

BOARD APPROVED POLICY

POLICY FOR DISTRICT VEHICLE USE

The purpose of this document is to identify the District's policy for use of the District's vehicle(s).

1. Vehicle Storage. Vehicles shall be stored at the District office or, if authorized, at residences provided that reasonable vehicle security can be assured. District vehicles will not be left on the streets, unattended, overnight.

2. Employee Responsibilities. It is unlawful for any individual to use, drive, employ, or operate any District vehicle for any purpose other than for official District business. Employees shall obey traffic laws and take proper safety precautions while driving a District vehicle. Travel shall be limited to the actual business destination only, except as necessary to secure lodging and meals.

- a. *Passengers.* District officers and employees shall not carry a spouse or any other person not engaged in official District business as a passenger in a District vehicle, unless the passenger is accompanying the employee to a meeting, conference or seminar with the approval of the employee's department head.
- b. *License and Authorization.* A valid Texas driver's license is required to operate a District vehicle. A Commuting Authorization Form is required if an employee is authorized to use a District vehicle for commuting. Proper documentation of commuting mileage must be maintained by the employee and vehicle use must be reported to the IRS in accordance with the IRS Publication 15-B and the Taxable Fringe Benefits Guide.
- c. *Accident Reporting.* A detailed description of all accidents will be provided to the Board of Directors.
- d. *Smoking.* Smoking is prohibited in all District vehicles.

EFFECTIVE DATE

This policy will become effective upon adoption by the Board of Directors.

DATED AT ROUND ROCK, TEXAS ON THIS 13th DAY OF April, 2012

LARRY QUICK, President
Upper Brushy Creek
Water Control and Improvement District



**Commuting Authorization Form
UPPER BRUSHY CREEK WCID**

A. EMPLOYEE INFORMATION PLEASE PRINT

___ Add New ___ Change (CIRCLE CHANGES)

Name Last: _____ First: _____ Control Employee: ___ Yes ___ No
(See definition page 2)

Verified Valid Driver's License: ___ Yes ___ No Title: _____

Official Work Station Address: _____

Daily Round Trip Commute Miles _____

Work Phone: _____ Fax Number: _____ E-Mail Address: _____

B. EMPLOYEE AGREEMENT: I understand this is an authorization to commute between my official work station and my residence in a District-owned vehicle. I also understand that unless I qualify for exempt commuting income will be; A. imputed into my payroll, or B. deducted from my pay as a direct reimbursement. I will be personally responsible for any income taxes that result. My signature authorizes this payroll deduction or imputed income. I understand that the use of a District-owned vehicle is for official business purposes only, and may not be used for personal purposes. I also understand that use of this vehicle is for benefit to the District, any other benefit to the individual is ancillary to that benefit.

1. This authorization is based on a requirement of my job and the department for which I work. Authorization to commute is consistent with District Vehicle Use Policy. My signature affirms that the information provided above is correct, and I have read and understand these rules and my responsibilities.

2. Check one of the following:

- TAXABLE COMMUTING: I am subject to imputed income.
- REIMBURSABLE COMMUTING: I will be required to reimburse the District at the current commuting cost per mile for the total monthly miles I commute based on the daily commute miles times 20 days.
- EXEMPT COMMUTING: I only drive a vehicle(s) defined as "Qualified Non-Personal Use Vehicle" by the IRS. Explain why vehicle qualifies: (Attach supporting documentation, if necessary)

Commute Begin Date: _____ End Date (if applicable) _____

Employee/Driver Signature: X _____ Date: _____

C. AUTHORIZATION: By requiring and authorizing this employee to commute you are confirming the employee's status is accurately described above, that the criteria for the decision is based on the benefit to the District, and in the case of Non-Qualified Personal use vehicles that the employee will only commute in a vehicle so defined.

- THIS INDIVIDUAL IS NOT A COMMUTER.
- COMMUTING IS REQUIRED FOR THIS INDIVIDUAL BECAUSE: _____

Board President Signature: X _____ Print Name: _____ Date: _____

FOR TAXABLE OR REIMBURSABLE COMMUTING ONLY:

If taxable, the amount of income imputed in monthly payroll will be \$1.50 per one way commute x 20 days = \$60.00 per month. Reimbursable amount deducted each month will be round trip commute x 20 days x State of Texas commuter rate per mile.

** Please refer to page 2 of this form for additional guidance. **

COMMUTING DEFINITIONS AND CLARIFICATIONS

Control Employee of a government employer is any elected official, or an employee whose compensation is at least as much as that paid to a federal government employee holding a position at Executive Level V.

Official Work Station means the site to which the District officer or employee routinely reports in order to discharge officially assigned duties. In the event of multiple work station assignments, the official work station is the principal work location at which the employee receives instruction, direction, and official communications.

Commuting is for any District employee who is **required** to commute to and from their home to their official work station for the benefit of the District and for bona fide noncompensatory business reasons. There is no commute if the employee normally works out of their home or out of their vehicle and does not have an assigned office in any District business location.

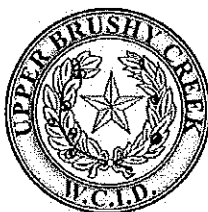
JUSTIFICATION TO COMMUTE: Commuting **will not be authorized unless it is required** by the employing agency, and it can be shown to the satisfaction of the District Board of Directors that it is **"for the District's benefit"**, and that it promotes a legitimate, nonpartisan, governmental interest of the District; that it promotes the efficient operation of the District vehicle. Also:

- 1.) Commuting will not be authorized for any reason other than is necessary to conduct official District business.
- 2.) The Board President shall declare which positions are required to use a District vehicle for commuting. The Board President shall also declare when an employee starts and ends his/her authorized use, and is responsible for ensuring that the commuter's status is current with a properly executed authorization form on file.
- 3.) Commuting **MUST BE REQUIRED AND AUTHORIZED** by the Board President. It cannot be for the convenience of the employee or voluntary on the part of the employee.

"**Taxable commuting,**" means that the value of the commuting will be imputed as income to the commuter for tax purposes for non-control employees. "**Reimbursable commuting,**" means the employee will be required to reimburse the District at the current commuting cost per mile for the total monthly miles based on the daily round trip commute miles times 20 days per month.

"**Exempt commuting,**" is not taxable or subject to reimbursement.

- 1.) **Exempt commuting** **may** be approved, for the benefit of the District, when the motor vehicle is a "**qualified nonpersonal use**" vehicle (See below), and is not likely to be used more than a de minimis amount for personal purposes as defined by the IRS Rules.
- 2.) **Taxable commuting** **may** be approved for a District employee where it can be clearly demonstrated that the convenience to the District is greater than the benefit to the individual. This would include job functions where there is a health/safety benefit to the District citizens as a result of the commuter being "on call" to respond to emergency situations where a citizens' well-being could be impacted. Examples would include individuals who are either "first responders" or whose PDQ's specifically require 24/7 availability to respond to health, life, or safety emergencies.
- 3.) **Reimbursable** If a commuter is not classified as exempt or taxable based on the above criteria reimbursable commuting may be approved for a District employee who is required to commute for the benefit of the District, and for bona fide non-compensatory business reasons.
- 4.) De minimis commuting use will occur when, on occasion, a District employee takes a District-owned motor vehicle to his residence the evening prior to a planned business trip or the evening following an after-business-hours conclusion of a business trip. Taxable income will not be imputed on these occasions.



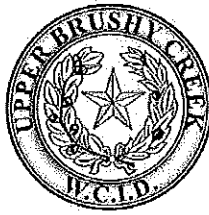
DISTRICT VEHICLE USE – MILEAGE FORM

EMPLOYEE RECORD OF COMMUTE IN DISTRICT VEHICLE			PAY PERIOD TOTAL OF ALL TRIPS		PAY PERIOD	YEAR
NAME AND TITLE			SOCIAL SECURITY NO.		LOCATION AND PHONE NUMBER	
DAY	DATE	NO. OF ONE-WAY TRIPS AND EXPLANATION	DAY	DATE	NO. OF ONE-WAY TRIPS AND EXPLANATION	
1			8			
2			9			
3			10			
4			11			
5			12			
6			13			
7			14			
EMPLOYEE SIGNATURE			NAME AND TITLE OF AUTHORIZING OFFICIAL			

PRIVACY ACT STATEMENT

The Tax Reform Act of 1984 requires each employee to report the use of government-owned vehicles for commuting between residence and official duty station. This law establishes such usage as a fringe benefit which is taxable to the employee. The disclosure by you of your Social Security Number (SSN) is mandatory to ensure proper processing of this information.

SEE INSTRUCTIONS ON REVERSE



INSTRUCTIONS FOR COMPLETION OF MILEAGE FORM

A. The District must keep records on the use of District vehicles (owned or leased) for audit purposes. These records must also show that the use of a District vehicle for transportation between an employee's residence and place of employment was properly authorized and/or approved.

B. Anytime an employee uses a District vehicle for transportation between residence and place of employment (or District vehicle storage point), or vice versa, the Internal Revenue Service has determined that this is a taxable fringe benefit under the tax regulations.

EXCEPTIONS:

1. The employee's residence is designated as the official duty station.
2. The employee uses a District vehicle in connection with travel between residence and temporary duty point for which a travel allowance would be authorized if another transportation method were used.
3. An employee who is stationed abroad commutes at the Government's expense in armored vehicles for personal safety, as recommended by the U.S. Embassy in that country.

C. For reporting purposes, this form must be used to record the number of one-way trips in a District vehicle when they are subject to the taxable fringe benefit provisions.

1. Each day of the pay period, individual employees must record the date(s), number of one-way trips, and a brief explanation of why the District vehicle was used on the appropriate lines of the Mileage Form. Immediately after close of the pay period, enter the total number of trips for the pay period, show the authorizing employee's name and title, sign this form, and submit it to the Administrative Assistant. This information will be recorded and reported to the IRS in accordance with IRS Publication 15-B and the Taxable Fringe Benefits Guide.