that standard measuring point. The City can then use automated programs that will calculate the residence of employees and provide the mileage from that standard point to their home. This will allow the City to calculate and charge employees the appropriate fee for take-home use and can easily be verified and audited when necessary.

#### Personal Use Restrictions

The committee recommends that there should be further restrictions in personal use of city vehicles. Currently the ordinance allows unrestricted personal use of its vehicles in Salt Lake County for sworn officers and certified law enforcement officers. This includes travel to approved secondary employment. The current ordinance also prohibits employees from taking a vehicle home if they live 35 miles from the corporate limits.

The committee recommends that all personal use of city vehicles be prohibited. This would include prohibiting travel to and from secondary employment unless the secondary employer reimburses the City directly for the full cost of the vehicle while traveling to, from, and during secondary employment.

The committee also recommends that the City prohibit any employee from taking a City vehicle home if they live further than 25 miles from the standard point of reference; the City & County Building. Since we are changing both the mileage restriction and the point of reference for calculating commuter miles, it is recommended that all employees currently authorized to take home vehicles be grandfathered from their current residence if they exceed the 25 mile limit. No additional employees, current or new, would be allowed to take home a vehicle if they lived outside of this restriction. The 25 mile limit was derived from calculating response time to the city. Anything further than 25 miles would result in a response time that would not be a benefit to the city for first response capabilities. Data is not kept on personal mileage so the savings of these two recommendations can only be estimated to be approximately \$150,000 a year.

#### Reimbursement for Commuting Costs

Employees currently reimburse the city for commuting anywhere from \$0 to \$34.63 per pay period based on their mileage from their home to the corporate

limits. This same fee structure is not stated in the City Ordinance but required to be adopted by the Mayor or designee and to favor employees living within the city.

The City could adopt the policy that all commuting costs be recovered from employees taking vehicles home. To implement this policy the City would be saying that there is no benefit to the taxpayer for quick and convenient response from off-duty employees therefore all commuting costs would be reimbursed. There would be a different reimbursement schedule for a 4-day work week and a 5-day but for purposes of illustration, the 4-day work week policy change would be as follows:

<b><u>Full Cost Recovery</u></b>	
<b><u>Bi-Weekly Rate Chart</u></b>	
Police/Fire within city limits	14.80
All others within city limits	14.80
Within 5 miles	18.50
Within 10 miles	37.00
Within 15 miles	55.50
Within 20 miles	74.00
Within 25 miles	92.50
Within 30 miles	111.00
Within 35 miles	129.50

This reimbursement policy would collect the full \$740,000 cost of commuting in city vehicles and would double to quadruple the bi-weekly costs to the employees.

Public Safety Staff involved in this discussion reviewed their policies and have proposed a reimbursement schedule that charges those in the city limits \$25 and then adds 15% to the other existing rates.

<b><u>Public Safety Proposal</u></b>	
<b><u>Bi-Weekly Rate Chart</u></b>	
Police/Fire within city limits	25.00
All others within city limits	25.00
Within 5 miles	29.19
Within 10 miles	31.84
Within 15 miles	34.50
Within 20 miles	37.16
Within 25 miles	39.81
Within 30 miles	39.81
Within 35 miles	39.81

This proposal would collect approximately \$378,000 of the \$740,000 cost of commuting in city vehicles. This is approximately 50% of the cost of commuting and is an increase of \$83,000 over the current reimbursement schedule. This proposal does not make changes to the personal use of vehicles or in the miles out of the city one can commute with a city vehicle. The ordinance requires a fee schedule "favoring those employees who live within the city." This proposal does charge less for those who live in the city but one could argue that with only a \$15 difference per pay period between those who live in the city and one who lives 35 miles out is not very favorable.

The committee recommends that the city recognize there are benefits to quick and convenient response from off-duty employees who live within 25 miles of the City & County Building and that with the restrictions recommended above, the City should share 50% in the cost of the take-home program. Additionally the committee felt that those living within the city should reimburse a minimal but still favorable amount for the use of the vehicle to commute to and from their residence. The reimbursement schedule for a 4-day work week with a 50% participation would be as follows:

<b><u>50% Cost Recovery</u></b> <b><u>Bi-Weekly Rate Chart</u></b>	
Police/Fire within city limits	9.25
All others within city limits	9.25
Within 5 miles	9.25
Within 10 miles	18.50
Within 15 miles	27.75
Within 20 miles	37.00
Within 25 miles	46.25
Within 30 miles	55.50
Within 35 miles	64.75

This reimbursement policy would collect approximately \$375,000 of the \$740,000 cost of commuting in city vehicles but would only increase the bi-weekly costs to the employees anywhere from \$9 if you live in the city to double the current reimbursement for those that live at the maximum distance. If eliminating personal use results in a savings of \$150,000, the General Fund subsidy for take-home vehicles would be \$225,000.

**Summary**

The take-home vehicle committee recommendations are as follows:

1. Establish the City & County Building as the standard point of reference to calculate the commuter distance to employees' homes.
2. Non-commuting personal use of city vehicles prohibited.

3. Secondary employment commuting and use prohibited unless business reimburses City directly for vehicle costs.
4. No take-home vehicle allowed if employee lives farther than 25 miles from the City & County Building. (Existing employees not complying would be grandfathered for their current residence for a period of 5 years.)
5. Employees reimburse the city for commuting mileage at 50% of the vehicle operational costs. Adjust these costs annually.
6. Employees with an automobile allowance can be reimbursed for mileage on business trips in excess of 100 miles each way.