

ORDINANCE NO. _____

**AMENDING WHATCOM COUNTY CODE CHAPTER 2.66
COUNTY-OWNED VEHICLES**

WHEREAS, Whatcom County Code Chapter 2.66 provides for and outlines the legal authorization for use of County vehicles;

WHEREAS, the County delivers a broad array of services to vulnerable populations in the community through mobile integrated health programs (GRACE, LEED, Supportive Housing, COVID response) requiring reliable and accessible motor vehicle transportation of service recipients; and

WHEREAS, the County Health Department and Emergency Medical Services maintain an ongoing need to transport community members for purposes of delivering County services; and

WHEREAS, the County is able to utilize contracted providers such as Community Paramedics, GRACE/SEAMAR employees and authorized County volunteers to provide the transportation necessary to deliver services utilizing County vehicles;

WHEREAS, Whatcom County Code Chapter 2.66 currently prohibits all non-employees from operating County vehicles; and

WHEREAS, amending Chapter 2.66 to allow for the limited authorized use of County vehicles by non-employees for County government purposes is an efficient, cost effective, and practical means for providing necessary transportation related to County services and business; and

WHEREAS, the proposed amendment and the corresponding County motor vehicle policy provide sufficient limitations, restrictions, and requirements to protect County interests related to non-employee drivers;

NOW, THEREFORE, BE IT ORDAINED by the Whatcom County Council that the Whatcom County Code is hereby amended as outlined in Exhibit A to this Ordinance.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50

ADOPTED this ____ day of _____, 2021.

ATTEST:

WHATCOM COUNTY COUNCIL
WHATCOM COUNTY, WASHINGTON

Dana Brown-Davis, Clerk of the Council

Barry Buchanan, Council Chair

WHATCOM COUNTY EXECUTIVE
APPROVED AS TO FORM:

WHATCOM COUNTY, WASHINGTON

Civil Deputy Prosecutor

Satpal Sidhu, County Executive

() Approved () Denied
Date Signed: _____

1 EXHIBIT A
2
3

4 **Chapter 2.66**
5 **COUNTY-OWNED VEHICLES**

6 Sections:

7 [2.66.010 Purpose.](#)

8 [2.66.020 Vehicles.](#)

9 [2.66.030 Policy.](#)

10 [2.66.035 Preference to private vehicles.](#)

11 [2.66.040 Storage.](#)

12 [2.66.050 Driver's license.](#)

13 [2.66.060 Drivers.](#)

14 [2.66.070 Employee-driver responsibility.](#)

15 [2.66.080 Passengers.](#)

16 [2.66.090 Long-range vehicle assignments.](#)

17 [2.66.100 Motor pool duties.](#)

18 [2.66.110 Overnight and after-hours use.](#)

19 [2.66.120 Return of the vehicle.](#)

20 [2.66.130 Continuing use.](#)

21 [2.66.140 Rental fees.](#)

22 [2.66.150 Executive as administrator.](#)

23 **2.66.010 Purpose.**

24 The purpose of this policy is to provide for the uniform and consistent use of county-owned vehicles.
25 (Ord. 80-45 § 1).

26 **2.66.020 Vehicles.**

27 County vehicles shall be identified in accordance with state law. The manner in which employees and
28 authorized users operate and utilize these readily identifiable vehicles is under continuing observation
29 by the public and each employee must recognize the responsibility for prudent and proper operation of
30 a county car when assigned for official business. (Ord. 80-45 § 2).

1 **2.66.030 Policy.**

2 County-owned vehicles shall be used only for transportation needs relative to official county business.
3 County vehicles shall be utilized solely on a daily trip basis from the assigned work station except as
4 enumerated in Sections [2.66.090](#), [2.66.110](#), [2.66.120](#) and [2.66.130](#). (Ord. 80-45 § 3).

5 **2.66.035 Preference to private vehicles.**

6 To the extent they are available, motor pool cars shall be utilized for County travel purposes by
7 employees stationed in the central County complex before privately owned vehicles are used on a
8 reimbursement basis. The County Executive is authorized to grant exemption from this provision when
9 the cost of a motor pool vehicle would exceed the cost of the use of a private automobile. (Ord. 83-41;
10 Ord. 82-93 § 1(g)).

11 **2.66.040 Storage.**

12 The motor pool shall provide a secured parking area for overnight and weekend parking of official
13 County motor pool vehicles. All vehicles excluding those covered by
14 Sections [2.66.090](#), [2.66.110](#), [2.66.120](#) and [2.66.130](#) will be returned to this secured parking area daily by
15 such hour as shall be established by administrative procedure. (Ord. 80-45 § 4).

16 **2.66.050 Driver's license.**

17 All drivers assigned to a County vehicle for use on official business must possess a valid driver's license.
18 Licenses must be properly validated for any special equipment operation. (Ord. 80-45 § 5).

19 **2.66.060 Drivers.**

20 County employees who are on official county business may drive a County vehicle. If there is more than
21 one county employee being transported by the vehicle for county business, any duly licensed county
22 employee may drive. For the purposes of this section, consultants, private contractors and independent
23 contractors are not considered employees of Whatcom County. Non-employees may only drive County
24 vehicles if approved in advance and in writing by the County Executive or the Deputy County Executive.
25 All authorized non-employee drivers must have a driver's record that meets Whatcom County standards,
26 and must agree in writing to fully comply with Whatcom County's driving policies. (Ord. 80-45 § 6).

27 **2.66.070 Driver responsibility.**

28 When using a County vehicle, the employee-driver or other authorized-driver has a responsibility
29 regarding the following:

- 30 A. Safe and proper operation of the vehicle in accordance with the state traffic laws;
- 31 B. Use of the vehicle for official business only and for purposes specified in the written authority issued
32 pursuant to Section 2.66.060;
- 33 C. Transporting passengers only in connection with official County business and as may be specified in
34 the written authority issued pursuant to Section 2.66.060;

- 1 D. Adequately protecting the vehicle from damage and/or theft;
- 2 E. Promptly and efficiently reporting any accident as required by state law, and in addition, shall report
3 any accident to the tort claims division of Whatcom County through the Whatcom County Prosecutor's
4 Office;
- 5 F. Keeping the interior and exterior of the vehicle neat and clean, and in the case of a daily rental, return
6 the vehicle refueled and ready for use;
- 7 G. The driver of the vehicle is responsible for any and all fines for moving violations received while
8 operating the vehicle. (Ord. 80-45 § 7).

9 **2.66.080 Passengers.**

10 Except when directly related to County business, a vehicle, whether assigned or dispatched pursuant to
11 the provisions regarding 24-hour or permanent assignments, shall not be used to transport any person
12 or employee, other than the vehicle operator, to and from work. (Ord. 80-45 § 8).

13 **2.66.090 Long-range vehicle assignments.**

14 The provisions of the other sections of this chapter notwithstanding, County-owned motor pool vehicles
15 may be assigned to a county official, employee or authorized user on a 24-hour basis when and if the
16 County Executive declares such assignment to be in the best interests of the County and the conduct of
17 County business. (Ord. 80-45 § 9).

18 **2.66.100 Motor pool duties.**¹

19 The motor pool shall maintain and make available to County governmental departments vehicles for
20 daily rental use for the performance of official duties. A daily rental shall be approved in writing by the
21 elected official or the department head responsible for the activity in which the rental vehicle will be
22 used. The motor pool shall be responsible for the maintenance of the mileage records for each vehicle.
23 (Ord. 80-45 § 10).

24 **2.66.110 Overnight and after-hours use.**

25 The council recognizes that sometimes County business requires use of the vehicle at odd hours.
26 Therefore, the following provisions are appropriate. A County employee or other authorized user may
27 check out a County vehicle from the motor pool for overnight use only if:

28 A. The department head or his designee notifies the motor pool that the employee requesting the use of
29 the vehicle has authorization to do so; and

30 B. The vehicles must be checked out overnight because the employee/user must have the vehicle early
31 the next day for official use, and having to wait for the motor pool to open would seriously interfere
32 with the schedule of the employee/user; or

1 C. The employee/user returns from official business at a time when the motor pool is closed. In this
2 case, the employee/user shall return the vehicle to the motor pool the following business day at motor
3 pool opening time;

4 D. The overnight or after-hours use was previously authorized by the County Executive or the Deputy
5 County Executive pursuant to 2.66.060 for purposes of official County business;

6 . The employee/user will be away for more than one day. (Ord. 80-45 § 11).

7 **2.66.120 Return of the vehicle.**

8 If the employee or authorized user is returning the vehicle during hours, he shall return it directly to the
9 motor pool. (Ord. 80-45 § 12).

10 **2.66.130 Continuing use.**

11 Motor pool vehicles may be assigned to the individuals on a basis of continued daily use during regular
12 County government business hours, but only after such assignment has been justified to and approved
13 by the County Executive. (Ord. 80-45 § 13).

14 **2.66.140 Rental fees.**

15 The motor pool shall be reimbursed for the use of the pool vehicles by the using departments according
16 to a schedule of charges to be established by administrative procedures, such schedule of charges being
17 subject to change dictated by purchase, maintenance, and operating costs incurred by the motor pool in
18 maintaining the fleet. (Ord. 80-45 § 14).

19 **2.66.150 Executive as administrator.**

20 The County Executive is authorized and shall be responsible to establish the administrative procedures
21 and requirements governing the operation and maintenance of the motor pool, the method and
22 determination of the assignment of the vehicles, the disposition of charges arising from misuse of a
23 County vehicle, and any other administrative requirements related to motor pool management. (Ord.
24 80-45 § 15).