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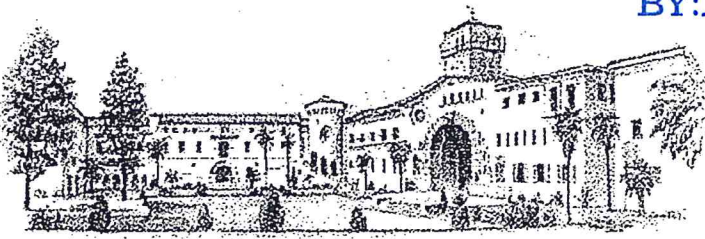
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BOARD OF SUPERVISORS

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COUNTY OF SANTA BARBARA

January 20, 2015

Honorable James E. Herman, Presiding Judge

Superior Court of Santa Barbara County

1100 Anacapa Street, Second Floor

Santa Barbara, CA 93101

RE: Follow up response to the 2013-2014 Santa Barbara County Grand Jury Report entitled "*Santa Barbara County Take Home Vehicle Use-Clarify and Comply*"

Dear Judge Herman:

On August 26, 2014, the Santa Barbara County Board of Supervisors (Board) provided a response to the above referenced Grand Jury Report. In its response, the Board indicated the General Services Department would submit to the Board for approval, a revised County Vehicle Policy which addresses the concerns raised in the Grand Jury Report. Please find attached to this letter a revised County Vehicle Policy which the Board considered and adopted on January 20, 2015. The revised policy addresses the issues raised in the Grand Jury Report by:

- Combining the current *Administration of Vehicle Fleet* and *Employee Use of County Vehicles* sections into one unified policy;
- Including information identifying the new policy as the current version;
- Including a 'Take-Home Vehicle Information Form' that satisfies the concerns of the Sheriff's Office regarding public safety, while fulfilling the requirement for The General Services Director to maintain adequate information on each authorized take-home vehicle; and
- Directing The CEO's Office to implement and enforce the new policy.

The Board appreciates and thanks the Grand Jury for its investigative work in this matter, as well as its ongoing efforts to improve County government.

Sincerely,

Janet Wolf, Chair

Santa Barbara County Board of Supervisors

cc: Santa Barbara County Board of Supervisors

Sandra Miller, Foreperson, Santa Barbara County Grand Jury



County of Santa Barbara BOARD OF SUPERVISORS

Minute Order

January 20, 2015

Present: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino

GENERAL SERVICES

File Reference No. 15-00089

RE: HEARING - Consider recommendations regarding a revised policy: Administration of Vehicle Fleet, as follows: (EST TIME: 15 MIN.)

- a) Consider and adopt the proposed "Administration of Vehicle Fleet" policy and direct the County Executive Office to implement and enforce the new policy;
- b) Authorize the Chair to sign and forward a letter to the Presiding Judge of Santa Barbara County Superior Court; and
- c) Determine that the proposed actions are not a project under the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15378, as they involve administrative activities that will not result in direct or indirect physical changes to the environment, and direct staff to post and file a Notice of Exemption on that basis.

COUNTY EXECUTIVE OFFICER'S RECOMMENDATION:

Received and filed staff presentation and conducted public hearing.

A motion was made by Supervisor Carbajal, seconded by Supervisor Adam, that this matter be acted on as follows:

- a) Adopted.
- b) Approved; Chair to execute; and
- c) Approved.

The motion carried by the following vote:

Ayes: 5 - Supervisor Carbajal, Supervisor Wolf, Supervisor Farr, Supervisor Adam, and Supervisor Lavagnino

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Purpose

It is a goal of the County to provide employees with essential transportation, while conducting County business that is safe, reliable and economical. The purpose of this policy is to provide a framework and guidelines for achieving this goal. Motor pools will be established where feasible with an optimum number of appropriately sized vehicles. Long-term assignment of vehicles to departments or individuals will be made when meeting properly justified specific criteria. The County, through the department of General Services provides centralized management of its fleet vehicles and other motorized equipment. This includes specifying, purchasing, maintaining, repairing, replacing, disposing and record keeping of vehicles and equipment.

Policy

1. USE OF COUNTY VEHICLES

- County employees should make every reasonable effort to utilize the County's fleet vehicles while conducting official County business. County Department Directors, Assistant Department Directors, County Executive Officer (CEO), Assistant CEOs, Board Members and Board Member's Assistants are permitted to use a personal vehicle in order to reduce the number of vehicles owned and maintained by the County.
- Use of private vehicles by all other County employees should be on an exception basis only due to emergencies, unavailability of County cars, or for special circumstances as approved by the employee's Department Director who is responsible for ensuring the employee has a valid California driver's license and insurance. In the event of a vehicle accident when operating a privately owned vehicle on County business, the employee's insurance carrier will provide the primary coverage for the incident. Mileage reimbursement for the approved use of a personal vehicle for County business may be claimed at the prevailing Auditor-Controller approved rate.

2. RESPONSIBILITIES

A. County Executive Officer

The CEO shall oversee the execution and enforcement of this Board of Supervisors approved policy, and shall delegate daily fleet management responsibilities to the General Services Director and the General Services Department.

B. General Services Director

The General Services Director is assigned primary responsibility for managing the County's Vehicle Operations Division including administration of the Board of Supervisors approved policy and management of the following transportation-related services:

- The purchase and disposal of County vehicles and equipment
- The operation of Motor Pool locations
- The management of the County's garage facilities
- The management of the County's fueling facilities and commercial fueling contracts.
- The management and oversight of the County's fleet vehicles and equipment

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C. Department Directors

Department Directors are responsible for determining and budgeting for the transportation requirements of their department, and for directing the utilization of fleet services as efficiently as possible. Department Directors shall also ensure that their employees understand and abide by all policies governing the use of County-owned vehicles and equipment.

D. Employees

Employees are responsible for exercising care when operating County-owned vehicles, understanding and abiding by all County policies governing the use of County vehicles, and following all applicable jurisdictional traffic laws and regulations

3. VEHICLE CATEGORIES

A. Assigned Category

Assigned (AS) vehicles are those vehicles funded and operated by County departments. Vehicle Operations purchases, maintains and disposes of all vehicles in the AS category. Departments are billed monthly for AS vehicles in three rate categories:

- 1) Rate per Mile (includes fuel, maintenance and repairs)
- 2) Overhead Rate (Includes overhead costs associated with Vehicle Operations, General Services Administration Division and County Administration)
- 3) Capital Replacement rate (includes funds collected for the future replacement vehicle).

Capital replacement funds are tracked by vehicle and are held by Vehicle Operations to fund future vehicle replacements. Vehicles are grouped by "class". Vehicle class replacement criteria (mileage, use and age) are determined by the General Services Director. If a replacement vehicle is not required and the original vehicle is returned to Vehicle Operations, all collected capital replacement funds shall be returned to the department. Each transaction involving the "cash out" of an assigned vehicle shall be approved and by the requesting department's Budget Analyst.

B. Operating Cost Category

Operating Cost (OC) vehicles include equipment and vehicles which are owned by individual departments and are not in the AS vehicle fund. Vehicle Operations maintains OC equipment/vehicles and bills departments for the actual maintenance, repair and refueling cost associated with each OC equipment/vehicle. No replacement funds are collected for OC equipment/vehicles. Examples of equipment/vehicles in the OC category are vehicles that won't be replaced according to a determined cycle; e.g., trailers, generators, or specialized vehicles purchased with a one-time funding source.

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C. Shared Motor Pool Category

Shared Motor Pool (PL) vehicles are those vehicles that can be checked out from dispatch kiosk locations throughout the County and are billed by hour and mile rates depending on class of vehicle. PL vehicles serve employees that have daily or occasional short term transportation needs.

D. Assigned Take Home Vehicles

Assigned Take-Home (ATH) vehicles are any County-owned vehicle which is permanently or temporarily assigned to an employee, who has been authorized to drive this vehicle to and from work to the employee's residence. ATH vehicle authorizations must be approved by the Agency/Department Director and will be based on demonstrable and beneficial needs for the delivery of services for Santa Barbara County given the following:

1) Assignment Criteria.

ATH vehicles may only be authorized by Agency/Department Directors for use by employees who meet one of the following criteria;

- **Category 1- Stand-By** - Employees whose duties require them to be on 24 hour emergency standby status (generally this is limited to certain safety related positions).
- **Category 2-Work Location** - Employees who, in the normal course of their assigned duties, do not report to a fixed location, but are required to report to varying or remote locations.

2) Approval Process and Documentation

All ATH vehicle assignments must be authorized by the Department Director/Elected Official. Departments must complete an "*Assigned Take Home Vehicle Authorization Form*" (Exhibit A) annually for each authorized ATH vehicle and provide this form to the General Services Department. On behalf of the CEO's office, General Services shall annually review all forms for completeness and to ensure information provided is within policy.

For each ATH vehicle assignment, the Department Director/Elected Official will establish and retain on file for compliance auditing purposes, documentation explaining the basis under which the authorization for each ATH vehicle was made. As applicable, documentation should contain justification related to type of emergency, expected number of call backs, nature of after-hours county business, cost/benefit analysis, need for a special purpose vehicle, etc. The department head and employee to whom the ATH vehicle is assigned shall sign and date each document.

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3) Taking Vehicles Home

Employees assigned an ATH vehicle must comply with all laws of the State of California and local jurisdictions, including possessing a valid California operator's license. ATH vehicles shall not be used for any purpose other than official county business. All passengers in ATH vehicles must also be engaged in the conduct of official business. This policy and practice ensures ATH vehicles are assigned only to those employees who must respond quickly as part of department operations, and represent a prudent use of county resources.

4) Overnight/Temporary Duty.

In addition to authorizing ATH vehicles pursuant to the criteria listed above, Department Directors may authorize employees to take County owned vehicles home in the rare or occasional circumstance when an employee is required to temporarily report directly from home to a special work assignment, or when the employee must depart early or return late from a special temporary work assignment.

5) Commute Mileage Reporting —County Vehicles.

Per IRS regulations, County employees that have the ATH vehicle privileges are required, on an annual basis, to report commute mileage. The County will include in employee income the cost of commute mileage at a rate determined by the General Services Department and the Auditor/Controller. Certain vehicles are exempt from this requirement. A complete list of exemptions is included in this policy as Exhibit B. It can also be found on the IRS website at the following link.

<http://www.irs.gov/pub/irs-pdf/p15b.pdf>

Exemption information is listed on Page 21 of the document under the heading "Qualified nonpersonal use vehicle".

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4. PROCEDURES

A. Vehicle Acquisition Process:

- 1) The General Services Director will recommend replacements, and additions to or deletions from the vehicle inventory to the CEO.
- 2) Authorization for the acquisition of replacement vehicles that don't meet the County's vehicle replacement criteria, additions to departmental vehicle fleets and special vehicle requests will be considered for approval during the annual budget cycle. Vehicles requested outside of the budget cycle, except for replacements due to accident or catastrophic mechanical failure will be deemed additional vehicle acquisitions. These acquisitions will be subject to additional analysis and require CEO authorization prior to purchase.
- 3) Department Directors will advise their Budget Analyst of additional vehicle and equipment requests for consideration through the annual budget process.
- 4) Departments requesting additional staff that will require a County vehicle assignment in order for the proposed employee(s) to perform their job duties should request funding for additional vehicle(s) through the budgeting process whenever feasible, and prior to the staff being hired.
- 5) The General Services Director shall ensure that all new vehicles selected for purchase are appropriate for County government service.
- 6) The County shall purchase vehicles that are "right-sized" for the vehicles' intended use (the smallest class of vehicle possible).
- 7) The County shall make every attempt to purchase vehicles that optimize fuel efficiency.
- 8) When economically feasible the County shall purchase hybrid or alternatively fueled vehicles.
- 9) The County shall not purchase vehicles with extravagant or expensive options unless justified in writing by the requesting department and approved by the General Services Director and the requesting department's Budget Analyst.
- 10) The General Services Director shall have the authority to purchase County vehicles that meet the vehicle class replacement criteria. These replacements will not require additional approvals for purchase during normal budget cycles. The CEO may implement a vehicle purchasing moratorium or require additional levels of purchasing approvals at the CEO's discretion.
- 11) Additional vehicle purchasing approval and completion of the CEO's "Vehicle Authorization Form" (available on the Counties Intranet at the link listed below) shall be completed for all vehicle acquisitions when one or more of the following conditions are met;
 - An "Addition" to the requesting Department's vehicle fleet.
 - An "Upgrade" (example: mid-size sedan to full-size sedan).
 - Replacing a vehicle that does not meet the County's replacement criteria

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<http://sbchome.co.santa-barbara.ca.us/qs/vehicles/docs/CEO%20Vehicle%20Approval%20Form.xls>

E. Criteria for Departments to have "Assigned" (AS) vehicles.

- 1) Ongoing utilization of an average of at least 1,000 miles per month.
- 2) The need for specialized vehicles to perform specific functions on a regular basis.
- 3) The need to transport specialized equipment not easily transferred between vehicles.
- 4) Lack of an appropriate pool vehicle in a reasonably proximate location to the user.

F. Criteria for Reallocation of Assigned(AS) Vehicles

- 1) The Director of General Services shall from time to time review and recommend the need for continuing assignment of vehicles. When none of the above criteria apply, assignments may be terminated and the vehicles returned to General Services for reallocation or disposition.
- 2) Department Directors may terminate vehicle assignments and initiate the return of vehicles to General Services when vehicle(s) are no longer required to carry out the functions of their departments.
- 3) Accumulated capital replacement funds for turned-in assigned vehicles will be refunded to the appropriate department. Each transaction involving the "cash out" of an assigned vehicle shall be reviewed and signed off by the requesting department's Budget Analyst.
- 4) The General Services Department shall assume the responsibility for the re-assignment or disposition of turned-in vehicles.

G. Vehicle Identification

- 1) All County-owned vehicles will be appropriately identified by County logos and County vehicle identification numbers (VIN). Law enforcement under cover vehicles are exempt from this policy. All other County vehicle identification policy exemptions shall be made by the Director of General Services or designee on a case by case basis.
- 2) All County-owned vehicles will be issued a California "Exempt" license plate at the time of the vehicle's registration. Per the California Vehicle Code; only law enforcement vehicles used for under cover assignments may request non-exempt California license plates ("cold" plates)

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H. Maintenance of Records

The General Services Director will maintain detailed vehicle records. This will include the assigned department, location, make, model, year, license plate number and VIN. Department Directors will be responsible for tracking specific driver to vehicle assignments for all vehicles within their departmental fleets.

I. Maintenance of vehicles

- 1) Department Directors shall ensure all vehicles assigned to their department are returned to Vehicle Operations for scheduled preventive maintenance. The General Services Director will ensure that departments receive appropriate notification regarding vehicle servicing and inspection schedules. Department Directors will ensure that all County vehicles within their departmental fleet are properly serviced and all maintenance/inspection schedules are followed.
- 2) Vehicle services and repairs done outside of the County fleet system on County vehicles should be limited to emergencies situations only. Every effort should be made to contact Vehicle Operations for approval before authorizing work on a County vehicle by a private vendor. When outside work on a County vehicle is performed, copies of the work orders and receipts shall be forwarded to General Services for inclusion in the vehicle's maintenance history record
- 3) Maintenance due mileage shall be posted on the vehicle door or windshield, and must be observed to ensure safe, reliable transportation at minimum cost. Drivers should contact Vehicle Operations to schedule a maintenance appointment as the vehicle approaches the mileage established for service.
- 4) Failure to comply with maintenance turn-in procedures may result in termination of vehicle assignment.
- 5) Vehicle Operations shall promptly notify departments when maintenance is complete and vehicles are ready for pick up.
- 6) The need for repairs above and beyond the standard vehicle maintenance program should be reported to Vehicle Operations immediately. Vehicle Operations shall assist departments with scheduling required vehicle repairs in a timely manner.
- 7) Loaner vehicles may be provided based on availability, while departmental vehicles are being serviced. Departments will be billed for actual miles traveled in the loaner at the per mile rate for that type of vehicle. Failure to exchange the loaner for the regular assigned vehicle when notified by Vehicle Operations that the service is complete may result in additional charges to the department.
- 8) Motor pool vehicles receive exterior washes every two weeks and interior cleaning as often as possible.
- 9) Assigned vehicles may be washed twice monthly at commercial locations under contract of that service (see locations and vendor list on GS/ Vehicle Operations web site). One of the two washes per month may include interior cleaning. General Services/Vehicle Operations does not pay for waxing or detailing of County vehicles
- 10) Patrol Vehicles shall receive interior/exterior cleaning once per week.

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5. USE OF COUNTY VEHICLES

J. Shared Motor Pool Vehicles (PL)

- 1) Employees who require the occasional use of a vehicle in connection with their work assignment may obtain a PL vehicle from one of the County's motor pool kiosk locations.
- 2) PL vehicles can be checked out from dispatch kiosks locations throughout the County. PL vehicles serve employees that need to use a County vehicle on a daily basis or for occasional business trips. Use of PL vehicles is the most cost effective transportation option for employees that don't have a need for a specialized vehicle. PL vehicles are billed out by the hour and by the mile. Vehicles Operations shall provide departments with an itemized monthly Motor Pool bill providing details for each trip.
- 3) To ensure maximum utilization (and minimum cost), employees should not check out PL vehicles until the vehicle is actually required, and should immediately return the vehicle upon the completion of each trip.
- 4) Employees should share vehicles whenever feasible. The automated reservation system allows employees to post their trip on-line for other employees to see for ride sharing purposes. It is encouraged that trips be posted in the system to facilitate shared use. Van pools can be made available when enough employees are going to the same location.
- 5) Prior to using the County's automated motor pool system, employees are required to view the automated motor pool system training video, which is available on the General Services/Vehicle Operations intranet web-site.

K. Traffic Violations, Fines and Penalties

- 1) Employees on County business shall observe all traffic rules, regulations, tolls, and courtesies at all times. Fines or penalties levied for violations for which the driver is directly responsible shall be paid by the driver.
- 2) Employees are to immediately report to their Department Director any and all violation(s) of the California or jurisdictional vehicle code that occur when operating a County vehicle, or in a personal vehicle while conducting County business. The Department Director may report the violation to General Services Administration depending on the severity of the violation. Reports shall be made on all violations and infractions, including those related to the vehicle (vehicle repairs required), whether or not a citation was issued by a law enforcement agency. Conversely, General Services Administration will inform Department Directors of any vehicle abuse or violation involving their employees.
- 3) Complaints by private citizens against an employee driving a County vehicle will be reported to the appropriate Department Director. The Department Director of the offending employee shall assume the responsibility to investigate the incident and take appropriate action.

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L. Accidents or Emergency Repairs

- 1) Vehicle accidents are to be reported to the local law enforcement agency or California Highway Patrol immediately as required by the California Vehicle Code. County Vehicle Accident Report Forms are to be completed and submitted to General Services/Risk Management within 24 hours or one business day from the time of occurrence. Vehicle Accident Forms are located in each vehicle's glove box, from Vehicle Operations/Risk Management or can be downloaded from the General Services/Vehicle Operations intranet website.
- 2) Employees may be held personally liable for damage to County equipment, in addition to other penalties that may be assessed, if through negligence or in the course of illegal activities, damage occurs to a County vehicle.
- 3) Emergency repairs for County vehicles shall be obtained where available but no large expenditures will be authorized in the name of the County before General Services Vehicle Operations has been notified and authorized the expense. If necessary, the vehicle should be kept in a safe place until authorization for repairs are given.

M. For County Business Use Only

County owned vehicles shall not be used for any purpose other than official county business. All passengers in County vehicles must also be engaged in the conduct of official business. Volunteers, interns, and other non-employees may be authorized by Department Directors to utilize County vehicles on an occasional basis to conduct County official business. It is the responsibility of each Department Director to ensure that all employees within their department who operate County vehicles maintain a valid California driver's license for the type of vehicle operated.

N. Driver's License

- 1) All drivers of a County vehicle/equipment must be in possession of a valid California driver license. The employee's driver license shall be of the appropriate class and have all of the endorsements required by the California Department of Motor Vehicles (DMV) for the type of County vehicle being driven.
- 2) County employees whose driving privileges are suspended or revoked by the DMV may not drive a County-owned vehicle and must notify their Department Director of the revocation/suspension. Employee's whose driving privileges have been suspended or revoked must provide proof of reinstatement to their Department Director before being allowed to drive a County-owned vehicle.
- 3) New employees transferring to California from another state must obtain a California driver license as required by the California Vehicle Code in order to drive a County vehicle.
- 4) Any employee who knowingly drives a County vehicle without a valid driver license may be subject to termination.

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O. Seat Belts

State law (subject to applicable authorized emergency vehicle exemption) requires all drivers and passengers to utilize vehicle seat belts. Departments required to transport minor children shall use appropriate car seat or restraint devices in accordance with the California Vehicle Code.

P. Abuse of Vehicles

- 1) County vehicles, other than those specified for such purposes, shall not push stalled vehicles, be driven off-road, or be used in a manner that may damage the vehicle.
- 2) Employees may be held personally liable when they are outside of the course and scope of their employment and cause damage to other persons or property while driving a County vehicle.
- 3) Employees shall make every reasonable effort to keep County vehicles clean and shall not leave trash or garbage in County vehicles after use.

Q. Eating/Smoking in Vehicle

Eating, drinking and smoking are prohibited in County-owned vehicles.

R. Personal Property in Vehicle / Vehicle Keys

- 1) Attaching personal property to County vehicles, such as radios, decals, bumper stickers, etc., is prohibited.
- 2) The County shall not be held liable for employee's personal property that is stolen while on County business, or employees personal property damaged while being transported in a County-owned vehicle.
- 3) Vehicle keys shall not be left in unattended County vehicles or equipment, even when the County vehicle or equipment is parked in secured areas.

6. GLOBAL POSITIONING SYSTEM (GPS).

Employees and other authorized drivers may, in the course of their employment, be asked to drive County vehicles that are equipped with GPS technology. GPS technology provides the County the ability to monitor vehicle MPG, diagnostic data, speed, location, routing, idling, and utilization. GPS use for public safety greatly enhances job performance, personnel safety, situational awareness and may provide assistance in time critical scenarios. GPS in the County may also be used for other business-related purposes, including, but not limited to, locating stolen vehicles, providing aid to vehicles that break down, increasing employee safety, managing resources effectively, ensuring that employees are following their routes or assignments and in the course of pending disciplinary investigations.

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7. FUELING COUNTY VEHICLES

- 1) County vehicles should be fueled at one of the County's fueling sites whenever possible for record keeping and cost savings purposes. General Services is responsible for the operation of the fully automated fueling sites throughout the County. Employees are responsible to familiarize themselves with the operating procedures for the County's automated fuel facilities and should contact the Vehicle Operations staff during regular business hours for any assistance required.
- 2) Employees who observe damage, problems or anything unusual when using County fuel facilities must immediately notify either Vehicle Operations personnel on-site or, if after regular hours, phone the emergency number posted at the facility. In either case, detailed information should be provided regarding the location and nature of the problem. Employees may be held liable if found damaging fueling facilities.
- 3) General Services provides credit card fueling capabilities when fueling within the County is impractical. Credit cards may be obtained through individual Department Fleet Coordinators.
- 4) County fueling facilities may never be used for refueling privately owned or rental vehicles.
- 5) See the Vehicle Operations web-site to obtain additional information regarding the use and locations of the County fueling facilities.
- 6) For additional information regarding the use of external fueling credit cards, please refer to the County's "Voyager Credit Card" policy.

EXHIBIT A

ASSIGNED TAKE HOME VEHICLE INFORMATION FORM

Please mark one of the appropriate categories and complete this form for each *Assigned Take Home Vehicle* within your department.



☐ **Category 1: Standby** – Employees whose duties require them to be on a 24-hour “stand-by” status.

☐ **Category 2: Work Location** – Employees who, in the normal coverage of their duties do not report to a fixed location, but are required to report to varying or remote locations.

Department: _____

Employee “Driver” Name: _____
(Not required for Law Enforcement)

Position Title: _____

County Vehicle No.: _____, Or Sheriff Office Vehicle Identification No.: _____

How many days per week is the vehicle taken to residence of employee? _____

Travel is from _____ (area of residence)

to _____ (work location)

Mileage one way is _____

Per IRS regulations, County employees that have the Assigned Take Home Vehicle privileges are required, on an annual basis to report commute mileage. The County will include in employee income the cost of commute mileage at a rate determined by the General Services Department and the Auditor/Controller. However, certain vehicles are exempt from this requirement. A complete list of exemptions are included as Exhibit “B” of the Administration of Vehicle Fleet, and can also be found on the IRS website at: <http://www.irs.gov/pub/irs-pdf/p15b.pdf>

☐ Please check the box if vehicle is exempt and indicate the applicable exemption below:

Exemption: _____

NOTE: Per County policy, Department is responsible for maintaining an internal file for all justifications and approvals.

AUTHORIZING SIGNATURE

DEPARTMENT DIRECTOR / DESIGNEE: _____

EXHIBIT B

Exemptions From Reporting Requirement

Qualified Non-Personal Use Vehicles

All of an employee's use of a qualified non-personal use vehicle is a working condition benefit. A qualified non-personal use vehicle is any vehicle the employee is not likely to use more than minimally for personal purposes because of its design. Qualified non-personal use vehicles generally include all of the following vehicles:

- Clearly marked, through painted insignia or words, police, fire and public safety vehicles.
- Unmarked vehicles used by law enforcement officers if the use is officially authorized.
- An ambulance or hearse used for its specific purpose.
- Any vehicle designed to carry cargo with a loaded gross vehicle weight over 14,000 pounds.
- Delivery trucks with seating for the driver only, or the driver plus a folding jump seat.
- A passenger bus with a capacity of at least 20 passengers used for its specific purpose.
- School buses.
- Tractors and other special-purpose farm vehicles.
- Bucket trucks, cement mixers, combines, cranes and derricks, dump trucks (including garbage trucks), flatbed trucks, forklifts, qualified moving vans, qualified specialized utility repair trucks, and refrigerated trucks.

See regulations section 1.274-5(k) for the definition of qualified moving van and qualified specialized utility repair truck.

Pickup Trucks

A pickup truck with a loaded gross vehicle weight of 14,000 pounds or less is a qualified non-personal use vehicle if it has been specially modified so it is not likely to be used more than minimally for personal purposes. For example, a pickup truck qualifies if it is clearly marked with permanently affixed decals, special painting, or other advertising associated with your trade, business, or function and meets either of the following requirements:

1. It is equipped with at least one of the following items:
 - a. A hydraulic lift gate.
 - b. Permanent tanks or drums.
 - c. Permanent side boards or panels that materially raise the level of the sides of the truck bed.
 - d. Other heavy equipment (such as an electric generator, welder, boom, or crane used to tow automobiles and other vehicles).
2. It is used primarily to transport a particular type of load (other than over the public highways) in a construction, manufacturing, processing, farming, mining, drilling, timbering, or other similar operation for which it was specially designed or significantly modified.

Vans

A van with a loaded gross vehicle weight of 14,000 pounds or less is a qualified non-personal use vehicle if it has been specially modified so it is not likely to be used more than minimally for personal purposes. For example, a van qualifies if it is clearly marked with permanently affixed decals, special painting, or other advertising associated with your trade, business, or function and has a seat for the driver only (or the driver and one other person) and either of the following items:

- Permanent shelving that fills most of the cargo area.
- An open cargo area and the van always carries merchandise, material, or equipment used in your trade, business, or function.