

# **NIAGARA COUNTY INDUSTRIAL DEVELOPMENT AGENCY**

## **MOTOR VEHICLE USE POLICY**

### **1) Employee Use of Personal Vehicles-For Business Use**

The Niagara County Industrial Development Agency (“Agency”) does not assume any liability for bodily injuries or property damage the employee may become personally obligated to pay arising out of an incident occurring in connection with the operation of the employees personally owned or leased vehicles. The reimbursement to the employee for the operation of personal vehicles on Agency business includes the allowance for the expense of automobile insurance. You are required to have minimum liability limits of \$250,000/\$500,000/\$100,000,00 plus EXCESS LIABILITY OF \$1,000,000. The Agency does not specify and assumes no responsibility for any other coverage employees carry on the vehicles used since this is a matter of individual status and preference. The employee is responsible for providing proof of coverage to Agency on an annual basis.

### **2) Traffic Violations**

Fines for parking or moving violations, towing, storage or impoundment are the personal responsibility of the employee. Each driver is required to report all moving violations to the Executive Director within 24 hours. This requirement applies to violations involving the use of its personal vehicle while on Agency. Failure to report violations will result in appropriate disciplinary action, including possible termination of employment. Please be aware that motor vehicle violations incurred during non-business (personal use) hours will also affect your driving status as well and are subject to review.

### **3) Cellular Phones / Distractions**

Cellular phones should not be used while operating a vehicle unless the vehicle has hands free capability. Using a cell phone while driving leads to an increased risk of having an accident through a lack of attention to driving. Inattention is the #1 cause of vehicle accidents in America. Inattention can also involve adjusting the radio, eating, smoking, daydreaming, talking to passengers, things outside the vehicle, and other distractions.

### **4) Accidents While on Agency Business**

In the event of an accident:

- Call the police on all accidents and obtain a copy of the police report
- Do not admit negligence or liability.
- Do not attempt settlement, regardless of how minor.
- Get name, address and phone number of injured person and witnesses if possible.

- Exchange vehicle identification, insurance company name and policy numbers with the other driver.
- Take a photograph of the scene of accident if possible.
- Complete the accident report in your vehicle.
- Notify your supervisor immediately.

## 5) **Driver Responsibilities**

Each driver is responsible for the care and use of a vehicle while on Agency business. Therefore, a driver's responsibilities include, but are not limited to, the following:

- Operation of the vehicle in a manner consistent with reasonable practices that avoid abuse, theft, neglect or disrespect of the equipment.
- Obey all traffic laws.
- The use of seat belts and shoulder harness is mandatory for driver and passengers.
- Adhering to manufacturer's recommendations regarding service, maintenance and inspection. Vehicles should not be operated with any defect that would prevent safe operation.
- Attention to and practice of safe driving techniques and adherence to current safety requirements.
- Restricting the use of vehicles to authorized driver.
- Reporting the occurrence of moving violations
- Accurate, comprehensive and timely reporting of all accidents by an authorized driver and thefts of an Agency vehicle to a supervisor.

Failure to comply with any of these responsibilities will result in disciplinary action, up to and including termination of employment.

## 6) **Preventable Accidents**

A preventable accident is defined as any accident involving a vehicle while being used on Agency business that results in property damage and/or personal injury, and in which the driver in question failed to exercise every reasonable precaution to prevent the accident.

### 1. Safety Guidelines to Prevent Accidents

- Do Not Follow too close
- Do Not Drive too fast for conditions
- Do Not Fail to observe clearances
- Do Not Fail to obey signs
- Do Not Make improper turns

- Do Not Fail to observe signals from other drivers
- Do Not Fail to reduce speed
- Do Not Park improperly
- Do Not Pass improperly
- Do Not Fail to yield
- Do Not Back Up improperly
- Do Not Fail to obey traffic signals or directions
- Do Not Exceed the posted speed limit
- Do Not Drive While Intoxicated (DWI) or Drive Under the Influence (DUI), or similar charges

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Employee Acknowledgement

As a driver of my own vehicle on the Agency's behalf, I understand that it is my responsibility to operate the vehicle in a safe manner and to drive defensively to prevent injuries and property damage. Drivers must have a valid driver's license for the type of vehicle to be operated and keep the license(s) with them at all times while driving. All drivers must comply with all applicable regulations.

I also understand that the Agency will periodically review my Motor Vehicle Record to determine continued eligibility to drive my own vehicle on the Agency's behalf. In accordance with the Fair Credit Reporting Act, I have been informed that a Motor Vehicle Record will be periodically obtained on me for continued employment purposes.

I acknowledge the receipt of the above disclosure and authorize the Agency or its designated agent to obtain a Motor Vehicle Record Report. This authorization is valid as long as I am an employee and may only be rescinded in writing.

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Employee Name (Print)

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(Driver's License Number

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Employee Signature Date

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Reviewer's Signature Date  
(Sign and retain the original copy in the employee's file)