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AM-501-3

*m*      ***Mayor's Motor Vehicle Freeze Committee-Assigned  
Vehicles***

**SCOPE**

The Mayor's Motor Vehicle Freeze Committee (MMVFC) is responsible for assigning nonactivity based vehicles owned by the Mayor and City Council to one employee based on the position of the employee and duties being performed. MMVFC assigned vehicle is a passenger car, van, station wagon, pick-up truck, or sport utility vehicle. No vehicle will be released unless approval for assignment has been given by the MMVFC. The MMVFC is composed of representatives from the Department of Finance, Fleet Management Division (FMD) and the Mayor's Office. This Committee must make assignment of all take-home vehicles and emergency vehicles. The MMVFC may revoke an assignment at any time. Effective January 1, 1985, use of a City-owned vehicle, which includes take-home privileges, may result in additional personal income tax liability, including F.I.C.A. taxes. An employee may also be subject to additional personal income tax liability when special assignments result in temporary take-home privileges of City-owned vehicles.

The Fire, Sheriff and Police Departments are not subject to the provisions of this policy. Employees of these departments may, however, be subject to additional taxes, which result from take-home privileges.

**SECTIONS**

- 1. General Provisions**
- 2. Categories**
- 3. Vehicle Acquisition and Assignment**
- 4. Vehicle Assignment/Assignee**
- 5. Annual Renewal of Vehicle Assignment**
- 6. Vehicle Assignment and Classes**
- 7. Reporting**
- 8. Related Policies and Procedures**

**1. GENERAL PROVISIONS**

- All Members of the Board of Estimates will be assigned a vehicle upon request.
- An agency/bureau head must request assignment of a vehicle.
- Assigned vehicles shall not be used for pleasure or to conduct personal business.
- Passengers in assigned vehicles are limited at all times to those engaged in official City business. Employees are cautioned that the use of assigned vehicles for the regular transportation of passengers, including fellow employees, could result in additional income tax liability to the assigned employee and/or the passengers. Violations of this policy and/or

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the policy relating to the personal use of an assigned vehicle will also result in disciplinary action, and may result in civil liability.

- All traffic or parking fines incurred, as a result of violating motor vehicle laws will be borne by the responsible employee. The City reserves the right to deduct from any employees' check unpaid fines or penalties incurred while operating City-owned vehicles.
- Emergency vehicles must be designated by the MMVFC.

**2. CATEGORIES OF ASSIGNED VEHICLES**

Determination of Code status is made by the Fleet Management Division (FMD) at time of purchase/receipt of Motorized Vehicle Status Report.

**Code I**

A vehicle which meets the following criteria:

- Responsibility of an agency.
- Maintenance and servicing may be performed by the FMD.
- The using agency is billed directly by the FMD for maintenance and servicing.

**Code II**

A vehicle which meets the following criteria:

- Responsibility of the FMD and rented to an agency.
- A monthly rental fee is paid to the FMD by the using agency.
- Maintenance and servicing is performed by the FMD.

**3. VEHICLE ACQUISITION AND ASSIGNMENT**

Vehicle acquisition and assignment, exclusive of elected officials, will be in conformity with the overall vehicle needs of the City and will be consistent with the function of the employee in requesting use of a City-owned vehicle. Consideration factors in replacement shall include, but not be limited to, monies available and operating and maintenance expenses of the vehicle to be replaced. Where possible and consistent with sound fleet management policy the following assignment category may be followed:

Board of Estimates Members	Full-size 4 door non-luxury sedan.
Department Heads	Intermediate 4 door sedan or full-size 4 door non-luxury sedan.
Bureau Heads/Deputy Department Heads	Compact 4 door sedan or intermediate 4 door sedan.

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Division Chiefs/Staff Personnel	Compact 4-door sedan.
General Use	Compact 4-door sedan.

**4. VEHICLE ASSIGNMENT/ASSIGNEE**

A [VEHICLE ASSIGNMENT REQUEST \(form #28-1408-5037\)](#) must be submitted to the Mayor's Motor Vehicle Freeze Committee (MMVFC) and approved to effect a vehicle assignment and designate an assignee. Any disapproved Vehicle Assignment Request may be appealed by the agency/bureau head by directing a memo to the MMVFC. Any requested change in assignee or assignment status must be submitted to the MMVFC via a Vehicle Assignment Request.

All vehicles must be inspected and necessary repairs made immediately upon approval of an assignee. An assignee is responsible for the condition of a City-owned vehicle.

When requesting take-home privileges, a Vehicle Assignment Request must be submitted along with a [Vehicle Payroll Deduction Authorization \(form# 28-1418-5008\)](#) and justification for such an assignment.

Assignees with take-home vehicle privileges, except those employees assigned certified emergency vehicles, members of the Board of Estimates, and elected officials, will be charged for commuting mileage. Commuting mileage charge will be deducted from the employee's paycheck. Deductions will be effective on the date designated by the MMVFC. Commuting mileage is defined as the distance traveled between the employee's home and assigned office at the start and finish of the normal workday. The per mile commuting mileage charge is tied directly to the Internal Revenue Service (IRS) standard business mileage reimbursement rate which is calculated annually to reflect the costs of automobile operation. Central Payroll Division will adjust the payroll deduction rate annually to correspond to the IRS standard mileage rate. The annual update will take effect on the first pay period in February.

An employee is eligible for commuting mileage reimbursement after a 30 consecutive calendar day absence during which the employee was in leave status and not operating a MMVFC-assigned vehicle. A written request for reimbursement must be received by the MMVFC within 10 workdays after the employee returns to work.

An assignee with take-home vehicle privileges must immediately inform the MMVFC by memo

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of any change in residence. Failure to notify the MMVFC could result in revocation of privileges.

When an assignee authorizes another operator to use a City-owned vehicle, the operator must meet all City/State licensing, operating, and use requirements.

- If the vehicle is to be used primarily by one (1) employee as either a take-home or nontake home vehicle, that employee will be the assignee.
- If the vehicle is to be used regularly by more than one (1) employee as a non-take-home vehicle, the supervisor or agency/bureau head will be the assignee.
- If the vehicle is to be used regularly by more than one (1) employee as a non-take-home vehicle, but is also to be used by 1 employee as a take-home vehicle, the employee who is to use the vehicle as a take-home vehicle will be the assignee.

**5. ANNUAL RENEWAL OF VEHICLE ASSIGNMENT**

The MMVFC requires that each vehicle assignment be renewed each year. The MMVFC will generate a listing of all vehicle and assignee information it has on file for each agency/bureau. The MMVFC will forward these listings to the agency/bureau heads for review.

Each agency/bureau should compare the listing provided by the MMVFC against the vehicle files maintained in the agency/bureau. All changes must be noted directly on the listing. If retention of the vehicle is not requested, the MMVFC should be notified and the vehicle returned to the FMD for inspection and garaging. It is the responsibility of the agency/bureau head to comply with the annual renewal requirement.

When returning an annual renewal listing which has a new assignee or change of assignee noted, it is necessary to attach the proper paperwork for such assignment as outlined in this policy. Other than annual renewals, it is the agency/bureau's responsibility to notify the MMVFC of any vehicle or assignee change throughout the year.

**6. VEHICLE ASSIGNMENT CLASSES**

Action on an assignment class cannot be taken by the MMVFC unless all required paperwork has been completed and is on file with the committee.

**A. Non-take-home vehicles:**

- Local travel on official City business by one (1) or more agency employees for a minimum of 6,000 miles per year or a minimum of four (4) hours per day.

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- A substantial amount of tools and/or equipment are transported daily by one (1) or more agency employees.

**B. Take-home vehicles:**

An employee will be assigned a take-home vehicle provided that at least one of the above-cited assignment condition(s) is met and one (1) of the conditions listed below exists.

- Frequent emergency callbacks, at least four (4) per month over a six (6) month period, in conjunction with official City business
- Frequent attendance, at least four (4) per month over a six (6) month period, is required at meetings held in conjunction with official City business and scheduled after the employee's normal working hours.

**C. Emergency Vehicles:**

According to the Annotated Code of Maryland, Article 66, S 11-118, "emergency vehicles are special vehicles funded or provided by federal, State, or local government and used for emergency or rescue purposes in this State." All city vehicles to be classified as emergency are subject to the State's requirements.

When requesting an Emergency Vehicle, the agency/bureau must submit a Vehicle Assignment Request along with justification for such classification and a completed Application for Approval of Emergency Vehicles or Service Vehicles (State Form VR-26 (7-77) to the MMVFC. The justification should specifically state the type of emergency equipment(s) required and the reasons. The MMVFC will review all of the paperwork submitted and recommend approval or disapproval to the State.

The assignee of an Emergency Vehicle is exempt from paying commuting mileage to and from work; however, such assignee is not exempt from additional personal income tax liability, including F.I.C.A. taxes.

**7. REQUIRED REPORTING**

The following reports must be completed and retained in the agency vehicle file folder for periodic review.

A [VEHICLE MAINTENANCE RECORD, form # 28-1902-5032](#), must be completed every month for each Mayor's Motor Vehicle Freeze Committee (MMVFC)-assigned vehicle, regardless of whether the vehicle was used during the month.

A [VEHICLE USE RECORD, form #28-1908-5038](#), must be completed every month for each

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MMVF C-assigned vehicle, regardless of whether the vehicle was used during the month.

**8. RELATED POLICIES AND PROCEDURES**

- AM-501-2,      Part I Training, Drivers Permits, Authorizations and Licenses for City-owned Vehicles
- AM-501-2,      Part II Commercial Driver License
- AM-501-3-1    MMVFC Assigned Vehicles: Purchase Request/Vehicle Assignee
- AM-501-6      Assigned Vehicle Maintenance and Repair
- AM-501-8      Activity Assigned Vehicle
- AM-509-9      Vehicle Rental
- AM-501-10     Motor Vehicle Accident
- AM-501-11     Vehicle Damage and Malfunction