

*State of New Mexico*

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County Assessor  
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*County of Sierra*

*James E. Paxon  
Commissioner District 1  
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*Travis Day  
Commissioner District 2  
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Commissioner District 3  
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*1712 North Date Street  
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*Amber Vaughn  
County Manager  
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**SIERRA COUNTY  
BOARD OF COUNTY COMMISSIONERS  
RESOLUTION NO. 110-188**

**AMENDED TAKE HOME VEHICLE POLICY**

**WHEREAS**, the Sierra County Board of Commissioners met upon notice of meeting duly published at the Sierra County Administration Building, 1712 North Date Street, Truth or Consequences, New Mexico 87901 on April 16, 2013, at 10:00 a.m. as required by law; and,

**WHEREAS**, the Board of County Commissioners of the County of Sierra exercises the powers of the County as a body politic and corporate pursuant to NMSA 1978, Section 4-38-1(1884); and,

**WHEREAS**, the Board of County Commissioners is the body that is statutorily charged with making such orders concerning the property belonging to the county as it deems expedient pursuant to NMSA 1978, Section 4-38-13 (1876); and,

**WHEREAS**, to improve services, county government has a need to assign take home vehicles to certain Elected Officials, appointed officials, and county employees, e.g., law enforcement personnel and on-call staff; and

**WHEREAS**, this policy is not intended to limit or restrict elected officials' authority; it is, however, necessary for efficient management and for limiting the county's liability exposure.

**WHEREAS**, the Board of County Commissioners promulgated this take-home policy ten (10) years ago, and changes in County operations have necessitated a revision to the take-home vehicle policy to expedite and streamline the approval process.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of County Commissioners of the County of Sierra that the following assigned take home vehicle program is adopted as of the date below, replaces the prior take home vehicle program adopted by Resolution in April 2013, and replaces that policy contained within Appendix H of the Vehicle Accident Prevention Policy.

## **I. PROGRAM**

- A. Participation in this program is voluntary; however, the County has the right to deny participation, or suspend, revoke, terminate or modify this program at any time, and for any reason. No elected official, appointed official, or county employee shall operate any County owned motor vehicle or motorized equipment on a twenty-four hour basis except as provided in this section.
- B. This program is reserved for elected officials, appointed officials, and county employees having an official need for a county vehicle beyond normal working hours, e.g., sworn law enforcement, on-call status, subject to call-out, etc. Personnel will not operate vehicles during off-duty hours, except when on-call status, to and from work, and when on official county business.
- C. This program shall not be construed nor is it intended as a benefit to participating employees, but rather an efficient means of accomplishing county business as certain job duties may necessitate.
- D. Elected officials, appointed officials, and county employees volunteering for this program agree to abide by all rules and regulations governing county fleet operations and this program.
- E. This program will be reviewed periodically and may be modified at the discretion of the County. If in the opinion of the County Commission, the Assigned Take Home Vehicle Program, as covered by this policy, proves unworkable in practice, the County Commission shall have the right to modify or terminate this policy at any time.
- F. Take home vehicle privileges may be revoked indefinitely or modified for any reason or infraction of this program. Personnel will be notified in writing of a modification, suspension, revocation or termination of their take-home privileges.

## **II. GENERAL REQUIREMENTS**

- A. No one other than the assigned individual is permitted to drive the county vehicle. Personnel will not presume any special privileges with a county vehicle while off-duty.
- B. When off-duty, unattended vehicles must be locked and parked in a safe condition.
- C. Personnel will not operate an assigned vehicle while under the influence of alcohol or drugs, and shall not operate the vehicle within eight (8) hours after consuming an alcoholic beverage.
- D. Personnel participating in this program will not transport passengers, except in the course and scope of duty. The safety of all passengers rests solely with the person issued and operating the County vehicle.
- E. Personnel will not use the county vehicle for personal business or commercial enterprise.
- F. When an individual is out of town for seven (7) or more days, the county vehicle will be properly secured at the main office. Department managers may be more restrictive to prevent unnecessary damage, theft, or vandalism to county property.

G. Personnel assigned a county vehicle will exercise good judgment when utilizing the vehicle, and obey all local and state traffic laws, and county fleet policies. Personnel will not operate the vehicle in a manner that causes unfavorable comment or reflects discredit on the county.

H. It shall be the policy of Sierra County that Personnel shall not be assigned a motor vehicle or motorized equipment on a twenty-four hour basis unless such Personnel resides within the limits of Sierra County. Personnel will not use the vehicle outside the county, except when on official county business.

I. All take home vehicle assignments will be approved by the County Manager.

### **III. MAINTENANCE REGULATIONS**

A. The individual assigned a county vehicle shall be fully responsible for ensuring that the general maintenance and proper care of the vehicle is performed.

B. All repairs and work will be accomplished timely, at or through the county's authorized service facility. Individuals assigned a take home vehicle are responsible for having scheduled preventative maintenance (PM) performed timely and in accordance with the County's PM schedule.

C. Individuals are responsible for the appearance and cleanliness of their vehicles, both interior and exterior.

D. The immediate supervisor of the assigned vehicle operator will inspect vehicles quarterly. The inspection will include, but will not be limited to:

1. Cleanliness of the interior and exterior
2. Maintenance is performed at proper intervals
3. Equipment is in good working order
4. Alterations or additions are authorized

E. Negligence in the care and operation of the vehicle or failure to follow these procedures or county fleet policies by the assigned individual will be cause for removal from the program.

F. If it becomes necessary for an assigned vehicle to be out of service for extended repairs, the individual may be assigned another vehicle.

### **IV. IMMEDIATE REVOCATION OF VEHICLE ASSIGNMENT**

All elected officials, appointed officials, and county employees who voluntarily participate in the take home vehicle program shall be required to submit for a drug and alcohol screening test. Any individual who has voluntarily participated in the take home vehicle program and whose drug and alcohol screening test is identified as positive shall not be eligible for a take home vehicle and is precluded from reapplication for a take home vehicle for a period of one (1) year from the date of the test.

**APPROVED, ADOPTED, AND PASSED** on this 13<sup>th</sup> of September, 2023.

**BOARD OF COUNTY COMMISSIONERS**

*7:20a*

Travis Day, Chairman

*James E Paxon*

James Paxon, Vice-Chair

*Hank Hopkins*

Hank Hopkins, Commissioner

Attest:

*Shelly K Trujillo*

Shelly K. Trujillo  
Sierra County Clerk



