



# Board of Commissioners of Cook County

118 North Clark Street  
Chicago, IL

## Legislation Details (With Text)

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<b>File #:</b>	17-1607	<b>Version:</b>	1	<b>Name:</b>	County Vehicle Policy Ordinance Amendment
<b>Type:</b>	Ordinance Amendment	<b>Status:</b>		<b>Status:</b>	Approved
<b>File created:</b>	2/1/2017	<b>In control:</b>		<b>In control:</b>	Finance Committee
<b>On agenda:</b>	2/8/2017	<b>Final action:</b>		<b>Final action:</b>	3/22/2017
<b>Title:</b>	PROPOSED ORDINANCE AMENDMENT				

### COUNTY VEHICLE POLICY

BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 2, Article VIII, County Vehicle Policy, Section 2-672. - Responsibilities of elected officials, departments, and employees and assignment of Vehicle Coordinator, Section 2-673. - Authorized use of County vehicles, and Sec. 2-673. - Authorized use of County vehicles are hereby amended as follows:

Sec. 2-672. - Responsibilities of elected officials, departments, and employees and assignment of Vehicle Coordinator.

(a) Bureau chiefs, department heads, and elected officials are responsible for ensuring shall ensure that Vehicle Steering Committee policies and procedures are administered and adhered to by employees within their offices. Failure of Bureau Chiefs, Department Heads, and Elected Officials to provide information in accordance with this article shall result in the Department's inability to acquire County vehicles, and other actions deemed necessary by the Vehicle Steering Committee, until this information is received.

(b) Vehicle Coordinator.

(1) Each Elected Official or Department Head will designate one employee to be the Vehicle Coordinator for the office. On January 1 of each year, the name, title, email address, and telephone number of the Vehicle Coordinator shall be filed with the Chairman of the Vehicle Steering Committee. The Coordinator may be asked to attend meetings of the Vehicle Steering Committee as required to review purchase requests, department inventories, review vehicle use issues, maintenance records and other matters pertaining to this article.

(2) Department Vehicle Coordinators are to ensure the following procedures are in place within the Department and shall be responsible for keeping all records and preparing all reports required under this article. All forms and database formats required under these guidelines will be provided by the Vehicle Steering Committee. Vehicle Coordinators shall:

a. Retain on file a copy of the valid license of each employee authorized to drive a County vehicle or a personal vehicle for which the employee receives mileage reimbursement. The employee must at all times hold a valid proper class license for the vehicle operated that is not revoked or under suspension.

b. Ensure all employees authorized take home vehicle privileges comply with IRS Rules on tax treatment of employee vehicle fringe benefits associated with take-home privileges.

c. Maintain an updated vehicle inventory, accident logs, vehicle use logs and insurance cards in the form and format established by the Vehicle Steering Committee.

d. Follow procedures established by the Sheriff's Vehicle Services Division and approved by the Vehicle Steering Committee to ensure vehicles follow proper preventative and other maintenance schedules. Failure to follow established procedures may result in suspension or

elimination of vehicle privileges.

e. Coordinate with internal agency/department staff and track resolution of emission testing notifications, vehicle registrations, vehicle recalls, moving violations, administrative violations, driver complaints, maintenance complaints and other critical safety issues.

(c) The Bureau of Human Resources shall consult correspond on a monthly basis with the Illinois Secretary of State to check the license status of all employees required to operate vehicles as part of their job duties except for employees of the Sheriff's Office and State's Attorney. The Sheriff's Office and State's Attorney shall consult on a monthly basis with the Illinois Secretary of State to check on the license status of its employees, including undercover officers, and shall maintain such files internally. The Bureau of Human Resources file is to be reviewed and updated on no less than a monthly basis and forwarded to the respective agencies for review and any subsequent action.

All prospective employees who are professional drivers or whose primary duty is the operation of a vehicle shall be required to submit a valid driver's license prior to the time of hire. Each agency's Human Resources, as part of a pre-employment background investigation, shall coordinate driver checks. Failure to have a valid driver's license of the proper type, or the existence of a disqualifying driver's record will be grounds to withdraw the conditional offer of employment.

(d) The Sheriff's Vehicle Services Division shall:

(1) Establish and communicate vehicle maintenance procedures and routine maintenance schedules.

(2) Record and track all vehicle related data including odometer reading, dates and costs of all maintenance services, vehicle utilization data, fuel management, accident history as reported by the using agency/investigating agency, etc.

(3) Salvage vehicles as needed.

(e) The Office of the Chief Procurement Officer shall:

(1) Obtain and maintain all vehicle titles for all County owned vehicles; and

(2) Maintain a copy of all vehicle leasing agreements.

(3) Promulgate and distribute procedures regarding (a) obtaining and verifying receipt of vehicle titles; and (b) providing copies of vehicle titles to third parties for vehicles which have been declared surplus.

Sec. 2-673. - Authorized use of County vehicles.

(a) County owned or leased vehicles shall be used only for conducting official County business.

(b) County owned vehicles shall not be authorized for use until they are in compliance with all onboarding requirements including proper licensing, municipal sticker, valid insurance card, proper decals and markings as established by the Sheriff's Vehicle Services Division and approved by the Vehicle Steering Committee. Only vehicles that have been authorized by an elected official or department head, have VIN numbers registered in the County Office of the Chief Procurement Officer, carry a valid insurance card issued to the Department by the Department of Risk Management, and meet all other requirements of this section shall be considered County vehicles for use in the course of conducting official County business.

(c) Unless expressly exempted by the Department Head, and approved by the Vehicle Steering Committee, all County vehicles must carry a municipal license plate.

(d) All County owned vehicles shall be equipped with Global Positioning System (GPS)

technology. The Vehicle Steering Committee shall develop policy related to vehicle GPS.

(e) There shall be a telephone hotline which members of the public may call to report incidents involving County vehicles.

(f) The Inspector General shall have the responsibility of investigating any reports of misuse of County vehicles and shall submit an annual report to the Vehicle Steering Committee and County Board.

(g) With the exception of law enforcement vehicles equipped for undercover, special crimes units and surveillance purposes, all County vehicles shall be emblazoned on both sides with the County name, corporate seal, name of the Department to which the vehicle is assigned, vehicle hotline telephone number, and a short statement identifying the hotline to the general public (e.g., "To report incidents involving this vehicle, call (telephone number)"). Except as otherwise provided, exemptions must be requested by the Department Head and approved by the Vehicle Steering Committee and may only be granted where the anonymity of the vehicle is required.

(h) Vehicle usage logs must be maintained for each pooled County vehicle and include the following information: name of driver; date used; beginning and ending odometer reading; destination; purpose of use. Where the anonymity of the vehicle and the driver is required, law enforcement vehicles shall be exempt from disclosure of destination information.

(i) Only authorized passengers are permitted to ride in County vehicles. Non-County individuals such as volunteers, spouses, and children should not be passengers in a County vehicle unless they are involved in the conduct of business.

(j) County vehicles are to be assigned to individuals who, in the required course of their employment, need vehicles to complete their required duties on behalf of the County government.

(k) Eligibility for County vehicle assignment.

(1) Take-home assignment. A County vehicle other than a passenger vehicle may be assigned to employees in a service, management or supervisory position on call 24 hours a day, responsible for providing or supporting emergency services. A county passenger vehicle may be assigned to an employee as a take-home vehicle only where the employee travels frequently after-hours on behalf of the County, and it is less expensive to assign a take-home vehicle rather than reimburse the employee for use of a personal vehicle. There is a strong presumption against any take-home passenger vehicle assignments. A vehicle disclosure form shall be used and remain on file in the Department for all "take-home" vehicles.

(2) Approval of take-home passenger vehicle assignments. All current passenger vehicle assignments are subject to the review and approval of the Vehicle Steering Committee. All future take home vehicle assignments require the prior approval of the Vehicle Steering Committee.

(23) Pool assignment. Pool vehicles are to be assigned on a periodic basis to individuals when the County work assignment requires a vehicle in order to properly conduct County business. A vehicle disclosure form and daily log shall be used and remain on file in the Department for all pool vehicles which are taken home overnight. Those employees authorized for overnight use of County vehicles shall, when away from work for an extended period of time, for vacation, sick leave, compensatory time off, travel, etc., return the assigned County vehicle to the custody of his/her department head during the period of absence.

- a. No person shall be authorized to drive a County vehicle unless he/she:
  1. Possesses a current, valid driver's license with the correct class for the vehicle driven.
  2. Is the age of 18 or older.
  3. Meets rental requirements as specified by rental/leasing agencies.

4. Is free of any prior convictions for driving while under the influence of alcohol or drugs, or of reckless driving within the previous year. Employees operating a commercial vehicle must comply with all of the requirements of the Commercial Motor Vehicle Safety Act of 1986.

5. Any employee performing work which requires the operation of a County-owned vehicle or a private vehicle at County expense shall notify his/her immediate supervisor immediately of any current restrictions or changes in driving privileges, including, but not limited to, revocation, suspension, cancellation, denial, Restricted Driving Permit, Judicial Driving Permit, Probationary License, Family Financial Responsibility Driving Permit, leaving the scene of an accident, refusal or neglect to report a traffic accident, traffic violations, unpaid traffic citations, failure of vehicle titled in the employee's name to pass the vehicle emissions testing, or unpaid parking citations for a vehicle titled in the employee's name. Any restrictions or changes to driving privileges shall be reported by the employee to the employee's Bureau Chief or Elected Official immediately and a record maintained in the department. Any employee who fails to report, and/or continues to operate a vehicle in the performance of County duties, is subject to disciplinary action up to and including termination from County employment.

b. Use of private vehicles for County business:

1. County employees, with the prior permission of their Department Head, may use their private vehicle to conduct official County business. Department Heads shall only approve the use of private vehicles for County business when it is in the best interest of the County to do so.

2. A valid proof of insurance is required to operate a private vehicle, which includes coverage of passengers and a copy must be kept in the vehicle and must be filed with the Department's Vehicle Coordinator.

3. Employees authorized to use their personal vehicles for County business shall comply with the following insurance requirements:

(i) County employees who drive a private vehicle for official County business shall have at least the minimum auto insurance for private vehicles as required by the State of Illinois.

(ii) The employee's vehicle insurance policy must be issued by a company that is licensed by the department of insurance for the issuing state.

(iii) In the event a County employee is involved in an accident while driving his/her own vehicle, the employee's personal insurance provides the primary coverage.

(iv) Mileage reimbursement rates will be based on the Cook County Travel and Expense Reimbursement Policy.

Sec. 2-674. - Miscellaneous rules.

(a) Traffic laws and regulations. Drivers of County vehicles shall observe all traffic laws and regulations. Drivers and passengers in County vehicles shall wear seat belts at all times and shall observe safe driving practices. All drivers of a County vehicle involved in accidents and those who have been fined for or charged with a traffic violation may be required to attend a driving safety training class.

(b) Use of tobacco products. Use of tobacco products and electronic vapor cigarettes is prohibited in County vehicles.

(c) Engine idling. Except for purposes of law enforcement including, but not limited to, surveillance and radar gun use activities, the driver of a County vehicle must turn off the engine upon stopping at a destination and must not cause or allow an engine to idle at any location for more than five consecutive minutes or a period or periods aggregating more than five minutes in any one-hour period, except when idling is absolutely necessary for the conduct of County business, for personal

safety, or to comply with traffic laws and law enforcement personnel.

(d) Liability for damages. The County shall not be liable for injuries or damages arising from activities outside the scope of employment including, but not limited to, personal use of rented vehicles by employees during a County-authorized business trip. Any damages arising from these circumstances are the responsibility of the employee. To the extent that the County incurs financial liability for the acts of employees which occur outside the scope of employment, Cook County reserves the right to seek reimbursement from the responsible person.

(e) Insurance. The State of Illinois requires that all vehicles have an Illinois Insurance Card at all times. The County Self-Insurance Program is administered by the Department of Risk Management General Liability Division, which will issue a proof of insurance card for each County-owned vehicle. Only vehicles which are included in the County (owned) vehicle inventory shall be registered with the Department of Risk Management for insurance purposes.

(f) Traffic violations. Employees shall be held personally responsible for all parking and/or traffic violations incurred while operating a county owned or leased vehicle. The applicable employing Department shall seek reimbursement on behalf of Cook County for County paid parking or traffic violations from the employee responsible for the County paid parking or traffic violation. Failure of an employee to reimburse the County for such offense shall be deemed a major cause infraction and result in discipline up to and including termination. At no time will County funds be used directly or indirectly to pay or reimburse an employee for parking or traffic violations.

(g) Article not intended to enlarge current County liability, etc., to employees. Nothing in this article is intended or shall be construed to extend or enlarge the obligations, liability, or responsibilities that the County currently has to employees, or third parties, by law or contract, if any, in regard to the operation of motor vehicles.

Effective date: This ordinance shall be in effect immediately upon adoption

**Sponsors:** LUIS ARROYO JR, RICHARD R. BOYKIN, JOHN A. FRITCHEY, EDWARD M. MOODY, STANLEY MOORE, SEAN M. MORRISON, PETER N. SILVESTRI, DEBORAH SIMS, ROBERT STEELE, LARRY SUFFREDIN, JEFFREY R. TOBOLSKI

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
3/22/2017	1	Board of Commissioners	approve	Pass
3/22/2017	1	Finance Committee	recommend for approval	Pass
2/8/2017	1	Board of Commissioners	refer	Pass

**PROPOSED ORDINANCE AMENDMENT**

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Bureau Chiefs, Department Heads, and Elected Officials to provide information in accordance with this article shall result in the Department's inability to acquire County vehicles, and other actions deemed necessary by the Vehicle Steering Committee, until this information is received.

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- (2) Department Vehicle Coordinators are to ensure the following procedures are in place within the Department and shall be responsible for keeping all records and preparing all reports required under this article. All forms and database formats required under these guidelines will be provided by the Vehicle Steering Committee. Vehicle Coordinators shall:
  - a. Retain on file a copy of the valid license of each employee authorized to drive a County vehicle or a personal vehicle for which the employee receives mileage reimbursement. The employee must at all times hold a valid proper class license for the vehicle operated that is not revoked or under suspension.
  - b. Ensure all employees authorized take home vehicle privileges comply with IRS Rules on tax treatment of employee vehicle fringe benefits associated with take-home privileges.
  - c. Maintain an updated vehicle inventory, accident logs, vehicle use logs and insurance cards in the form and format established by the Vehicle Steering Committee.
  - d. Follow procedures established by the Sheriff's Vehicle Services Division and approved by the Vehicle Steering Committee to ensure vehicles follow proper preventative and other maintenance schedules. Failure to follow established procedures may result in suspension or elimination of vehicle privileges.
  - e. Coordinate with internal agency/department staff and track resolution of emission testing notifications, vehicle registrations, vehicle recalls, moving violations, administrative violations, driver complaints, maintenance complaints and other critical safety issues.
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(f) The Inspector General shall have the responsibility of investigating any reports of misuse of County vehicles and shall submit an annual report to the Vehicle Steering Committee and County Board.

(g) With the exception of law enforcement vehicles equipped for undercover, special crimes units and surveillance purposes, all County vehicles shall be emblazoned on both sides with the County name, corporate seal, name of the Department to which the vehicle is assigned, vehicle hotline telephone number, and a short statement identifying the hotline to the general public (e.g., "To report incidents involving this vehicle, call (telephone number)"). Except as otherwise provided, exemptions must be requested by the Department Head and approved by the Vehicle Steering Committee and may only be granted where the anonymity of the vehicle is required.

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a. No person shall be authorized to drive a County vehicle unless he/she:

1. Possesses a current, valid driver's license with the correct class for the vehicle driven.
  2. Is the age of 18 or older.
  3. Meets rental requirements as specified by rental/leasing agencies.
4. Is free of any prior convictions for driving while under the influence of alcohol or drugs, or of reckless driving within the previous year. Employees operating a commercial vehicle must comply with all of the requirements of the Commercial Motor Vehicle Safety Act of 1986.
5. Any employee performing work which requires the operation of a County-owned vehicle or a private vehicle at County expense shall notify his/her immediate supervisor immediately of any current restrictions or changes in driving privileges, including, but not limited to, revocation, suspension, cancellation, denial, Restricted Driving Permit, Judicial Driving Permit, Probationary License, Family Financial Responsibility Driving Permit, leaving the scene of an accident, refusal or neglect to report a traffic accident, traffic violations, unpaid traffic citations, failure of vehicle titled in the employee's name to pass the vehicle emissions testing, or unpaid parking citations for a vehicle titled in the employee's name. Any restrictions or changes to driving privileges shall be reported by the employee to the employee's Bureau Chief or Elected Official immediately and a record maintained in the department. Any employee who fails to report, and/or continues to operate a vehicle in the performance of County duties, is subject to disciplinary action up to and including termination from County employment.

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vehicles for County business when it is in the best interest of the County to do so.

2. A valid proof of insurance is required to operate a private vehicle, which includes coverage of passengers and a copy must be kept in the vehicle and must be filed with the Department's Vehicle Coordinator.
3. Employees authorized to use their personal vehicles for County business shall comply with the following insurance requirements:
  - (i) County employees who drive a private vehicle for official County business shall have at least the minimum auto insurance for private vehicles as required by the State of Illinois.
  - (ii) The employee's vehicle insurance policy must be issued by a company that is licensed by the department of insurance for the issuing state.
  - (iii) In the event a County employee is involved in an accident while driving his/her own vehicle, the employee's personal insurance provides the primary coverage.
  - (iv) Mileage reimbursement rates will be based on the Cook County Travel and Expense Reimbursement Policy.

**Sec. 2-674. - Miscellaneous rules.**

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(b) *Use of tobacco products.* Use of tobacco products and electronic vapor cigarettes is prohibited in County vehicles.

(c) *Engine idling.* Except for purposes of law enforcement including, but not limited to, surveillance and radar gun use activities, the driver of a County vehicle must turn off the engine upon stopping at a destination and must not cause or allow an engine to idle at any location for more than five consecutive minutes or a period or periods aggregating more than five minutes in any one-hour period, except when idling is absolutely necessary for the conduct of County business, for personal safety, or to comply with traffic laws and law enforcement personnel.

(d) *Liability for damages.* The County shall not be liable for injuries or damages arising from activities outside the scope of employment including, but not limited to, personal use of rented vehicles by employees during a County-authorized business trip. Any damages arising from these circumstances are the responsibility of the employee. To the extent that the County incurs financial liability for the acts of employees which occur outside the scope of employment, Cook County reserves the right to seek reimbursement from the responsible person.

(e) *Insurance.* The State of Illinois requires that all vehicles have an Illinois Insurance Card at all times. The County Self-Insurance Program is administered by the Department of Risk Management General Liability Division, which will issue a proof of insurance card for each County-owned vehicle. Only vehicles which are included in the County (owned) vehicle inventory shall be registered with the Department of Risk Management for insurance purposes.

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~~indirectly to pay or reimburse an employee for parking or traffic violations.~~

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**Effective date:** This ordinance shall be in effect immediately upon adoption