

**TOWN OF BRUNSWICK**  
***Policy Regarding***  
***Personal Use of Town Vehicles By Town Employees***  
**Revised 1-17-1995**

The Town recognizes that certain employees are required to be "on call" during off-duty hours. This policy is intended to assure that these employees are able to have the vehicles at their disposal necessary to fulfill the duties of their positions, while at the same time ensuring only those uses authorized by the Town are permitted.

***Police Department:***

Marked Vehicles: Employees whose positions require that they be available during off-duty hours to respond to stakeouts, surveillance sites, fires or emergency calls may, with the prior approval of the Town Manager or the Town's Police Chief, use the Town's marked police vehicles while "on call" during off-duty hours, even if such use involves personal matters.

Marked police vehicles that are used during off-duty hours shall be used exclusively within the Town's municipal boundaries, except that employees who live outside the Town's municipal boundaries may also use such vehicles to travel to and from the employee's home but for no other use outside the Town's municipal boundaries.

Unmarked Vehicles: This provision applies only to the Town's law enforcement officers who, for purposes of this provision, include the Town's full-time police detectives, arson investigators and other law enforcement officers who satisfy all the following requirements: are involved in investigatory or crime prevention work, are authorized to carry firearms and regularly do so, execute search warrants, and are authorized to make arrests (other than merely citizen's arrest). All such full-time law enforcement officers whose positions require that they be available during off-duty hours to respond to stakeouts, surveillance sites, fires or to emergency calls may, with prior approval of the Town Manager or Police Chief, use the Town's unmarked law enforcement vehicles while "on call" during off-duty hours, even if the use of the vehicle involves personal matters.

Unmarked law enforcement vehicles that are used during off-duty hours may be used both within and outside the Town's municipal boundaries while the employee is off duty but "on call". Any personal use of an unmarked law enforcement vehicle by an employee at a time when he/she is off-duty and not "on call" is prohibited unless the prior approval of the Town Manager or Police Chief is obtained, in which case the employee must maintain a legible daily

logbook which tracks the extent to which the vehicle is used for personal use during off-duty hours when the employee is not "on call", other than for commuting to and from home.

The Town's Finance Director shall provide the employee with the form of the logbook to be used, and the employee shall return either a complete photocopy or the original logbook to the Town's Finance Director periodically and on such basis as shall be determined by the Finance Director. Based on the daily logbook maintained by the employee, the Town's Finance Director shall report the employee's personal use of the vehicle while not "on call" as a taxable fringe benefit to the Internal Revenue Service and the Maine Bureau of Taxation. If the employee fails to maintain a legible daily log book of his or her off-duty use of an unmarked law enforcement vehicle, then all such off-duty use of the vehicle, whether while "on call" or "off call", will be deemed to be personal use that is reportable as a taxable fringe benefit.

### ***Fire Department:***

Marked Vehicles: Employees whose positions require that they be available during off-duty hours to respond fires or emergency calls may, with the prior approval of the Town Manager or the Town's Fire Chief, use the Town's marked fire vehicles while "on call" during off-duty hours, even if such use involves personal matters.

Marked fire vehicles that are used during off-duty hours shall be used exclusively within the Town's municipal boundaries, except that employees who live outside the Town's municipal boundaries may also use such vehicles to travel to and from the employee's home but for no other use outside the Town's municipal boundaries.

### ***Public Works Department:***

The Public Works Highway Foreman is authorized to take home the Town's marked Public Works pick-up truck to allow the person in this position, during off-duty hours, to respond to calls which require conducting an inspection of road conditions, making or supervising emergency road repairs, or assisting at motor vehicle accident scenes. Because commuting to and from work is a taxable benefit under IRS regulations for this position, the Foreman is required to keep a log of the commuting miles to and from his/her home to the Public Works Garage and report those miles to the Finance Department on a monthly basis on forms provided by the Finance Department. The commuting miles will

be treated as personal use and taxed as a taxable fringe benefit. Any other personal use of Public Works vehicles during off-duty hours is strictly prohibited.

***Parks & Recreation Department:***

The Parks & Recreation Department Foreman is authorized to take home the Town's marked Parks & Recreation Department pick-up truck to allow the person in this position, during off-duty hours, to respond to emergency calls for repairs at the Department's facilities. Because commuting to and from work is a taxable benefit under IRS regulations for this position, the Foreman is required to keep a log of the commuting miles to and from his/her home to the Recreation Center and report those miles to the Finance Department on a monthly basis on forms provided by the Finance Department. The commuting miles will be treated as personal use and taxed as a taxable fringe benefit. Any other personal use of Parks & Recreation Department vehicles during off-duty hours is strictly prohibited.

***Other:***

Except as stated in this policy, Town employees shall not be permitted to use the Town's marked vehicles for any other purpose while off-duty.

Except as stated in this policy, the use of the Town's vehicles, while off-duty, is strictly prohibited.