

**LOW MOUNTAIN CHAPTER
HEAVY EQUIPMENT AND MOTOR VEHICLE
POLICY AND PROCEDURES
[REVISED – 10/31/2023]**

I. PURPOSE:

This Chapter Heavy Equipment and Motor Vehicle Policy and Procedures is hereby established to strengthen, to prevent misuse of the equipment and to acknowledge the policy guidelines for better management.

- A. The Navajo Nation, through Navajo Nation Council Resolution JCA-01-21, approved utilizing Sihasin Funds an expenditure plan utilizing Sihasin Funds to purchase the specific heavy equipment Motor Grader Backhoe for the Low Mountain Chapter (LMC). The funds were allocated to the Division of Community Development (DCD) in order to assist LMC with the purchase of this heavy equipment Motor Grader Backhoe and the primary purpose for this policy and procedures will be to provide standard procedures for all the Chapter heavy equipment and vehicles.
- B. Pursuant to Section 4, Part 1, of CJA-01-21 requires that the LMC shall be responsible for the repairs, maintenance costs and insurance costs for the purchase heavy equipment and as a result, the title and ownership of the Chapter heavy equipment and vehicles shall be in the Chapter's name. The LMC shall inventory the equipment and/or vehicles in accordance with the LMC's Property Management System.
- C. The overall purpose for this Chapter Heavy Equipment and Vehicles Policy and Procedures is to provide minimum guidelines on proper maintenance, safety measures, and prevention of misuse of the LMC heavy equipment and motor vehicles.
- D. Nothing herein shall be interpreted to give authority to Chapters to use the vehicles and equipment in an unauthorized manner. Chapters may need to coordinate with other Navajo Nation entities before using heavy equipment for projects that the Chapter is without authority to work on.

II. DESCRIPTION OF EQUIPMENTS:

- A. The chapter shall inventory the equipment or vehicle providing a general description which shall include the make, model, and serial number.
- B. Below are examples:

DESCRIPTION	MAKE/MODEL	SERIAL NO.
Motor Grader Backhoe	Caterpillar 5080 M Series	XXXXX
Front End Loader Tractor	John Deere 3100	C166020
Tractor 2-Bottom Plow 1000	MF 261	124208
1000 Gallon Water Tank	EAGLEMINE D Water Tank	
White Extended CAB 4x4 12' Flatbed Welding Machine	Sk# ITPU 2008 GMC	IGTHK39KX8E164454

III. RESPONSIBILITIES:

A. Chapter Administration:

1. The Community Services Coordinator (CSC) is primarily responsible for ensuring that the equipment and vehicles are properly used in accordance with these policies and procedures. Notwithstanding, all Chapter Officials and Personnel are responsible for ensuring that the equipment and vehicles are being used properly.
2. The Chapter President and Vice President with the Maintenance/Operator shall perform a thorough monthly inspection of all Chapter heavy equipment and motor vehicles and submit a report to the CSC who shall submit the report the Central Agency Administrative Service Center's (ASC) Special Project Program Specialist (SPPS).

B. Operator(s):

1. All Operators shall be properly licensed to operate a vehicle and/or equipment. This may include, but is not limited to, a valid Driver's License, Navajo Nation Vehicle Operator's Permit or Operator Certification.
2. For any specialized equipment or vehicle, the Operator shall be certified to operate such equipment and vehicles. Additional training(s) may also be required by the LMC.
3. All Operator(s) shall have the duty to communicate primarily with the CSC in writing, regarding the use, maintenance, repair, and general overall status of the equipment. In the event of an accident, Operator(s) shall provide a detailed report of the incident.
4. The Maintenance/Operator shall forward the following to the CSC and/or the Chapter Administration:
 - a. Equipment Daily Report (Exhibit "A");
 - b. Daily Field Report (Exhibit "B");
 - c. Vehicle Inspection Report (Exhibit "C").
5. Before each use, the Operator shall inspect the equipment or the vehicle.
6. After each use, the equipment or the vehicle shall be parked in a designated area within the Chapter compound.
7. Unless authorized directly by the CSC, all equipment shall be returned to the Chapter by 4:30 P.M. to allow time for post inspection by the Operator.
8. All Operator(s) shall maintain a high standard of conduct and comply with all applicable laws and regulations.

C. Chapter Officials:

1. Generally, Chapter Officials are policy makers and are prohibited from the direct involvement and management of the Chapter Administration. As such, Officials are not involved in the decision-making process regarding equipment and vehicle use.
2. However, in the event of being informed of misuse, the Chapter Official shall report the matter to the Chapter CSC.
3. If information reveals that the Chapter CSC and/or Staff is engaging in the alleged misuse, the Chapter Secretary/Treasurer as the Supervisor shall provide a written report to DCD Central Government for further guidance.

IV. PRIORITY OF USE:

Before any heavy equipment and motor vehicle can be used for any projects, the Chapter must authorize and approve the usage. The priorities are as follows:

- A. The equipment/vehicle is available for all authorized use.
- B. Authorized use shall be prioritized as follows;
 1. Chapter Emergency Projects
 2. Non-Emergency Projects
 3. Community/Special Projects
 4. Individual/Private Projects
 5. Burial Service Usage

V. RENTAL FEE AND PAYMENTS:

- A. All requests shall be made with three (3) days advance notice by filing a Chapter Equipment Rental Form (Exhibit "D").
- B. The CSC is the primary person responsible to approve or deny the request. In the event that the CSC position is vacant, the Chapter President will approve or deny the request. All decisions shall not be unreasonably withheld. All denials shall be justified in writing. Any approval does not guarantee use and therefore if a higher priority exists, the CSC will need to inform the renter of the need to reschedule their use.
- C. Chapter Motor Vehicles cannot be rented for personal usage.
- D. Operator(s)
 1. The Chapter Maintenance/Operator shall be the primary operator of all heavy equipment.
 2. If the Chapter Maintenance/Operator is unavailable or whenever another person/entity is authorized to operate, the following shall apply:
 - a. The Operator shall be responsible to comply with Section III (B) herein.
 - b. The Renter shall be responsible for all costs related to any damage caused by their Operator.

- c. The Renter shall indemnify the Chapter and the Navajo Nation from any and all liabilities arising from the Operator's use of the equipment.
- d. The Renter shall be responsible for all fuel costs. If the Renter returns the equipment without proper refueling, the Chapter shall invoice the Renter which may include additional fees. The Renter shall be prohibited from future use until the invoice is paid.

VI. ACCOUNTING OF FUNDS AND RECORDS:

- 1. Chapters are authorized to charge a reasonable use fee and with exception of the motor vehicle, the following heavy equipment rental fee including the current Navajo Nation Sales Tax shall be used.

TYPE OF EQUIPMENT	DESCRIPTION OF WORK	AMOUNT OF FEE
Motor Grader Backhoe	Roads	\$60.00 Per Hour + NN Sales Tax
Motor Grader Backhoe	Residential Work	\$60.00 Per Hour + NN Sales Tax
Tractor	Homesite Leveling	\$60.00 Per Acre + NN Sales Tax
Tractor	Cornfield Plowing	\$60.00 Per Acre + NN Sales Tax
Water Tank	Other	\$25.00 Per Day + NN Sales Tax

VII. INSURANCE:

Notwithstanding and Renter's obtain insurance, the Chapter shall carry the Liability, Collision and Comprehensive Insurance through Navajo Nation Insurance Policy and therefore the Chapter will need to make arrangement with the Navajo Nation Risk Management Department.

VIII. CODE OF ETHICS:

The Maintenance/Operator of the Chapter heavy equipment and motor vehicles shall maintain a high standard of conduct in operating all heavy equipment and motor vehicles. He/she shall observe and comply with all applicable laws and regulations as set forth in this Policy and Procedures and Operator's Manual.

IX. AMENDMENT:


The Low Mountain Chapter shall strictly abide and comply with the set Policy and Procedures unless otherwise changes or amendments have been made to the Chapter Heavy Equipment and Motor Vehicle Policy. The process to amend the Policy and Procedure shall be recommended in writing by any registered community members at a duly called Chapter Planning Meeting.

C-E-R-T-I-F-I-C-A-T-I-O-N

We, hereby, certify that the foregoing Chapter Heavy Equipment and Motor Vehicle Program Policy and Procedures was duly considered at a duly called Low Mountain Chapter, Chapter Meeting in Low Mountain, Navajo Nation, Arizona at which a quorum was present and that same was passed by a vote of 11 in favor, 0 opposed, and 04 abstained, on this 13 day of November, 2023.

Motion By: Clara Tsosie

Second By: Mae Yazzie



Ben Gonnie, Chapter President



Roger B. George, Chapter Vice President



Rose Ann Charley, Chapter Secretary/Treasurer