

Albany County Vehicle Use Policy

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Section 1 Purpose.

Albany County vehicles support the safe, efficient, and authorized conduct of County business, including operational support, public service delivery, and official representation. This policy applies to all employees, contractors, and authorized personnel who operate or use agency-owned or personal vehicles for official business. The following policy document applies to all Albany County vehicles (those that fall within and outside of the "Vehicle And Light Truck Fleet") as designated by the County Department of General Services, with the exception of the Albany County Sheriff's Office.

Albany County vehicle fleet vehicles are equipped with Samsara Global Positioning System (GPS) and/or vehicle monitoring systems to ensure safety, accountability, and proper use of County resources. Data collected through these systems may include, but is not limited to, vehicle location, speed, idling time, route history, and operator driving behaviors.

Such data may be reviewed by, but not limited to, the Division of Fleet Management, the Department of General Services, and the Department of Human Resources, and may be used for operational oversight, safety reviews, and disciplinary action in cases of policy violation, misuse, or unsafe operation.

This item regulates the management, assignment and use of county vehicles owned by Albany County; it supersedes all previous statements on the subject.

Section 2 Definitions.

- a. **Division of Fleet Management.** The Division of Fleet Management (Division) is a unit of the Department of General Services.
- b. **County Passenger Vehicle and Light Truck Fleet.** The County Passenger Vehicle and Light Truck Fleet (Fleet) is composed of all passenger vehicles, and trucks with a capacity of less than one ton, owned by Albany County; it does not include any vehicle registered to the Sheriff's Department, or the Department of Public Works or the Water Purification District.
- c. **Official County Business.** Matters directly concerned with County activities and for which operating expenses are a proper charge to the County.
- d. **Operator.** County employee or department assigned to authorize use of a Fleet vehicle.
- e. **Countywide Elected Official.** The County Executive, District Attorney, County Clerk and the County Comptroller.
- f. **Short Term Assignment.** The assignment of a Fleet vehicle for individual or departmental use for a period not to exceed five days.
- g. **Long Term Assignment.** The assignment of a Fleet vehicle for individual or departmental use for a period greater than five days.
- h. **Unrestricted Assignment.** Assignment of a fleet vehicle to a Countywide Elected Official upon the official's request.

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- i. **Commissioner.** The Commissioner of the Albany County Department of General Services.
- j. **Commercial Transportation.** A common-carrier or for-hire transportation purchased for official travel where available and appropriate, including air, rail, intercity bus, rideshare/taxi, shuttle, and rental car services.
- k. **Incidental Use.** The limited, minor, and necessary deviation from a business route or schedule that:
(a) is de minimis in distance and duration; (b) occurs in connection with and proximate to official duties; (c) does not materially increase County cost or risk; and (d) is documented in the trip log as required.

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Section 3 Division of Fleet Management Responsibilities.

The Division's mission is to maintain, manage and acquire the Fleet in the most professional and cost-effective manner.

- a. All County fleet vehicles will be under the purview and control of the Division of Fleet Management. For all vehicles that are normally parked at the MVP Arena Parking Garage located at 100 Beaver Street, the keys and vehicle books for these vehicles will be held by each Department's designated fleet/Samsara liaison.
- b. A standardized pre- and post-trip inspection checklist will be provided to operators by the Division of Fleet Management, which must be fully utilized by the operators. The Division of Fleet Management will be required to certify that a post-maintenance review has been done before issuing a vehicle for operation.
- c. Division staff will complete in a timely manner all safety inspections, vehicle recalls, routine maintenance and vehicle repairs they are equipped to offer and will, when available, provide operators with vehicles to replace those being serviced.
- d. Routine maintenance will be carried out as needed and dictated by the Department of General generally based on guidelines specified by each vehicle's manufacturer.
- e. Division staff will maintain mileage, assignment, and repair records for each fleet vehicle.
- f. The Division shall maintain lists of assigned drivers and fleet vehicles, including required identifiers, and updates for transfers, junked vehicles, and acquisitions.
- g. Division staff will retain copies of all forms submitted pursuant to Section 5(a)(v) and Section 5(b)(vii) of this title.
- h. The Division shall provide information to the Department of Law and the Department of Human Resources as necessary and required of the County, by insurance carriers, and/or insurance consultants; such information shall include, but not be limited to:
 - i. a list of employee driver information for each employee to whom a Fleet vehicle has been assigned; including, but not limited to, the following: employee name, driver's license state of issue, motorist identification number, and expiration date, and;
 - ii. a current list of all Fleet vehicles, showing make, model, year, vehicle identification number, plate number, New York State inspection sticker number and date of acquisition, and;
 - iii. an updated list of all transfers, junked vehicles, and new Fleet vehicle acquisitions.
- i. The Division shall, during the Executive Budget and/or Capital Budget process, make all necessary recommendations regarding the acquisition of additional or replacement Fleet vehicles.

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Section 4 Operator Responsibilities.

Operator responsibilities apply to vehicles overseen by both the Department of General Services and the Department of Public Works. Failure to comply with the following requirements may result in revocation of vehicle operating privileges and will be reported to the operator's department head and the Department of Human Resources for appropriate action. Department heads are responsible for ensuring their employees follow the Albany County Vehicle Use Policy; failure to actively ensure compliance will lead to discipline.

When using a county vehicle, operators must complete the designated check-in and check-out process to ensure proper tracking, accountability, and maintenance of the vehicle.

- a. Fleet vehicles under short term assignment may be used only on official County business; examples of prohibited use include:
 - i. Commuting between the employee's home and office, unless such travel is incidental to official County business.
 - ii. Traveling on nights, holidays, and weekends, unless incidental to official County business.
 - iii. Transporting persons or material to eating places, stores, social or sporting events, places of entertainment or recreation, unless incidental to official County business.
 - iv. Transportation of passengers who are not County employees unless incidental to official County business.
- b. The operator of a Fleet vehicle must enroll in the NYS License Event Notification Service (LENS) and possess a valid driver's license.
 - i. Operators of county vehicles must possess and maintain a valid, active driver's license at all times.
 - ii. Only authorized operators are permitted to drive a company fleet vehicle. Unauthorized individuals are strictly prohibited from operating a fleet vehicle at any time or for any reason.
 - iii. The Fleet Management Division (or designated department) may require employees to present both their driver's license and traffic conviction record prior to being assigned a county vehicle.
 - iv. The Fleet Management Division reserves the right to restrict vehicle operation by any employee who has accumulated moving violation points on their license. As a condition of continued vehicle assignment, such employees may be required to successfully complete a defensive driving course or other corrective action as determined appropriate.

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- c. County vehicles must be operated in compliance with all applicable traffic, mobile device, seat belt, and parking laws, while avoiding aggressive driving behaviors. Operators must also follow all Fleet rules and regulations for proper use of vehicles set forth in this item.
- d. All employees who operate a county vehicle are required to have a NYS drivers' license. Additionally, they shall be required to complete a New York State-approved Defensive Driving Course every 36 months. Operators will be required to produce documents demonstrating completion of said course to the Division of Fleet Management and the Department of Human Resources for tracking and record-keeping purposes. This training shall be offered free of charge to all applicable employees.
- e. Employees utilizing County fleet vehicles will ensure that, before being issued or returned from service, each vehicle is clean and fueled.
- f. Vehicle operators will be responsible for the removal of their trash and debris and uphold a high level of cleanliness that will routinely be inspected by the fleet management staff.
- g. Operators will be responsible for the reporting of all uncleanly conditions, dashboard maintenance lights and any visible vehicle defects to the DGS fleet management staff.
- h. Operators must adhere to posted speed limits and adjust their driving for weather, road, and traffic conditions. Excessive speeding or repeated violations may result in revocation of Fleet vehicle privileges and may lead to further disciplinary action.
- i. When utilizing a hybrid (gas and electric) vehicle for job responsibilities, operators should utilize electric vehicle charging stations whenever possible prior to opting for traditional gas fuel to the extent that is practicable.
- j. Deficiencies in vehicle maintenance or condition which prevent the vehicle from being operated in a safe manner shall be reported to the Division immediately.
- k. Vehicle operators and department heads must cooperate fully with the Department of Law regarding matters of vehicle security, risk management, insurance, accident investigation, and the defense of claims made against the County by reason of an occurrence or accident involving any Fleet vehicle.
- l. Operators must utilize the standardized pre- and post-trip inspection checklist provided by the Division of Fleet Management.
- m. Operators must record in the trip log: (a) date/time and location of travel; (b) business purpose; (c) incidental deviation description, miles, and duration; and (d) supervisor pre-approval where required. The Division shall provide uniform fields in the trip log to capture this information.
- n. The operator of a fleet vehicle shall be solely responsible for the prompt payment of any fine, costs or penalties incurred while operating a county vehicle, including those of legal defense, resulting

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from violations of traffic law, or parking regulations during the operation or assignment of that vehicle.

- i. Jurisdictions assessing fines, charges, or costs will present notice to the Division.
 - ii. If the operator of the vehicle is identifiable, the Division will immediately transmit the notice to the Commissioner of General Services and Commissioner of Human Resources, who shall immediately refer it to the operator and his or her supervisor for payment by the operator; if, within ten [10] days of receiving the notice, the operator fails either to demonstrate that the notice is erroneous or to make full payment as set forth in the notice, the County reserves the right to seek payment from the driver through all available legal means.
 - iii. If the operator is not identifiable, the charge is made to the County department which requisitioned the vehicle.
 - iv. Operators receiving a fine or penalty may contest liability with the issuing jurisdiction and shall promptly provide the Division and Human Resources copies of filings and outcomes. Where County assistance is necessary to identify the driver or provide records, the Division will supply the available documentation. ~~consistent with Section 16.~~
 - v. Appeal of the internal allocation of any fine, cost or penalty to an operator must be made to Human Resources within ten [10] business days.
 - vi. It is the responsibility of department heads to ensure their employees are promptly paying fines, penalties and charges or promptly contest liability with the issuing jurisdiction. Failure to make prompt payment or promptly contest liability will lead to disciplinary actions to be taken against the employee and, when appropriate, their respective department head.
 - vii. Any payroll deduction to satisfy unpaid fines will comply with applicable wage deduction laws and require written authorization or other legally sufficient basis.
- i. **Tax Reporting and Tax Liability**
- i. Any personal use of County fleet vehicles, regardless of assignment type, constitutes a taxable fringe benefit to the operator. This does not apply to the Albany County District Attorney's Office or the Albany County Sheriff's Office.
 - ii. Such use must be reported in accordance with Payroll Bulletins and regulations issued by the State of New York.
 - iii. Any resulting tax liabilities are the sole responsibility of the individual vehicle operator.

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- iv. Albany County provides and assigns fleet vehicles exclusively to support the conduct of official County business.
 - v. Operators who use their personal vehicles for official County business must comply with all applicable County policies, including maintaining a valid driver's license, appropriate insurance coverage, and timely submission of mileage reimbursement claims.
- j. **Vehicle Monitoring Systems.**
- i. All operators of County Fleet vehicles are subject to monitoring through Samsara GPS or Vehicle Monitoring Software.
 - ii. Operators have no expectation of privacy regarding vehicle location, movement, or use while operating a Fleet vehicle.
 - iii. This data may be reviewed to confirm compliance with this policy, traffic laws, and safety standards.
 - iv. Information obtained through vehicle monitoring systems may be used in investigations of accidents, complaints, or suspected misuse, and may result in corrective or disciplinary action, up to and including revocation of vehicle privileges.
 - v. Tampering with, disabling, or attempting to interfere with any monitoring equipment is strictly prohibited and will result in immediate referral to the Department of Human Resources for disciplinary review.

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Section 5 Assignment of Vehicles.

All Fleet vehicles are assigned pursuant to the guidelines below.

a. Short Term Assignment.

- i. Fleet vehicles are encouraged to be utilized for hourly or daily assignment to an individual operator upon approval by Division of Fleet Management staff of a vehicle use requisition signed by the proposed operator's department head or the department head's designee; such requisition must also specify any anticipated vehicle use incidental to official County business as set forth in Section 4(a).
- ii. The Division will review requisitions in the order they are received; requisitions may be submitted in advance of the date(s) for which the vehicle is requested.
- iii. Short term assignment vehicles must be returned to the specified County lot or garage by the date and time stated on the approved requisition.
- iv. Fleet vehicles under short term assignment may be operated only by the County employee or employees specified on the approved vehicle use requisition.
- v. Employees using County fleet vehicles will be required to use their individual Samsara ID card by swiping it on the vehicle's ID card reader at the beginning of their vehicle usage. When the employee is finished using the vehicle and returns it to its designated parking lot, the employee should mark their completion by swiping their individual Samsara ID card again which will note the end of their trip/vehicle usage.

b. Long Term Assignment.

- i. Fleet vehicles are available to any County department or employee for long term assignment upon approval by Division staff of a vehicle use requisition signed by a County department head; such requisition must explain why employee mileage reimbursement or other means would be neither feasible nor cost-effective; such requisition must also specify any anticipated vehicle use incidental to official County business as defined in Section 2.
- ii. The Division will review requisitions in the order they are received; requisitions may be submitted in advance of the date(s) for which the vehicle is requested.

c. **Unrestricted Assignment.** Fleet vehicles will be assigned to countywide elected officials for unrestricted use upon request.

d. Approval, Revocation, Reassignment.

- i. The Division will not authorize assignments when the use of available commercial transportation, public transportation or other means would be both feasible and more

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economical; such requests may be denied at the discretion of the Commissioner of General Services. Cost comparison shall consider: (a) aggregate trip cost (fuel, tolls, parking, per-mile cost, rental if applicable); (b) travel time and productivity; (c) mission needs (equipment transport, multi-stop routes); (d) accessibility and reasonable accommodations. Disability accommodations shall be recognized and may justify County vehicle use even if nominal cost is higher.

- ii. Notwithstanding any other provision of this item, the Division reserves the right to:
 - a. revoke a short- or long-term assignment pending review of the matter by the Commissioner of General Services, or
 - b. substitute or exchange any assigned vehicle with any other Fleet vehicle as necessary to assure cost-effective management of the Fleet.
- e. **County Seal.** The seal of the County of Albany and the legend "Official Use Only" shall be affixed to the front doors of each Fleet vehicle with the following exceptions: vehicles on unrestricted assignment, vehicles assigned to investigators of the District Attorney's office and for other investigatory purposes, and vehicles exempted by the Commissioner of General Services as warranted by considerations for safety and confidentiality and pursuant to a department head's written request explaining why such conditions apply.

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Section 6 Insurance, Accident Investigation and Claims Defense.

- a. The following guidelines apply to liability for incidents which occur while a personal vehicle is used on official County business with the authorization of the operator's department head.
 - i. The employee's personal automobile liability insurance applies first.
 - ii. The County's liability coverage will only apply as excess coverage over the employee's insurance.
 - iii. Damage to the employee's vehicle is the employee's responsibility.
 - iv. In the event of an accident, the employee should contact his or her personal insurance representative and should also report the accident to the Division, Department of Human Resources, and Department of Law, as set forth in paragraph (b) of this section.
- b. The following guidelines, copies of which are to be kept in each Fleet vehicle, must be followed by each vehicle operator with respect to reporting motor vehicle accidents or incidents involving Fleet vehicles:
 - i. The local police agency must always be contacted when an incident results in bodily injury or property damage, whether or not the involved Fleet vehicle appears to be damaged.
 - ii. The vehicles must not be moved or towed until the responding police agency has directed that the vehicles be moved, unless the Fleet vehicle's location poses an immediate and life-threatening hazard.
 - iii. The Department of Law must be notified in writing within 24 hours of any incident, whether or not the involved fleet vehicle appears to be damaged; the information contained in the written notice shall include, but not be limited to, the following:
 - a. the name of the vehicle's operator at the time of the incident, and;
 - b. the name of the responding police department, and;
 - c. a complete description of the circumstances of the incident, and;
 - d. the apparent damage, if any, to the County vehicle, and;
 - e. any photographs taken of the accident scene.
 - iv. The operator's department must obtain a copy of the Police Accident Report from the responding police agency and forward same to the Department of Law upon receipt.

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Section 7 Suspension.

- a. In the event of reported violations of law, regulation, or the provisions of this policy by an individual operator, the County department, the Commissioner of General Services, or the Department of Human Resources shall determine whether to suspend the violator's fleet vehicle assignment privileges permanently or for a specified period.
- b. Before a suspension is imposed, the Commissioner of the employee's department shall consult with Human Resources and the operator's supervisor. The operator shall receive written notice stating the basis, evidence, proposed duration, and rights to a hearing.

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