



Village of Menands

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VILLAGE OF MENANDS POLICY ON USE OF FIRE CHIEF'S VEHICLE

PURPOSE: To establish a policy for the use of each chief's vehicle.

SCOPE: This guideline applies to all officers and members of the Menands Fire Department.

The Village of Menands may provide a motor vehicle to be assigned to the Chief and the Assistant Chiefs (Chiefs) of the Fire Department.

In those cases where a vehicle is assigned, it is with the intent of providing the Chiefs with the necessary vehicular and communications support to execute his/her duties. The Village recognizes that its volunteer firefighters, and the Chiefs of the Fire Department in particular, are on call 24 hours each day, every day of the year (except when on vacation or when the vehicle is not in use as provided herein). It is the function of the Chiefs of the Department to command the volunteer firefighters at each emergency scene. A major factor in the command function is the ability of the Chiefs to arrive at the emergency scene at the quickest possible moment, in advance of the arrival of the other members of the Department, for the Chief to quickly and accurately assess the emergency situation, devise a strategy to alleviate the emergency situation and decide where and how to deploy volunteer personnel who are also advancing to the scene in emergency vehicles. The Village has thus determined that the mission and responsibility of its Chiefs will be best advanced by the individual assignment of Village-owned, emergency Chief's vehicles.

To facilitate control and supervision over Chiefs vehicles, owned by and operated on behalf of the Village of Menands, the following rules have been adopted by the Village Board of the Village of Menands.

GENERALLY

It is the intent of the Village of Menands that the Chief's vehicles are to be deemed "qualified non-personal use vehicles" as that term is defined in a publication of the Internal Revenue Service¹. It is expected that the Chiefs will not likely use these vehicles more than a minimum for personal purposes.

The following requirements shall apply:

- The Chiefs are considered to be always on call.
- The Chiefs, as more fully set forth below, shall use the vehicle for commuting to and from their regular employment.
- All personal use (other than commuting) for travel outside of the Village of Menands firefighter's jurisdiction is not permitted. The jurisdiction of the Menands Fire Department shall be those jurisdictions covered by applicable emergency mutual aid agreements

Internal Revenue Service Publication 5137, "Fringe Benefit Guide, Office of Federal, State and Local Governments", January 2014, page 60, referencing IRS regulation Section I .274-5T (k) (3) to which the Village of Menands is a party or is included by reference or when acting under the authority of a higher governmental entity

Authorized Operators

1. The Chief shall be the principal operator of the Chiefs vehicle. The Chief may authorize another active member of the company or member of the auxiliary to use a said vehicle solely in furtherance of firematic duties and support thereof. Any operator of this vehicle must be an active member in good standing of the Fire Company or auxiliary, hold a valid and current operator's license issued by the State Department of Motor Vehicles fully and be familiar with and capable of the operation of any equipment affixed to the vehicle (radios, 4-wheel drive, snowplow, etc.)
2. During times of more than 48 hours of absence from the Village of Menands, the Chief may designate a Fire Company Officer to assume his duties during his absence, as the authorized user of the vehicle. In the case where no person is designated to fill in during the Chiefs absence, the vehicle must be parked at the main fire station located on Broadway.

Authorized Passengers

The Chief, as the person responsible for the vehicle, will be allowed to have passengers in the vehicle with the understanding that all passengers, and their actions, are the direct responsibility of the Chief operating the vehicle. If the Chief is requested to an emergency scene, with passengers onboard, it is the responsibility of the Chief to relocate the passenger(s) to the safest possible location as soon as possible.

Authorized Use

1. The Chiefs vehicle is to be used principally to transport the Chief and/or other appropriately authorized personnel to alarms, drills, training sessions, parades or other activities directly related to fulfilling responsibilities associated with firematic operations.
2. If the Chiefs place of employment is within 20 miles of the Village, the Chief may use the Chiefs vehicle to commute to and from his place of employment, provided the Chiefs vehicle is available to respond to an emergency in the District.

3. In accordance with IRS regulation Section 1.274-5T(k); Reg Section 1.132-5(h) recordkeeping and substantiation by the Chiefs are not required.
4. The Village of Menands must be notified and approve the Chiefs vehicle operation outside the borders of New York State.
5. The Chiefs vehicle shall not be used by any person while engaged in any commercial activity (i.e., by salespeople, delivery services, etc.) whether within or outside of the village. Additionally, the use of the vehicle is prohibited for any political or political related activity.
6. The Chiefs vehicle shall not be operated by any individual who is under the influence of alcohol and/or a controlled substance, excluding prescription drugs for which a legal prescription is held and for which no restrictions on driving are imposed. No alcohol or controlled substances are permitted to be transported in this vehicle, with the exception of prescription medicine as noted in the preceding sentence.
7. Authorized operators of the Chiefs vehicle shall fully comply with all New York State emergency and non-emergency driving laws and regulations, including those contained in the Vehicle and Traffic Law of the State of New York, both when operating the vehicle and not.
8. Any incident or offense involving charges of DWI, DWAI, DWAI-Drugs, etc., will result in the immediate loss of the right to use the vehicle.

Vehicle Maintenance

1. The Chief shall be responsible for the physical appearance of the assigned motor vehicle. The vehicle shall be cleaned regularly and kept in a state of appearance that reflects the proud traditions of the Fire Company and the Village of Menands.
2. The Chief is responsible for adhering to the maintenance schedule that is prescribed by the manufacturer and scheduling maintenance as required. The Village of Menands will bear the expense of maintenance, repairs, fuel, safety inspections, and motor vehicle insurance.
3. No signage other than the official seal of the Menands Fire Company, the Village of Menands, or designations relating to the purpose of the vehicle may be affixed to the vehicle.
4. No political or commercial signage will be affixed to the vehicle.
5. Any amendment to this protocol and procedure may only be amended or changed upon approval of the Village Board of Trustees.

Summary

1. Authorized operators and passengers in the Chiefs vehicle must recognize that they are identifiable as members of the Menands Fire Department and by extension representatives of the Village of Menands. This being the case, their actions and driving behavior reflect on the Menands Fire Department and the Village of Menands. It is expected that vehicle operators and

passengers will conduct themselves in a manner that reflects favorably on the Fire Department and the Village and shall exercise good judgment.

2. Violation of the principles of this document will result in an immediate review of the use and assignment of the Chiefs vehicle. The outcome of this review may result in a change in the policy regarding the assignment of the vehicle up to and including suspension of the use of said vehicle. Any user shall, at all times, fully comply with all New York State emergency and non-emergency driving laws, including those contained in the New York State Vehicle and Traffic Laws.
3. Violations of this policy may result in disciplinary action, up to and including the loss of the privilege to use and operate the Chief Vehicle.
4. The Board of Fire Commissioners has complete and total authority to monitor and regulate any use of Fire District-owned Chief Vehicles.

This Fire Chief Vehicle policy is revised on December 4, 2024, and supersedes the previous versions of this policy.

By order of the Board of Fire Commissioners, Village of Menands Fire Department.

Read, signed, and agreed to:

Fire Chief, Village of Menands

Date

Mayor, Village of Menands

Date