

RULE 10.7 – USE OF PERSONAL VEHICLES FOR CITY BUSINESS

Adopted Date: 01/24/2007

Revised Date: 08/18/2023

PURPOSE

City and County of Denver (city) employees engage in many activities that may require the use of their personal vehicle to conduct city business. The city is committed to protecting the people involved in these activities. This policy is to provide direction for authorized employees that use their personal vehicle to conduct city business. This fiscal accountability rule is in alignment with the principles described in [IRS Publication 15-B – Employer’s Tax Guide to Fringe Benefits](#).

This fiscal accountability rule shall be read in conjunction with the associated [City Business Vehicle Use Procedure](#) to ensure compliance and understanding.

Every employee driving their personal vehicle while conducting city business shall also comply with all provisions of:

- [Fiscal Accountability Rule 10.5 – City Business Vehicle Use](#)
- [Fiscal Accountability Rule 10.6 – Take-Home Vehicles and Carpooling](#)
- [Executive Order 3 – Motor Vehicle Program for the City and County of Denver](#)
- [Executive Order 65 – Standard 65.10 – Motor Vehicle Safety Standard](#)

DEFINITIONS

Commuting – Commuting is non-business travel, or personal use, and refers to travel between an employee’s home and main or regular place of work.

Cost Center Approver (CCA) – The security role in the system of record that is given to the individual that the Expending Authority delegates their authority to for the approval of the following transactions (asset transactions are not included for a Cost Center Approver):

Accounting Adjustments, Ad Hoc Bank Transactions, Ad Hoc Payments, Budget Amendments, Change Orders, Customer Refunds, Expense Reports, Internal Service Deliveries, Journals, Procurement Card Transactions, Purchase Orders, Requisitions, and Supplier Invoices.

Unless otherwise specified at the beginning of the document, printed copies are UNCONTROLLED. Always refer to the online Fiscal Accountability Rules on City and County of Denver website prior to use to ensure you are using the most current copy.

Employee – For the purpose of this rule, an employee is an individual who performs work for the city and is paid through the city’s system of record (see [Fiscal Accountability Rule 1.2 – System of Record](#)), and/or falls under the definition of a Public Employee as defined in the Colorado Governmental Immunity Act ([C.R.S. 24-10-103](#)): "Public employee" means an officer, employee, servant, or authorized volunteer of the public entity, whether or not compensated, elected, or appointed, but does not include an independent contractor or any person who is sentenced to participate in any type of useful public service. For the purposes of this subsection (4), "authorized volunteer" means a person who performs an act for the benefit of a public entity at the request of and subject to the control of such public entity and includes a “qualified volunteer” as defined in section [C.R.S. 24-33.5-802](#) (9).

Expending Authority – The manager, appointee, elected official, cabinet member, executive director, or agency head identified in the appropriating ordinance (long bill) who appropriates funds to pay the expenses for conducting public business each year. Each Expending Authority is responsible for management of funds within their department or agency and for assuring that all expenditures are reasonable, necessary, and consistent with all city charter, ordinances, policies and procedures, and other applicable laws.

System of Record – The authoritative data source for a data element or piece of information.

Use of Personal Vehicle for City Business – An employee’s use of their personal vehicle to travel on a daily or regular basis to conduct city business.

RULES

1. All employees who operate a city vehicle or who use their personal vehicle while conducting city business shall refer to and follow [Fiscal Accountability Rule 10.5 – City Business Vehicle Use](#).
2. An employee who uses their personal vehicle while conducting city business shall have personal automobile insurance that does not exclude business use of the vehicle, maintain minimum limits of liability per current Colorado law, and provide proof of insurance upon request.
 - A. An employee shall notify their supervisor immediately if insurance coverage lapses or is terminated for any reason.
 - B. Employees are responsible for ensuring that their personal automobile insurance provides sufficient and appropriate coverage for their personal vehicle in the event that an accident or damage occurs to a personal vehicle, when used for conducting city business.
 - C. Employees are advised to consult with their insurance agent or broker when purchasing insurance coverage for a personal vehicle which the employee uses, or is required to use as a condition of employment, for city business in order to confirm that the employee has sufficient and appropriate coverage for such usage. The city shall not be listed in the policy as a named insured.

- D. The Expending Authority (or their Delegate) shall ensure that these insurance requirements are verified and documented on the [City Business Vehicle Request and Status Change Form](#).
3. The city shall reimburse employees using personal vehicles to conduct city business in accordance with the mileage rates adopted by the **Internal Revenue Service (IRS)** for the period involved.
 - A. Reimbursement will be limited to automobiles (including trucks) and motorcycles.
 - B. Usage of other motor vehicles including mopeds and scooters, as well as bicycles, shall not be eligible for reimbursement.
 4. Mileage reimbursement shall only be claimed for travel that is business related and calculated based on the most commonly used or shortest route option.
 - A. If it is more practical to drive directly from the employee's home to a business location without first reporting to the main or regular place of work, only mileage exceeding the regular commute may be claimed. This also applies to travel from a business location to the employee's home without returning to the main or regular place of work.
 - B. Mileage reimbursement shall be allowed when travel between an employee's home and a business destination occurs on a non-working day or outside of regular business hours provided such travel is approved by the employee's supervisor/manager.
 - C. Mileage reimbursement shall not be claimed for personal commuting purposes, which includes non-business travel, or personal use, and travel between an employee's home or main or regular place of work.
 5. Every employee requesting mileage reimbursement shall record the total mileage for official city business and other data each day on the [Bi-Weekly Mileage Summary for Personal Vehicle Usage Form](#).
 - A. Employees shall complete the **Expense Report task** in the city's system of record and the completed [Bi-Weekly Mileage Summary for Personal Vehicle Usage Form](#) shall be submitted as supporting documentation for the **Expense Report**.
 - a. Employees and their supervisors must attest that the employee who is submitting a request for mileage reimbursement in the system of record currently has a valid [City Business Vehicle Request and Status Change Form](#) on file with their department/agency prior to processing any requests for mileage reimbursement for city business in the city's system of record.
 - b. The [City Business Vehicle Request and Status Change Form](#) requires verification for Defensive Driving Training, Driver's License, and Required Insurance Coverage according to the requirements in [Fiscal Accountability Rule 10.5 - City Business Vehicle Use](#), [Fiscal Accountability Rule 10.6 - Take-Home Vehicles and Carpooling](#), and [Fiscal Accountability Rule 10.7 - Use of Personal Vehicles for City Business](#).

- B. The **Expense Report** will be reviewed for approval by the supervisor, Cost Center Approver, and the Accounts Payable Division.
- C. The employee shall be reimbursed after the **Expense Report task** is completed and approved at the rate established by the **Internal Revenue Service (IRS)**.
- 6. Filing a fraudulent claim for automobile mileage reimbursement shall be cause for disciplinary action which may include dismissal.

AUTHORITY AND ACCOUNTABILITY

The **Controller's Office** is responsible for this fiscal accountability rule and any procedures, guides, job aids, forms, and one-page summaries associated with this rule.