

COUNTY OF LOS ANGELES
PROBATION DEPARTMENT
DIRECTIVE

No.: 1337
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SUBJECT: MILEAGE REIMBURSEMENT/SELF-INSURANCE PROGRAM

This Directive establishes the Probation Department mileage permittee policy associated with the County providing vehicle damage reimbursement and third-party auto liability protection for authorized (certified) mileage permittees operating his/her own private vehicle while driving on County business. This Directive supersedes and replaces Directive #1601.

MILEAGE RATE

Effective January 1, 2013, the County's Mileage Permittee rate increased from 52.0 cents per mile to **53.0 cents per mile for all miles driven**. Further details related to the current mileage rate and travel expense reimbursement are available via Probation Department Notice #1653.

This Directive is separated into major sections and includes attachments as outlined below:

- Section A - Definitions and Explanation of Terms
- Section B – Mileage Permittee Certification Process
- Section C - Permittee's Private Auto Liability Insurance
- Section D - Damage Reimbursement for Permittee Vehicle
- Section E - Third Party Liability Costs

SECTION – A: DEFINITIONS AND EXPLANATION OF TERMS

This section has been included to assist employees in their understanding and application of important terms used in this Directive. Key terms used in this Directive are defined as follows:

Accident/Collision – The striking or contact of any other object, another vehicle, stationary object, roadway dip, etc., with a Department vehicle or authorized mileage permittee vehicle during course and scope of employment that results in damage, injury or death.

Civic Center – Means the area bounded by Fremont Avenue, 1st Street, Spring Street, and the 101 Freeway.

Eligible Employee (as per Chapter 5.85-Damage to Personal Vehicles) – Means any employee approved by the board of supervisors for liability coverage under Los Angeles County Code Section 5.85.

Eligible Employee (as per Chapter 5.42-Civic Center)– Means any full-time permanent employee in active service (1) who is assigned to a headquarters work location in the Civic Center, (2) who is appointed to an "A", "L", or "N" item, and (3) who, if a telecommuter, works in the Civic Center at least three days per week.

Incident – An occurrence which involves property damage and/or personal injuries to other persons, but causes no damage to a Department or authorized mileage permittee vehicle.

Mileage Permittee – An employee that has been certified by the Department Head or designee as being required to drive a privately owned vehicle on public business on an ongoing basis associated with their duties.

Occasional Driver – An employee who is headquartered in the Civic Center area that is ordered by management to use his/her automobile occasionally in the County service shall be considered an occasional driver and not a mileage permittee.

Vehicle – Means automobile, pickup truck, or van, personally owned or leased by an Eligible Employee (motorcycles and off-road vehicles, and similar sports vehicles are excluded).

SECTION – B: MILEAGE PERMITTEE CERTIFICATION PROCESS

The Chief Probation Officer, his chief deputy, or the Department Risk Manager (designated by the Department Head) may certify an employee as a “Mileage Permittee” if in the opinion of the Chief Probation Officer their duties are such that he/she will drive a privately owned vehicle on County business (County Code Section 5.40.240). A job classification which requires a “Class C” driver’s license as a condition of employment is not, in itself, justification for authorizing mileage permittee status (County Fiscal Manual Chapter 13.12.2). The mileage permittee certification process includes the following components:

Director/Office Head or Designee Duties:

- Make an initial determination that there is a valid justification for authorizing an employee in his or her operation for mileage permittee status. Things that should be taken into consideration for determination purposes include, but are not limited to:
 - Item held by the employee.
 - Essential job functions.
 - Routine driving on County business versus Occasional driving.
 - If other certified staff can handle the driving.
- Complete the Mileage Permittee Certification Packet by doing the following:
 - Fill-out the Los Angeles County Probation Department Mileage Permittee Certification Form (Attachment-F).
 - Make sure to include a Mileage Permittee Start Effective Date, which cannot be more than 60 days prior to the approval signature date signed by the Director/Office Head or Designee.
 - Have the employee Fill-out the top half of the Department of Motor Vehicle (DMV) Authorization for Release of Driver Record Information INF-1101 Form (Attachment-G).
 - Attach a copy of the employee’s Valid Drivers License.
 - Attach a copy of the employee’s Proof of Insurance.

- Attach a copy of the employee's Vehicle Registration.
- Submit the Mileage Permittee Certification Packet to the Probation Department Risk Management Office at 9150 E. Imperial Hwy., Downey, CA.

Drivers License Status Change and Permittee Re-Certification:

- Employees that drive during the course of their employment (COLA Vehicle or Private Vehicle) must comply with Probation Department Policy Manual Section 1100 (see specifically section 1109 and 1113).
 - Employees must immediately report any restriction, suspension, revocation or expiration of their driver's license to their office/facility head.
- Permittee Certification stops when any of the following driver's license status changes occur (can submit for Re-Certification via the above process):
 - Expiration of Driver's License
 - Cancellation and/or Revocation of Driver's License
 - Suspension of Driver's License
 - Unacceptable driver history (see below)
 - Similar driver's license status changes

Probation Risk Manager Duties:

- Review the submitted Mileage Permittee Certification Packet
- Check driver safety behavior by reviewing the employee's driver history report. Unacceptable driver history within the past 36 months will result in a denial of certification. Unacceptable driver history includes, but is not limited to:
 - More than two (2) moving violations within 36 months.
 - More than two (2) at-fault vehicle accidents within 36 months.
 - Driving a motor vehicle while under the influence of alcohol or a controlled substance.
 - Operating a vehicle during a period of suspension or revocation.
 - Leaving the scene of an accident.
 - Using a motor vehicle for commission of a felony.
 - Negligent homicide arising out of the use of a motor vehicle.
- Make the final departmental decision to approve or deny the request for certification.
 - **If approved**, Risk Management will:
 - Submit the original signed Approved-Mileage Permittee Certification Form to the Departmental Mileage Clerk in the Human Resources Division.
 - Submit the original signed Department of Motor Vehicle (DMV) Authorization for Release of Driver Record Information Form to the Department Background Unit.
 - **If denied**, submit a copy of the signed Denied-Mileage Permittee Certification Form to the originating Director/Office Head or Designee.

SECTION – C: PERMITTEE’S PRIVATE AUTO LIABILITY INSURANCE

A permittee who is involved in an auto accident/collision while driving on County business does not have to submit a claim to his or her private insurance company in order to receive the County benefits. However, the employee is responsible for complying with any and all duties, including accident reporting requirements, which are required under his or her private auto insurance policy.

SECTION – D: DAMAGE REIMBURSEMENT FOR PERMITTEE VEHICLE

The County will reimburse mileage permittees for the costs to repair their vehicle and for other incidental expenses when their vehicle is damaged while driving on County business (County Code Section 5.85). The vehicle must be owned or leased by the mileage permittee. The Damage Reimbursement process includes, but is not limited to the following components:

Types of Damages Covered:

- Cost to repair the vehicle.
- Broken window.
- Slashed tires.
- Expenses needed to clean or repair a vehicle resulting from a required transportation of other persons in the vehicle (such as when a Probation Officer must transport a child in his or her vehicle, and the child causes damage to the vehicle).
- Fair market value of a permittee’s vehicle stolen while on County business.
- Actual cost of a rental car, not to exceed \$40.00 per day for each day the employee is without his/her vehicle, but not to exceed 30 consecutive days.
- Actual towing charges to move an inoperable vehicle, limited to a maximum of 50 miles in towing.
- The actual costs to store the vehicle, not to exceed \$10.00 per day.

Reimbursement Exclusions (Denial of Claim):

- Not an Eligible Employee/Mileage Permittee.
- Eligible Employee/Mileage Permittee does not personally own or lease the vehicle.
- Claim not filed within the proper time and in compliance with all applicable conditions of the Los Angeles County Code.
- The cost of repair to the vehicle is less than \$5.00.
- Eligible Employee/Mileage Permittee actually has received reimbursement from another source including insurance.
 - This means the employees must choose whether to claim reimbursement from the County, or from another source. However, they may not file claims with both.
- Damage or destruction of the vehicle is prior to the effective date of the county ordinance codified in the Los Angeles County Code.

- Damage to the vehicle occurred while it was being driven for commuting purposes to or from work location, or while he/she is off duty.
- Purpose of the trip was to undergo medical examination or treatment, to participate in a civil service examination, or to pursue employee relations matters on the employee's own behalf.
- Use of the vehicle was for law enforcement purposes, but did not receive prior written approval by his/her supervisor at a rank not less than Supervising Detention Services Officer or Supervising Deputy Probation Officer.
- Damage occurring at a headquarters location established under Section 5.40.200 (employees with home as headquarters) will specifically be excluded under Section 5.85.45.
- Occasional Drivers are not covered while parked in their headquarters parking lot pursuant to County Code Section 5.42.050.

To Obtain Reimbursement for Damage a Mileage Permittee must:

The mileage permittee must submit the below material to the Probation Headquarters (9150 E. Imperial Hwy., Downey, CA), Risk Management Office for processing within ten (10) business days from the date of damage to vehicle. Failure to submit the below material within the specified time will result in the rejection/denial of the claim and reimbursement of damages:

- Complete the Claim for Damage to Personal Vehicle (Attachment-A)
- Complete copy of the Report of Vehicle Collision or Incident with required signatures (Attachment-E). This form must be completed within 3 business days after the accident and submitted to the permittee's supervisor.
- Complete copy of the Certification of Receipt (Attachment-D)
- Two (2) estimates of repair costs from licensed auto repair businesses
- Receipts for the following if applicable:
 - Storage receipts
 - Towing receipts
 - Car Rental receipts
- Photographs of Damage
- Proof of Insurance
- Copy of vehicle registration

Risk Management will notify the employee of the approval or denial of their claim within 2-4 weeks.

- **If approved**, payment issuance may take up to 8-12 weeks from receipt of written notice of approval.
- **If denied**, the basis for the denial will be provided in writing. The denial of a reimbursement claim for damages by the department head or his/her designee is considered final and not subject to review.

SECTION – E: THIRD PARTY LIABILITY COSTS

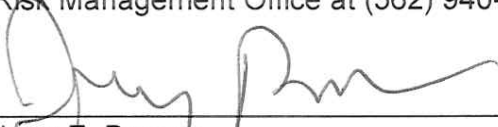
The County will pay damages for personal injury or property loss incurred by a third party which arise from an accident caused by a mileage permittee driving on County business, providing that such liability does not result from fraud, corruption, actual malice on the part of the permittee or certain other exceptions required by County Code Section 5.32.

The County contracts with a private firm, Carl Warren and Company (Carl Warren), to handle auto and other liability claims filed against the County. To ensure that Carl Warren has the necessary information, all persons who drive on County business must be given the following documents when they are first certified to drive on County business. In addition, pursuant to the provisions of the Fringe Benefits MOU's, all current mileage permittees in the Department must also be given these documents on an annual basis, even if they have been given such documents previously. Current permittees are to be given these forms as soon as possible to comply with these MOU provisions.

Forms to be given:

- Attachment-B is a one-page instruction sheet that should be kept in the permittee's vehicle. This sheet describes the County's auto liability coverage and provides instructions for the permittee to follow in the event of an accident.
- Attachment-C is the County Evidence of Financial Responsibility, and must be kept in the permittee's vehicle. This document, rather than the permittee's notice of insurance issued by their private insurance, is to be shown to other parties in the case of an accident. In addition, if the permittee's private insurance company requires proof that the permittee is covered by the County while driving on County business, this document can be used as the needed documentation.
- Attachment-D is a form that the Department uses to document that the permittee has received information concerning the County's Mileage Reimbursement Program, and the permittee's responsibilities in the event of a loss or accident. This form should be kept in the permittee's personnel file.
- Attachment-E is the vehicle accident report form. This form must be completed within 3 business days after the accident and submitted to the permittee's supervisor.

Questions or concerns related to this Directive may be addressed by contacting the Risk Management Office at (562) 940-2670.



Jerry E. Powers
Chief Probation Officer