

Subject: Van Pool Operations

Date:

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Replaces Policy Dated: N/A

PURPOSE: The purpose of this Policy is to set forth the terms and conditions under which County van pools will be established, subsidized, and operated.

STATEMENT OF POLICY: It is the intent of Pinal County to take affirmative steps to reduce motor vehicle related emissions, promote fuel conservation, and reduce traffic and parking congestion in Pinal County by promoting the use of van pool transportation.

SCOPE: This policy applies to all van pools receiving operating subsidies for any agency or division of Pinal County Government.

DEFINITIONS:

Alternate Driver - One or more persons who have been approved, in writing, by the vanpool lessor as additional drivers of the van pool. Alternate drivers are not personally accountable for the vans maintenance and are only responsible for its operation when they are driving.

Driver - The driver is the person who has been approved, in writing, by the vanpool lessor as the primary operator and who is primarily responsible for the van, it's maintenance and operation. This individual must be an employee of Pinal County if the van pool is to receive a subsidy from the County. The person who drives, or is in actual physical control of a motor vehicle used in van pool transportation.

Participant - A rider on a van pool who is a) an employee of Pinal County, b) an employee of another governmental or state agency, c) an employee of any agency that is a recognized vendor or contractor with Pinal County, or any other individual with the approval of the County Manager.

Van Pool – Van pools are voluntary, independently operated not for profit entities that provide transportation to and from an employee's residence or common pick up/drop off point and the place of employment. Van pools are not an arm of the County. The County assumes no liability for the operation of a van pool, or for any physical damage or material loss that may result to the vehicle or occupants from misuse or the misconduct of any van pool members.

Van Pool Operator - Any person when engaged either regularly or occasionally in carrying one or more other persons by motor vehicle on any public highway, with or without compensation but not for profit, provided that the carriage of such other person or persons is incidental to another purpose of the van pool operator. A van pool operator shall be conclusively presumed not to be carrying persons for profit if either:

1. He/she receives compensation not exceeding twenty cents per mile for total miles traveled, except that the proportionate share of the van pool operator shall be included in such amount;
2. He/she carries one or more of his/her passengers in consideration of his/her being carried in like situations by such passenger or passengers. The receipt of compensation in excess of twenty cents per mile for total vehicles miles traveled shall not preclude a van pool operator from showing that such compensation does not result in a profit to him or that such operator did not intend that a profit result. Such carriage shall be deemed incidental to another purpose of the van

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pool operator, if, except in unusual circumstances, such operator is not making the trip solely for the purpose of carrying a passenger or passengers. A van pool operator is conclusively presumed not to be transporting passengers for hire.

Van Pool Subsidy – Pinal County will provide a subsidy of 50% of the vehicle lease cost as long as the lease account is maintained in good standing.

Van/vehicle - Any vehicle assigned by a lessor that is the property of the lessor, that is contracted to permit use of the vehicle only by the Driver or an Alternate Driver who are each in possession of written approval issued by the lessor to operate the van/vehicle.

Treasurer – An employee other than the driver who is responsible for collecting monthly fees, depositing the funds in the van pool bank account, and paying the monthly van lease payment and any other expenses of the vanpool.

Essential minimum requirements to receive a county van pool subsidy

A signed lease agreement with a van/vehicle lessor

An official name for the van pool

An Employer Identification Number (EIN) from the IRS for the van pool.

An independent bank account for the purpose of maintaining the van pools financial transactions. (Employees are prohibited from commingling personal and van pool finances.)

Ridership that includes sufficient County employees to fill 50% of the seating capacity of the selected vehicle.

An employee approved as a primary driver by the van pool lessor and a different employee willing to serve as "Treasurer".

Van Pool Start-up Process

When a group of eight or more county employees voluntarily agree to establish a van pool for the purpose of home to work commuting and have obtained the minimum essential requirements noted above, they may submit a written request for a van pool subsidy to the Human Resources Department. The request must contain the following:

- The name of the Driver,
- List of all employees agreeing to ride on the van, no less than eight and no more than 15 (including the driver),
- The name of a second employee who has agreed to be the van pool treasurer.
- Individual agreements, signed by all participants reflecting their commitment to ride on the van and pay their pro-rata share of the unsubsidized van pool operating expenses.

Upon receipt of a van pool start-up request, Human Resources will confirm that the minimum requirements have been met and will forward a recommendation for the van pool subsidy to the Board of Supervisors for approval during a regularly scheduled open meeting. Subsidies, once approved, will not be made retroactive.

Monthly Billing

Once a subsidy has been approved by the Board of Supervisors, it will be the responsibility of the van pool to submit an invoice for payment to Human Resources on a monthly basis, to receive the subsidy. The invoice shall contain the following:

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- A copy of the current monthly bill from the van pool leasing company.
- An invoice from the van pool referencing the invoice number of the leasing company billing invoice.
- A calculation showing the full operating expenses of the van pool for the previous month and the cost per participant for the upcoming month.

Subsidy checks will be made payable to the Van Pool. It is the responsibility of the van pool to deposit the checks and make the monthly payment to the van pool leasing company.

Van Pools are expected to recruit their own participants and to establish such rules as are necessary for the orderly operation of the van pool. Van pools must make all lease payments on a timely basis. Failure to make full payment each month will constitute grounds for a discontinuance of the county subsidy.

Financial accounts of van pools receiving County Subsidies will be subject to random audit by the County.