

SALT LAKE CITY ORDINANCE

No. ____ of 2025

(City Owned Motor Vehicles)

(An ordinance amending Salt Lake City Code Section 2.54.030 to update policies and restrictions related to the use of City owned motor vehicles.)

WHEREAS, Chapter 2.54 of the Salt Lake City Code addresses certain aspects of Salt Lake City Corporation's (the "City") City owned motor vehicles program; and

WHEREAS, Salt Lake City Code Section 2.54.030 sets forth policies and restrictions related to a City employee's use of City owned motor vehicles; and

WHEREAS, the City Council of Salt Lake City desires to update the policies and restrictions governing the use of City owned motor vehicles.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah:

SECTION 1. That Section 2.54.030 of the Salt Lake City Code is hereby amended to read as follows:

2.54.030: USE POLICY AND RESTRICTIONS:

A. No motor vehicle owned by the City may be taken home by any City employee except under the following circumstances:

1. Authorization to regularly take home a City owned vehicle is granted to a full-time employee by the department director and approved by the mayor, the mayor's chief of staff, or his or her designee based on a demonstrated need for such vehicle to be taken home to serve the public interest, which demonstrated need must be based on one of the following criteria:

a. The vehicle is assigned as a qualified take-home vehicle to a sworn and certified law enforcement officer of the Salt Lake City police

department or an employee of the Salt Lake City fire department (in either case, a “public safety officer”) pursuant to the department’s take home vehicle policy. Public safety officers shall at all times maintain in their vehicle an article of clothing or equipment that clearly identifies them as public safety officers of Salt Lake City to be used in the event of unexpected or off-duty deployment; or

b. The nature of the employee’s work requires immediate response to emergency situations, regardless of frequency, that require the use of specific safety or emergency equipment that cannot be reasonably carried in the employee’s personal vehicle.

2. Due to an isolated incident of use when, because of the lateness of the hour or other peculiar circumstances, it is impractical or impossible to return such vehicle to City custody at the end of a duty shift;

3. Due to emergency circumstances, the ability of the employee to access their primary location of employment is compromised such that the employee may be unable to reasonably retrieve such vehicle from, or return such vehicle to, City custody. The employee in such circumstance must obtain prior written consent from their department director describing the limited time period during which the employee is authorized to take the vehicle home, along with a description of the circumstances necessitating the temporary authorization; or

4. The employee has been designated as the director of a City department.

B. Authorization to take home a City owned vehicle subject to subsection A1 is subject to the following requirements:

1. Prior to receiving authorization, an employee must establish their daily commute mileage by calculating the shortest possible driving distance from the primary location of employment to the employee's residence, as evidenced by a commonly available internet program or application that estimates distances using driving directions (the "standard commute"). Each employee will be required to provide documentation of their standard commute. For such employees, reasonable personal use of a take home vehicle is allowed within the employee's standard commute or related to a public safety officer's use of the vehicle while actively responsible for callback duty. Such reasonable personal use shall be further defined by department policies, which shall set forth a mileage radius limit from the employee's residence, to limit excessive mileage and wear and tear incurred on City vehicles. No personal use may be made of the vehicle outside of these limits. Prior to receiving authorization, employees shall agree, in writing, to abide by the provisions of this chapter, to limit take-home use of the vehicle as described herein, to maintain and use the vehicle in a clean, safe, and serviceable manner, and to acknowledge that the employee has no expectation of privacy in their use of any City-owned vehicle.

2. Fleet management shall provide to the department director access to reports detailing usage, safety data, location, and mileage of City vehicles, as well as access to geofencing monitoring technology, thus enabling the department director to monitor vehicle usage and to determine whether employees are

exceeding reasonable personal use as defined herein and in department policies. Each department with employees authorized for take home vehicle use shall follow adopted City fleet policies requiring regular audits of the fleet management actual use reports and employees' acknowledged use and procedures for addressing unauthorized personal use and usage that exceeds the employee's standard commute or estimated monthly mileage, including procedures for termination of authorization for take home use and disciplinary action.

3. Travel to and from secondary employment in a City vehicle is prohibited except with respect to public safety officers and in that case only if the secondary employer pays the Special Equipment Fee and Fuel Surcharge Fee as set forth on the Salt Lake City Consolidated Fee Schedule.

C. 1. Employees authorized for take home use pursuant to subsection A1 may use City owned motor vehicles only if such employees make biweekly payments to the City for such use according to the following fee schedule:

a. Employees who live within Salt Lake City shall make no payment for the use of the vehicle.

b. For those employees living outside of Salt Lake City, each employee shall make a biweekly payment to the City in the amount of three dollars (\$3.00) per mile based upon the distance of the employee's standard commute from the Salt Lake City limits to the employee's residence.

2. The City Council shall reevaluate the fee schedule each year in conjunction with its adoption of the annual City budget. Notwithstanding anything herein to the contrary, department heads, including the chief of the police

department and the chief of the fire department, shall not be required to pay the fees imposed by this subsection C.

3. Liability coverage provided by the City for an employee's authorized personal or off-duty use of City owned vehicles under this subsection is set forth in Utah Code Ann. § 63G-7-802.

D. Except for vehicles provided to department directors pursuant to subsection A4 of this section, a City owned vehicle may only be authorized for take home use for an employee whose standard commute exceeds sixty (60) miles from the City limits with the express permission of the employee's department director and the mayor or the mayor's designee. With respect to public safety officers authorized pursuant to subsection A1 of this section, the Chief of Police or Fire Chief may permit City owned vehicles to be secured at a police station or fire department located within a sixty (60) mile radius from the City limits if a determination is made that such arrangement is necessary and reasonable.

E. Except as provided for herein, under no circumstances shall a City vehicle be used for any purpose other than City business, to promote a City interest, or for any use authorized by the mayor or the mayor's designee.

SECTION 2. That this ordinance shall become effective upon publication. Passed by the City Council of Salt Lake City, Utah, this ____ day of _____ 2025.

Chris Wharton, Council Chair

ATTEST:

Keith Reynolds, Recorder

Transmitted to the Mayor on _____.

Mayor's Action: _____ Approved. _____ Vetoed.

Erin Mendenhall, Mayor

ATTEST:

Keith Reynolds, City Recorder

Bill No. _____ of 2025.

Published: _____

APPROVED AS TO FORM

Office of the City Attorney

Date: _____

By: /s/ JAYSEN R. OLDROYD

Jaysen R. Oldroyd, Senior City Attorney