

Peoria Police Department Policy and Procedure Manual

Policy 4.08 Operation of Department Vehicles



**“Our Community...
Our Commitment”**

I. POLICY

It is the policy of the Peoria Police Department to provide guidelines to all employees relative to the operation of all City owned vehicles assigned to the Police Department

II. PURPOSE

To provide a policy to manage the operation and use of City vehicles by Police Department personnel.

It is not the purpose of this policy to provide Police Department personnel with guidelines regarding the operation of City vehicles under emergency conditions or during pursuits. Those are addressed in policies specific to those circumstances.

III. DEFINITIONS

A. Code “0” (Zero) or “No Code:” Shall refer to any routine call to which an officer responds, obeying all traffic laws and speed limits en route.

B. Code 1: Shall refer to any call which an officer responds to immediately. The officer shall temporarily drop whatever activity they are engaged in and respond directly to the call, obeying all traffic and speed laws while en route. The use of emergency equipment shall not be used during Code 1.

C. Code 2: Officers responding to certain emergency calls may respond using EMERGENCY LIGHTS ONLY. However, the use of emergency lights only DOES NOT require other motorists to yield their right of way, nor does it exempt the driver from the provisions of Arizona Revised Statutes (ARS). The decision to utilize “Code 2” can only be made by the responding officer, who holds sole responsibility for that decision. The use of “lights only” alerts other motorists that the vehicle is responding to an emergency call and grants no privileges or immunities.

D. Code 3: Shall refer to any call which the officer responds to with lights and siren (as necessary) as an emergency vehicle utilizing the privileges authorized by law, but complying with Department policy to drive with due regard for the safety of all persons on the roadway.

E. Authorized Emergency Vehicle: A vehicle being driven in response to an emergency call, operating at least one red light or red and blue light.

F. MCV – Mobile Command Vehicle: The Police Department’s Class “A” Motor Home constructed to specifications for use as a Mobile Command Post

G. MOC – Municipal Operations Center: The City of Peoria’s Municipal Operations Center is located at 8850 North 79 Avenue, Peoria, Arizona.

IV. GENERAL POLICY REGARDING THE USE OF CITY/DEPARTMENT VEHICLES

A. Comply with Vehicle Law – Employees will comply with the vehicle laws as contained in ARS Title 28 at all times when operating City owned, rented, leased, or seized vehicles, except when operating under emergency conditions in a manner authorized by law and in compliance with Department Policy.

B. Official Business – Employees will not use City/Department vehicles without the permission of a supervisor and will not use them for other than official police business.

C. License – Employees shall possess a valid Arizona Driver License appropriate to the type of vehicle being driven.

D. Abuse of Property – Careless, abusive, or willful misuse of City vehicles may result in disciplinary action.

E. Seat Belts – Employees will use seat belts in all vehicles so equipped and will require all passengers and prisoners to do the same.

F. Off-Road Driving – Employees will not drive off roadways, into river bottom areas, mountainous areas, or desert areas unless absolutely necessary to perform a police function, unless driving a vehicle designed to be driven off road.

G. Unauthorized Persons – Employees shall not use City/Department vehicles to transport unauthorized persons.

H. Backing – When a vehicle with limited visibility is being backed, if a second Department employee is available, that employee should stand outside to the rear of the vehicle with limited visibility to guide and signal the driver. If a Department employee is not available, the driver will carefully back the vehicle with limited visibility to the desired location.

I. Alley/Spot Lights – Alley lights and spotlights may be used when the vehicle is stationary or moving at speeds not to exceed 15 MPH and shall not be used in a manner which will blind or interfere with the vision of operators or other approaching vehicles.

J. Hazard Lights – A vehicle's hazard warning lights will be utilized every time a Department vehicle is parked in such a manner that it is in a trafficked part of the roadway or where it could present a hazard to motorists.

K. Public Address System – A vehicle's public address system may be utilized to make announcements of an official nature.

V. PROCEDURES

A. Maintenance – Employees driving or assigned a City vehicle will comply with the following policies: (26.1.1)(41.1.4.e)

1. Inspection – Employees will inspect their assigned vehicle before each shift and report any damage or mechanical failure in writing prior to using the vehicle.

a. Malfunctions observed during a shift will be reported to a supervisor immediately.

b. Vehicles in an unsafe condition will not be driven.

2. Breakdowns – Breakdowns occurring on the street will be reported immediately to the supervisor either by telephone or through Communications.

3. Gas and Oil – Employees will insure that their assigned vehicles have sufficient gasoline and oil for their assigned shift and that the tires are properly inflated.

a. Vehicles should be fueled when they are below one-half full in order to always have enough fuel in case of an emergency incident or response.

b. No vehicle will be turned in at the end of shift with less than one-half tank of fuel.

c. Patrol vehicles should be fueled during the shift whenever possible, not waiting until the end of shift unless unavoidable due to assigned activity.

4. Cleanliness – Employees will insure that their City vehicles are kept clean and free of trash.

5. Preventive Maintenance - Vehicles will be turned into the MOC at required maintenance intervals. Employees will inspect vehicles for preventive maintenance mileage at the beginning of their shift.

B. Vehicle Security

1. Personnel will lock their City vehicles when leaving them unattended with the following exceptions:

a. Left at a mechanical maintenance shop.

b. If it would be unwise to lock the vehicle while involved in a police incident when use of the vehicle radio appears likely.

c. Parked in any secure police facility, except ETS and MDC equipped vehicles shall be secured at all times.

2. Prior to leaving vehicles at a mechanical maintenance shop, the Communications Shop, or other locations for repairs, etc., the shotgun, ETS, and MDC shall be removed from the vehicle and secured at the police facility.

3. All employees that park take home vehicles overnight at their residence or other locations (if out of town on official business) shall remove the following items, and any other sensitive police department equipment or information from the vehicle to include, but not be limited to:

- a. Weapons systems
 - (1) Firearms
 - (2) Tasers
 - (3) Weapons magazines
 - (4) Chemical sprays
- b. Police Identification or badges
- c. Cellular Telephones
- d. Portable Radios
- e. Call Out lists or personnel rosters
- f. Garaged vehicles are exempted.

4. All employees that park take home vehicles overnight at their residence or other locations (if out of town on official business) may leave the following items in those vehicles as long as the vehicle is alarmed, and the items are not in view.

- a. Police Department Uniforms
- b. Leather or web gear which does not have loaded firearms or magazines in it
- c. Protective Vests
- d. Raid Vests or Identifying Vests for use at major incidents
- e. Barrier or tactical vest
- f. Extra ammunition

C. Parking City/Police Vehicles – Employees will keep in mind the safety of the public when parking City/Police vehicles and will not park a vehicle in such a manner as to create a hazard.

1. Parking for Scene Management – If a City/Police vehicle is parked to provide protection at an accident scene or to provide illumination at night upon the traveled portion of a roadway, the vehicle's emergency lights will be activated and

the vehicle will be unoccupied. The vehicle's trunk shall remain closed at all times to provide optimal illumination from the rear, unless items are being retrieved from the trunk. (41.2.1)

2. Police Facilities – Employees working at a Police or City facility will park their Police/City vehicle only where authorized by the City, the Department, or their supervisor. When accessing or leaving the secured/gated Police Facility or the Pinnacle Peak Public Safety Facility, employees shall only enter or leave the facility one vehicle per gate opening to ensure their safety and to avoid damage to their vehicle by the garage/gate doors.

3. City Lots – Employees shall park City/Police vehicles only in spaces designated for their use.

D. Parking while on Official Business – Employees will always park their City/Police vehicle properly and legally, unless responding to an emergency call.

E. Daily Inspection Required – Each employee shall inspect their assigned vehicle daily before driving it. Such inspection shall include at least the following: (41.3.1)(41.3.2)

1. Marked Police Vehicles

- a. Check the emergency operating equipment.
- b. Check the exterior/interior for serviceability and damage.
- c. A check of the minimum prescribed equipment listed on the yellow Vehicle Equipment Checklist Placard affixed to the interior trunk lid of the marked Police vehicle.
- d. If any of the required equipment is discovered to be missing, damaged, or inoperable, the employee must contact the on-duty supervisor to obtain replacement equipment prior to beginning their shift.

2. All Other Police Department Vehicles

- a. Check of the emergency operating equipment (if applicable).
- b. Check of the interior/exterior for serviceability and damage.
- c. Check for the minimum prescribed equipment.

(1) First Aid Kit

(2) Flares

- (3) Blanket
- (4) Fire Extinguisher
- (5) Hazardous Material Bag
- (6) Tire Jack
- (7) Spare Tire
- (8) Jumper Cables
- (9) Pry Bar

3. Police Motorcycles

- a. Check of emergency operating equipment.
- b. Check exterior for serviceability and damage.
- c. Check for minimum prescribed equipment.
 - (1) First Aid Kit
 - (2) Hazardous Material Bag
 - (3) Accident Measuring Tape

4. Employees shall report any missing equipment to their supervisor.

5. Mechanical deficiencies will be reported immediately.

6. The operator of the vehicle will be responsible for removing all unnecessary items such as trash, paper cups, and any discarded material prior to the end of shift.

7. For patrol vehicles, an inspection of the rear seat area shall be completed at the start and end of the operator's shift, and each time after a subject is placed or transported in the back seat.

F. Damage to Radio Equipment – To prevent extensive damage to radio equipment in vehicles, employees whose vehicles have been exposed to heavy rains or flooding will check the trunk compartment of their vehicle for evidence of water. When it appears that water has leaked into the trunk, the vehicle will be taken to the Communications Shop for inspection.

G. Damage to City Vehicles – Any employee who damages a vehicle or becomes involved in a motor vehicle accident with a City owned, rented, or leased vehicle will be responsible for immediately notifying their supervisor.

1. A State Vehicle Accident Report will be completed if the reporting requirements are met or at the discretion of a supervisor.

2. In the event that damage is incurred, the immediate supervisor will initiate a Damage to City Vehicle Form indicating the cause of the damage.

3. No administrative investigation will be initiated unless there are signs of negligence or the cost of damage is excessive. If the accident warrants an administrative investigation, the supervisor shall ensure that all involved employees are interviewed in accordance with Policy 5.01, Administrative Investigations/Discipline.

4. When any City vehicle sustains considerable damage, the accident investigator will take color photographs of the damage.

5. The Damage to City Vehicle Form, along with any other Departmental reports related to the damage, will be forwarded through the Chain of Command to the appropriate Deputy Chief. A copy of all documentation shall also be forwarded to the Police Department's designated Fleet Manager so that they can initiate appropriate vehicle repairs.

6. When a City vehicle is damaged, and after the appropriate documentation is completed, that vehicle shall be immediately driven to the Municipal Operations Center (MOC) and taken out of service until the damage can be inspected by the Fleet Department and returned to service.

a. If the vehicle cannot be driven to the MOC, the Department's contract tow vendor shall be called and the vehicle towed to the MOC.

b. Regardless of condition, all damaged vehicles shall remain out of service until returned to service by the City's Fleet Department.

(1) The only exception to this is minor cosmetic damage that would not affect the physical operation of the vehicle.

(2) Before it is kept in service, it must be approved by a supervisor.

(3) The approving supervisor shall send an e-mail to the Department's Fleet Manager by the end of their shift that day detailing what has been done and the location of the vehicle so that repairs and inspections can be completed.

H. Special Purpose Vehicles

1. Prisoner Transport Van

a. Purpose – The primary purpose of the prisoner transport van is to transport prisoners to detention facilities or to court. (41.1.4.a)

b. Emergency Driving Restricted (41.1.4.b)

(1) Employees shall not engage in emergency driving unless the vehicle is equipped with identifying decals, emergency lights, and a siren.

(2) There shall be no emergency driving under any circumstances if the vehicle is actually transporting prisoners.

(3) At no time will the Prisoner Transport Van participate in a vehicle pursuit.

c. Inspection Required – The Prisoner Transport Van shall be checked for weapons and contraband prior to and after the transporting of any prisoner. (41.1.4.b)

d. Special Events – The Prisoner Transport Van may also be used for special events, crowd control, patrol, and property transportation. (41.1.4.c)

e. Responsible Employee - A Police Services Officer shall be assigned to be responsible for the condition and maintenance of the Prisoner Transport Van. (41.1.4.e)

f. Equipment – The Prisoner Transport Van shall be equipped with a police radio, fire extinguisher, extra handcuffs and leg restraints, and a first aid kit. (41.1.4.f)

g. Drivers – All drivers of the Prisoner Transport Van shall be employed by the Peoria Police Department and shall have a valid and current Arizona Driver License in their possession. (41.1.4.d)

h. Authorization – All sworn officers are authorized to operate the Prisoner Transport Van, along with the Police Services Officer assigned to that function. (41.1.4.g)

2. Police Motorcycles

a. Purpose – The primary purpose of the police motorcycle is to handle traffic-related incidents and maintain visibility in determined high speed and accident locations. (41.1.4.a)

b. Weather Restrictions – During adverse weather conditions (i.e., heavy rain, dust storms, monsoon, etc.), police motorcycles shall not be driven. (41.1.4.b)

c. Speed – Police motorcycles will not be driven in excess of posted speed limits except in cases of extreme emergencies, or when attempting to stop a violator. (41.1.4.b & c)

d. Authorized Drivers – Only personnel who are participating in, or have successfully completed the Police Motorcycle Training Course, and have earned their “motor wings” shall operate a police motorcycle, except during

training. A motorcycle endorsement to the Arizona Driver License is also required. (41.1.4.d & g)

e. Responsible Employee – Each police motorcycle officer assigned to a particular motorcycle is responsible for the condition and maintenance of that motorcycle. Police motorcycle officers shall be granted two (2) hours each week to provide the needed maintenance on their police motorcycle. This shall not be compensated as overtime. (41.1.4.e)

f. Equipment – The following equipment shall be kept with the police motorcycle. All related paperwork to efficiently complete the assignment (citations, accident forms, tow sheets, etc.), measuring devices, flashlights, and other equipment deemed necessary. (41.1.4.f)

3. Service Dog Handler Vehicle (See Policy 4.26, Police Service Dogs)

4. 4 X 4 Vehicle

a. Purpose – The primary purpose of the 4X4 Police Vehicle is to handle the special operational needs of those areas in the city where the terrain is primarily desert, rocks, and other conditions not easily traversed by a standard patrol vehicle. (41.1.4.a)

b. Limitations – The instructions, conditions, and limitations of usage are the same as for the standard patrol vehicle. (41.1.4.b)

c. Desert Usage – The 4X4 is authorized to enter the desert areas of the City to investigate calls for service, suspicious activities, etc. The 4X4 vehicle is also used for normal patrol procedures and operations. (41.1.4.c)

d. Qualifications for Use – The qualifications and training needed to operate the 4X4 are the same as for the operation of a standard patrol vehicle. (41.1.4.d)

e. Responsible Employee – Any patrol officer that is assigned to operate the 4X4 vehicle is responsible for its condition and maintenance. (41.1.4.e)

f. Equipment – The equipment that is to be carried in the 4X4 vehicle is the same as for the standard patrol vehicle. Please refer to the Officer’s Daily Vehicle Checklist, form #152-007, for specifics. (41.1.4.f)

g. Authorization – All sworn officers are authorized to operate the 4X4 police vehicle. (41.1.4.g)

5. Police Bicycle

a. Purpose – The primary purpose of the police bicycle is to provide high visibility in neighborhoods.

The police bicycle also has the ability to be inconspicuous and to traverse terrain in a more direct route than perhaps a patrol vehicle. Police bicycles also patrol department store parking lots during the holiday seasons and assist in other details requiring the need for an inconspicuous vehicle. (41.1.4.a)(41.1.4.c)

b. Night Operation – When riding at night, officers assigned to ride police bicycles, will be deployed in pairs, unless otherwise ordered by the unit supervisor. (41.1.4.b)

c. Authorized Operators – Only those sworn officers who have successfully completed an approved police mountain bike training course will be allowed to operate the police mountain bike. The officer shall also be currently assigned to either the Neighborhood Response Unit (NRU) or the Neighborhood Action Team (NAT) and shall be scheduled by the unit supervisor to ride at certain times. (41.1.4.d)(41.1.4.g)

d. Responsible Employee – A Bike Maintenance Officer shall be responsible for keeping all Police Department mountain bikes in proper working order. Each police mountain bike will have a preventive maintenance check every six (6) months. It is also the responsibility of each assigned officer to report any damage or malfunctions, in reference to their mountain bike, to the unit supervisor or bike maintenance officer immediately. (41.1.4.e)

e. Equipment – A tire air pump and a flat tire repair kit shall be kept with the officer while on duty. Paperwork regarding home safety and other educational materials should also be carried. (41.1.4.f)

6. SAU Transport Vehicles/Armored Vehicle

a. Purpose – The primary purpose of the SAU Transport Vehicle/Armored Vehicle is to handle the special operational needs of those areas required during tactical operations. The SAU Transport Vehicle/Armored Vehicle will be utilized to transport personnel and equipment as deemed necessary by the SAU Commander or their designee. (41.1.4.a)

b. Limitations – The SAU Transport Vehicle/Armored Vehicle will only be used under the authority of the SAU Commander or their designee. (41.1.4.b)

c. Situational Usage – The SAU Transport vehicle/Armored Vehicle is not authorized to enter the desert areas of the City. The SAU Transport vehicle may be used to conduct undercover or covert operations. (41.1.4.c)

d. Qualifications for Use – The qualifications and training needed to operate the SAU Transport Vehicle/Armored Vehicle are the same as for the operation of a standard patrol vehicle (41.1.4.d)

e. Responsible Employee – Any officer assigned to SAU that is assigned to operate the SAU Transport Vehicle/Armored Vehicle is responsible for its condition and maintenance. (41.1.4.e)

f. Equipment – The equipment that is to be carried in the SAU Transport Vehicle/Armored Vehicle is that equipment normally associated with tactical operations, such as shields, breaching equipment, spare batteries, mirrors and ladders. The SAU Transport Vehicle/Armored Vehicle equipment that is to be available during Emergency Operations will be inventoried monthly. (41.1.4.f)

g. Authorization – All SAU officers are authorized to operate the SAU Transport Vehicle/Armored Vehicle. (41.1.4.g)

7. Crisis Negotiation Team (CNT) Trailer

a. Purpose - The primary purpose of the CNT trailer is to provide a platform for negotiators during a Critical Incident. The CNT trailer may be utilized to support any Special Assignments Unit (SAU) mission as deemed necessary by the CNT Commander and/or SAU Commander or their Designee. (41.1.4.a)

b. Limitations – The CNT trailer will only be used under the authority of by the CNT Commander and/or SAU Commander or designee. (41.1.4.b)

c. Situational Usage – The CNT trailer may be utilized as a command post if it is not being utilized to support an SAU/CNT mission. (41.1.4.c)

d. Qualifications for Use – The CNT trailer will only be operated by those officers assigned to CNT and who are qualified and designated by the CNT Commander. (41.1.4.d)

e. Responsible Employee – The CNT commander will designate personnel assigned to CNT to maintain the trailer. (41.1.4.e)

f. Equipment – The equipment located within the CNT trailer is the equipment necessary for successful crisis negotiations equipment. This includes telephones, throw phones, computers, etc. The CNT trailer will be inspected and inventoried monthly to ensure operational readiness. (41.1.4.f)

g. Authorization – All members of CNT are authorized to operate the equipment within the CNT trailer. (41.1.4.g)

8. Polaris Ranger

a. Purpose – The purpose of the Ranger is to provide service patrol in the desert and off road areas for noise and dust abatement, or as deemed necessary.

Additionally it can be used as needed by request from a supervisor. The Ranger can transport personnel and equipment as deemed necessary. (41.1.4.a)

b. Limitations – The Ranger will only be used under the authority of a supervisor or their designee. It will not be used as pursuit vehicle at any time. The maximum allotted speed is 40 MPH and it will not be used on roadways with posted speed limits above 40MPH without being followed by a marked patrol vehicle. This vehicle will not be operated on any freeway for any reason. (41.1.4.b)

c. Situational Usage – The Ranger is authorized to enter the desert areas of the City and may be used to conduct undercover or covert operations if needed. (41.1.4.c)

d. Qualifications for Use – The qualifications and training needed to operate the Ranger are detailed in the lesson plan (41.1.4.d)

e. Responsible Employee – The Commercial Community Policing Team Supervisor or designee is responsible for its condition and maintenance. (41.1.4.e)

f. Equipment – The equipment that is to be carried in the Ranger will be determined by the Community Policy Team Supervisor. (41.1.4.f)

g. Authorization – Only employees that have successfully completed all the requirements set forth in the Polaris Ranger lesson plan are authorized to operate it (41.1.4.g)

I. Mobile Command Vehicle (MCV)

1. Purpose – To provide for all Peoria Police employees (including trained volunteers) for the safe operation of the Peoria Police Department's MCV when responding to a call out for a crime scene, major incident, or other Department sanctioned events, which require the use of the MCV. This vehicle shall at all times be operated in accordance with Arizona Motor Vehicle Code and the MCV operating manual. The MCV is not authorized to be driven under emergency conditions under any circumstances. (41.1.4.a)

2. Description – The MCV is a 30-foot custom built Class "A" Motor Home that was built for the Peoria Police Department. It provides the Peoria Police Department with a resource that can be taken to any specific crime scene, major incident location, public appearance, or designated assignment. It provides support functions such as additional radio facilities, telephone facilities, report writing areas, restrooms, and a small meeting area. (41.1.4.a)

3. Administration of the MCV

a. Employee Responsible – The Chief of Police shall designate an employee responsible for the day to

day maintenance, repair, stocking, and upkeep of the MCV. This employee shall be responsible for the supplying and preparation of the MCV so that it is ready for call out to the maximum extent possible. (41.1.4.e)

b. Vehicle Location – The MCV shall be kept at the MOC in a dedicated parking space when it is not in use.

c. Monthly Inspection – The designated employee will inspect the MCV on a minimum of a monthly basis. The result of these inspections shall be recorded on the designated form. The completed form shall be forwarded to the Police Department's Fleet Manager for required action, if necessary, and for filing. (41.1.4.e)

4. Call Out Procedures

a. Authority to Call Out – The MCV may be called out for use at any emergency situation by the Chief of Police, Deputy Chief, any Bureau Lieutenant, Duty Commander, Watch Commander, or their designee, at any time. (41.1.4.c)

b. Notification – The on-duty Watch Commander or the Duty Commander shall be notified of the call out of the MCV as soon as practical.

c. Public Relations Events – The Community Services Supervisor can request the use of the MCV for public relations or display purposes through the designated employee responsible for the MCV. (41.1.4.c)

d. Authorized Operators – Only those employees who have successfully completed an AZPOST or Volunteer Fire Inspection Service (VFIS) approved High Profile Vehicle driving course will be allowed to operate the MCV. The Peoria Police Department has a list of employees who are trained to operate the MCV. (41.1.4.g)(41.1.4.d) If no authorized operator of the MCV is on duty, or available while on duty, the person initiating the call out of the MCV may request that Communications call out a driver to operate the MCV. (41.1.4.g)

e. Response Time – The response of the MCV is not an immediate act, and response time can be an hour or more depending on the amount of time it takes for the operator to respond and prepare the MCV for operation. The MCV should only be considered for emergency call out for incidents which are expected to last more than three (3) hours. It would not be effective to call out the MCV for such emergencies less than three hours. However, based on the individual circumstances of each incident, summer heat, extreme location, etc., a command level officer may waive this requirement.

5. Driver Responsibility (41.1.4.b)

a. **Safe Driving Required** – It is the responsibility of the driver of each Police Department vehicle to drive safely and with due regard for other vehicles, obstructions, and pedestrians at all times. Vehicles shall be operated in compliance with the Arizona Motor Vehicle Code at all times. The MCV is not equipped, nor are the operators properly trained, to operate the MCV in a Code 3 manner. The driver has the responsibility to drive with due regard at all times.

b. **Parking Exception** – The only exception listed in the Arizona Motor Vehicle Code that this vehicle is authorized to exercise is the parking exception. When parking the MCV, extreme caution should be exercised to ensure the safety of the MCV from being struck. The vehicle's driver must exercise due regard when parking the MCV, particularly from overhead obstructions and overhangs. This vehicle is slightly taller than the standard recreational vehicle.

c. **Sign Out** – When a call out or deployment is initiated, the authorized driver must sign out the keys to the MCV from the key box at the front desk. The rest of the keys for the MCV are kept inside the vehicle in the driver's compartment.

d. **Operator to Stay with Vehicle** – When an employee takes out the MCV for deployment, they must stay with the MCV until they return it to the MOC, or are relieved by another certified operator. They are responsible for the operation of the vehicle while it is deployed. They must maintain the security of the vehicle and monitor the operating systems while it is deployed. These include monitoring the generator, fluid consumption, gas consumption, equipment deployed, etc. The certified operator is responsible for the safety of all MCV related vehicle operations and for managing compliance with this policy.

e. **Pre-Operation Inspection** – Prior to starting the MCV, the assigned operator must do a complete walk around of the vehicle and inspect it for any new or unreported damage. The specific guidelines for the inspection, operation, and reporting of actions with the MCV are contained in the MCV Operator's Manual. (41.1.4.f)

(1) Employees shall inspect and inventory the MCV prior to operating it to ensure that it contains, at a minimum, the following equipment: telephone directories, maps of the city and adjacent cities, two water jugs, a blanket, eight traffic cones, a charged fire extinguisher, one case of flares, hazard materials bag, tire jack, jumper cables, accident measuring tape, pry bar, and first aid kit.

(2) Employees shall note the inventory of these items on the MCV Inspection Checklist Form. Employees shall also check to ensure that the city decals and police markings are intact on the vehicle.

(3) Employees shall report any missing equipment to the designated employee responsible for the MCV on the Activity Report.

f. **Avoid Backing** – Drivers shall avoid backing whenever possible. Where backing is unavoidable, guides shall be used. See the Operator's Manual for specific backing instructions.

g. **Seat Belts Required** – All City of Peoria employees, including volunteers, are required to use seat belts at all times when operating a City vehicle. All personnel shall ride only in regular seats provided with seat belts. This limits the capacity of the MCV to two occupants while the vehicle is in motion. The only seats in the MCV equipped with seat belts are the two front seats. The remaining seats are to be strapped down, with their restraining bungee cords, while the vehicle is in motion.

J. Assigned Vehicle Use

1. **City Regulation** – The use of City/Department vehicles are addressed in Peoria Administrative Regulation 90-03, Section 52, which applies to the use of all Police Department vehicles.

2. **Take Home Policy** – The policy of the Peoria Police Department is that City/Department vehicles will be assigned for take home use only by direction of the Chief of Police, as consistent with City Policy, and within the authority delegated to him by the City Manager. Peoria Police Department policy is to assign take home vehicles only to personnel who have been designated as being in a compensated "on call" status, receives "responder pay" or who otherwise, by the very nature of their position, are required to respond whenever called. Personnel routinely assigned a take home vehicle must reside within the city limits of Peoria, or within 20 miles (as measured by driving) from the Public Safety Administration Building at 8351 West Cinnabar. The positions assigned a take home vehicle are:

a. **Deputy Chief and Commanders** – As assistant department heads for the Police Department, they are responsible for large numbers of personnel, as well as city-wide police related services on a 24 hour basis. Additionally, they are required to be able to respond to major incidents and serve as an acting department head in the absence of the Chief of Police. They are also required to attend meetings, represent the Department to community groups, and make regular inspections of operations outside of regular duty hours. They are subject to call at any time, except when they are on scheduled vacation, or when their absence out of the Peoria area has been approved by the Chief of Police.

b. **Duty Commander** – A Police Lieutenant or other command level officer assigned as the designated

“on-call” duty commander on a rotating basis. The Duty Commander is responsible to be available at all times to respond to any major incident and provide additional senior management level supervision as needed. The position of “Duty Commander” rotates on a weekly basis among the senior managers of the Police Department. The individual assigned as Duty Commander is required to remain in Maricopa County and is authorized and directed to operate their assigned department vehicle at all times during their assignment as Duty Commander.

c. Investigations Supervisors – The Lieutenants and Sergeants assigned to the Criminal Investigations Bureau are responsible to respond whenever needed to supervise major investigations.

d. Patrol Services Bureau Lieutenants – It is the policy of the Peoria Police Department that only those Patrol Services Bureau Lieutenants serving as the Duty Commander shall be authorized a “take-home” vehicle.

e. Professional Standards Unit – This individual is required to respond whenever needed to investigate professional standards related matters.

f. Traffic Officers and Sergeant – Members of the Traffic Services Section, assigned to motorcycle traffic enforcement, are customarily assigned a motorcycle on a take home basis. They are authorized to drive their vehicle home to provide safe and secure parking, as well as to respond from their home to investigate major collisions as required by a supervisor.

g. Detectives – It is the policy of the Peoria Police Department that only those Detectives on compensated call-back status be authorized a take home vehicle. The exceptions are those individuals assigned as Detectives prior to October 31, 2001, who were assigned and utilized a take home car prior to that date may continue to do so. Those individuals assigned as a Detective after October 31, 2001, will only be authorized a take home vehicle during the time they are designated as an on-call detective.

h. SAU Commander – A Police Lieutenant is assigned as the Department’s Special Assignments Unit Commander. This individual is authorized assignment of a “take home vehicle” and is responsible to respond whenever needed for critical incidents involving the Special Assignments Unit.

i. CNT Commander – A Police Lieutenant is assigned as the Department’s Crisis Negotiations Team Commander. This individual is authorized assignment of a “take home vehicle” and is responsible to respond whenever needed for critical incidents involving the Crisis Negotiations Team.

j. Administrative Sergeant – A Police Sergeant assigned to Administration. This individual receives responder pay, is subject to call at any time in support of Department administration, conducts audits and inspections as directed by the Chief of Police, and serves as a designated backup/assistant to the Professional Standards Unit Lieutenant, and as a backup to the Public Information Officer.

k. Public Information Officer – The employee assigned as full-time PIO for the Police Department. This individual is authorized assignment of a “take home vehicle” and is responsible to respond whenever needed during on and off-duty hours in order to represent the department and to provide media information as appropriate.

l. Police Service Dog Handlers – A Police Service Dog Handler assigned to the Operations Support Bureau. Handlers are authorized assignment of a “take home vehicle” in order to respond in a timely manner to incidents requiring the use of a police canine.

3. Other Designated Individuals

a. Other individuals may be assigned a City/Department vehicle on an individual basis when necessarily related to a Department function, such as taking a training vehicle home or when planning to leave directly from home to an out of town meeting or school the next day. Such approval must be granted by the Chief of Police or, in his absence, a Deputy Chief.

b. An employee may be assigned a take home vehicle for a short term special assignment, when approved in advance and in writing by the Chief of Police.

4. Parking of City/Department Vehicles at a Private Residence – When City/Department vehicles are taken home overnight, off-street parking shall be provided.

5. Turning in Department Vehicles

a. Those individuals who are assigned take home vehicles as outlined in this policy shall turn in their assigned vehicle when they are going to be off duty for more than three (3) consecutive work days, unless approval is otherwise granted by the Chief of Police.

b. The keys shall be turned in to the individual’s supervisor or other designated individual and the vehicle shall be used as necessary by the Department during the individual’s absence.

VI. VEHICLE OPERATIONS AND SAFETY COMMITTEE

A. The Department shall establish a Vehicle Operations and Safety Committee. The Committee shall be

comprised of a total of ten (10) voting members and two (2) staff support personnel. A quorum will be established when either the chairperson or alternate chair person are present along with at least four other members of the committee (for a total of five - [5]) to review any items on the agenda.

B. The Committee shall be advisory to the Chief of Police and/or other management and supervisory staff of the Police Department regarding traffic incidents, collisions, and other safety related matters as requested by the Chief of Police.

C. The Committee shall meet monthly as called by the Committee chairperson to review collisions, accidents and incidents involving Departmental vehicles, personnel and equipment, and other safety related matters as requested by the Chief of Police.

D. The members of the Vehicle Operations and Safety Committee shall be:

1. Operations Division Deputy Chief – Committee Chairperson. Membership based upon assignment,

2. Operations Division Lieutenant assigned to manage the Traffic Unit – who will also serve as the Alternate Chairperson/Committee member. Membership based upon assignment.

3. City of Peoria Emergency Operations and Safety Manager. Membership based upon position and assignment.

4. Traffic Unit Sergeant – Committee member. Membership based upon assignment.

5. PPOA Representative (from any assignment) – as appointed by the PPOA.

6. PPOA Representative (from a patrol team) – as appointed by the PPOA.

7. AFSCME Representative – as appointed by AFSCME.

8. One Sergeant as appointed by the Chief of Police for a calendar year term.

9. One non-sworn supervisor as appointed by the Chief of Police for a calendar year term.

10. One employee (any classification) as appointed by the Chief of Police for a calendar year term.

11. The Professional Standards Unit Supervisor, as a non-voting, staff support member.

12. A Departmental administrative assistant or other administrative support position as a non-voting member to

serve as secretary to the Committee, to prepare minutes and other reports as directed.

E. The purpose of the Committee is to do the following:

1. Analyze traffic collision reports and support documents involving on-duty personnel, or personnel operating Department vehicles, based upon the criteria outlined in current Departmental policies and City Administrative Regulations or other matters as requested by the Chief of Police.

2. To review any safety related matters, incidents, or accidents (non-vehicle) as requested and to advise the Chief of Police relating to hazardous conditions, training, work techniques or practices, etc., in order to improve the safety of working conditions.

3. To maintain records for all Departmental personnel relating to vehicle and other collisions, accidents or incidents. Records shall be maintained by the Professional Standards Unit on behalf of the Vehicle Operations and Safety Committee. Records shall be maintained as required by City standards, and for a period of not less than three (3) years as indicated by this policy.

4. To review and make recommendations regarding police vehicle related policies, procedures, equipment, vehicle selection, etc., when requested by the Chief of Police.

5. Analyze pursuit incident reports as established in current Department policies.

6. Standard for Review: The standard for review of “collisions” involving Peoria Police Department personnel shall be based upon the unique and special circumstances of police service. Such service recognizes that Department staff members are tasked beyond that which is asked of the typical driver and governmental employee. Such tasking includes day in and day out response to calls for service by the public, the need to drive while monitoring and responding to the police radio, being aware of activity on the Mobile Data Computers, and the inherent difficulties of responding to citizen’s emergency calls. Such exigencies lead to police agencies having higher accident rates than the general public, or general government services.

7. Review Process:

a. If the collision appears to be the result of serious negligence, an intentional act, or serious misconduct, the Chief of Police may refer the incident for an administrative investigation, prior to, and/or without review by the Vehicle Operations and Safety Committee.

b. If the incident is to be reviewed by the Committee, copies of all related reports will be sent to the Professional Standards Unit supervisor. The PSU supervisor will forward copies to each member of the Committee for review prior to the scheduled meetings.

c. The Committee will consider the facts and circumstances of each individual case. A persons past driving record shall not be considered when making a finding on a specific case.

d. Following the finding decision, the Committee may comment on an individuals driving record, as to any patterns, or concerns regarding their operation of department vehicles or other matters related to the review.

e. The Committee will notify the involved employee of the date, time and location of the Committee's meeting.

(1) Involved employees will have the opportunity to attend the meeting and listen to the presentation of the case.

(2) Involved employees will be given an opportunity to speak concerning the circumstances of the collision.

(3) Involved employees who choose to attend the Committee review may be asked questions by the Committee to assist in the understanding of their case.

(4) Involved employees will be required to leave the Committee room prior to the Committee's deliberations or decision on the case.

f. Upon completion of each case, the Committee will make a recommendation for a finding to the Chief of Police. To make a recommendation, the Committee will determine if the employee did everything reasonable to avoid the collision.

g. The Committee will make the following recommendations:

(1) Preventable: The driver failed to recognize a hazardous condition or circumstance and failed to take appropriate action to maintain control of the vehicle, avoid a collision or drive with due care and caution.

(2) Non-preventable: Even though the driver did recognize a hazardous condition or circumstance and took appropriate action the collision still occurred.

(3) Not an Accident (Intentional): The collision was the result of a deliberate act by the driver that resulted in damage or injury. This type of incident may be investigated as a Use of Deadly Force matter under the appropriate policy.

h. The Committee will not make a recommendation for specific discipline. However, the Committee will make recommendations regarding policy, training and/or equipment issues that arise during deliberations.

8. Upon conclusion of the Vehicle Operations and Safety Committee's review process, all reports and related documents and evidence will be forwarded to the Chief of Police for review and appropriate action and or closure.

a. The Chief of Police will approve, modify, or reject the recommendations of the Vehicle Operations and Safety Committee, and may make substitute findings.

b. The Chief of Police may refer and/or delegate any and/or all such reports and documents to the appropriate supervisory level within the Department for action.

9. Levels of review and accountability: The guideline for action by supervisors and managers shall be a three year review period looking backwards from the date of occurrence of any particular incident or accident being reviewed. Normally the expected standard shall be:

a. First non-serious injury vehicle accident/damage/incident within a three (3) year period shall be an IPR (Individual Performance Report) entry and supervisory counseling.

b. Second non-serious injury vehicle accident/damage/incident within a three (3) year period shall be a Letter of Reprimand.

c. Third non-serious injury vehicle accident/damage/incident within a three (3) year period shall begin disciplinary suspension without pay.

d. Nothing shall prevent the supervisors or managers from taking different action based upon the circumstances of the incident or the accident and or disciplinary record of the involved employee.

e. It is the policy of the Peoria Police Department that civil traffic citations will not be issued to any party involved in an collision which involved a Police Department vehicle. This policy precludes any appearance of favoritism for either side.

f. This policy does not preclude the review of any incident by a prosecutor for consideration of the issuance of criminal charges in those cases warranting such review.

10. The Vehicle Operations and Safety Committee is expected to make expeditious review and reporting of incidents assigned. The Committee shall submit a report to

the Chief of Police with recommendations and supporting justification not later than 14 days following the meeting where an incident is reviewed.

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