

Vehicle Use

706.1 PURPOSE AND SCOPE

The organization utilizes City-owned motor vehicles in a variety of applications operated by Department personnel. To maintain a system of accountability and ensure City-owned vehicles are used appropriately, regulations relating to the use of these vehicles have been established. The term "City-owned" as used in this section also refers to any vehicle leased or rented by the City.

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.

Employees will not use city/department vehicles without the permission of a supervisor and will not use them for other than official police business.

Employees shall possess a valid Arizona driver's license appropriate to the type of vehicle being driven. If an employee's driving privilege is suspended, revoked, or restricted, the employee must notify their supervisor immediately. (41.1.3.b)

706.2 USE OF VEHICLES

706.2.1 SHIFT ASSIGNED VEHICLES

Personnel assigned to routine scheduled field duties shall log onto the in-car computer inputting the required information when going on-duty. If the vehicle is not equipped with a working in-car computer, they shall notify Communications Section for entry of the vehicle number on the shift roster. If the employee exchanges vehicles during the shift, the new vehicle number shall be entered.

The Patrol Lieutenant shall ensure a copy of the unit roster indicating personnel assignments and vehicle numbers is completed for each shift and maintained for a minimum period of two years.

Employees shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of the shift. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

706.2.2 UNSCHEDULED USE OF VEHICLES

Personnel utilizing a vehicle for any purpose other than their normally assigned duties shall first notify the Patrol Lieutenant of the reasons for use. A notation will be made on the shift roster indicating the operator's name and vehicle number. This section does not apply to personnel permanently assigned an individual vehicle (e.g., command staff, investigators) or to Property and Evidence Unit personnel assigned transportation duties to and from the maintenance yard. Property and Evidence Unit personnel shall be responsible for maintaining records of the property transportation vehicles for a minimum of two years.

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706.2.3 UNDERCOVER VEHICLES

Unmarked units, if not assigned to an individual employee, shall not be used without first obtaining approval from the respective unit supervisor.

706.2.4 AUTHORIZED PASSENGERS

Personnel operating Department-owned vehicles shall not permit persons other than City employees or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as a passenger in their vehicle.

706.2.5 PARKING

City-owned vehicles should be parked in assigned areas. Employees shall not park privately owned vehicles in any stall assigned to a City-owned vehicle or in other areas of the parking lot not designated as a parking space unless authorized by a supervisor. Privately owned motorcycles shall be parked in designated areas.

706.2.6 INSPECTIONS

The interior of any vehicle that has been used to transport any person other than an employee should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized items have not been left in the vehicle.

706.3 ASSIGNED VEHICLE AGREEMENT

City-owned vehicles assigned to personnel for their use within their job assignment may be used to transport the employee to and from their residence for work-related purposes. The employee shall sign an agreement setting the standard for how the vehicle shall be used and where it shall be parked when the employee is not on-duty.

The agreement states that the vehicle shall only be used for work-related purposes and shall not be used for personal errands or transports unless special circumstances exist and the shift sergeant gives authorization. The agreement also requires the employee to be responsible for the vehicle's care and maintenance. The Department will provide necessary care/maintenance supplies. Under IRS regulations, personal use of the vehicle may be considered a taxable income to the employee.

The assignment of vehicles is at the discretion of the Chief of Police. Assigned vehicles may be changed at any time and/or permission to take home a vehicle may be withdrawn at any time.

City regulation: The use of city/department vehicles are addressed in Peoria Administrative Regulation 90-03, Section 52, Use of City's Owned Vehicles which applies to the use of all police department vehicles.

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 Maricopa County and no more than 20 miles from the city limits of Peoria.

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706.3.1 VEHICLES SUBJECT TO INSPECTION

All City-owned vehicles are subject to inspection and or search at any time by a supervisor. No employee assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

706.4 SECURITY

Employees may take home City-owned vehicles only with prior approval from their Deputy Police Chief of Operations and shall meet the following criteria:

- The employee lives no more than 20 miles from the Peoria City limits. A longer response time may be appropriate depending on the special assignment of the employee. An employee in an on-call status is expected to respond within 60 minutes. All other employees are expected to respond within 90 minutes.
- Off-street parking shall be available at the employee's residence and the vehicle shall be parked off the street.
- Vehicles shall be locked when not attended.
- All firearms and kinetic impact weapons shall be removed from the interior of the vehicle and placed in the trunk or properly secured in the residence when the vehicle is not attended (refer to the Firearm and Qualification Policy regarding safe storage of firearms at home).

When an employee is on vacation, leave or out of the area in excess of one week, the vehicle shall be stored in a secure garage at the employee's residence or at the police facility.

706.4.1 KEYS

All uniformed field personnel shall obtain vehicle keys from the appropriate location of key storage and upon completion of their shift the employee will return the keys to the appropriate location before leaving. Personnel assigned a permanent vehicle shall be issued keys for their respective vehicle. The loss of any assigned key shall be promptly reported in writing through the employee's chain of command.

706.5 ENFORCEMENT ACTIONS

When driving an assigned vehicle to and from work outside of the jurisdiction of the Peoria Police Department, an officer shall not become involved in enforcement actions except in those circumstances where a potential threat to life or serious property damage exists.

Officers may render public assistance, e.g. to a stranded motorist when deemed prudent.

706.6 MAINTENANCE OF ASSIGNED VEHICLES

Each employee is responsible for the cleanliness (exterior and interior) and overall maintenance of the assigned vehicle.

Employees shall make daily inspections of their assigned vehicle for service/maintenance requirements and damage.

Supervisors shall make, at a minimum, monthly inspections of vehicles assigned to employees under their command to ensure the vehicles are being maintained in accordance with policy.

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Routine maintenance and oil changes shall be done in accordance with the shop schedule. The vehicles will normally be serviced at the City maintenance shop (MOC).

- When leaving a vehicle at the MOC, the employee will complete a vehicle service/repair request explaining the service or repair, and leave it in the designated drop box.

706.6.1 ACCESSORIES AND/OR MODIFICATIONS

No modifications, additions or deletions of any equipment or accessories shall be made to the vehicle without written permission from the Assigned Vehicle Program manager.

706.7 VEHICLE DAMAGE, ABUSE AND MISUSE

When a City-owned or leased vehicle is involved in a traffic collision, the involved employee shall promptly notify a supervisor. A traffic collision report shall be filed with the agency having jurisdiction over the incident.

When a collision involves a City vehicle or when a member of this department is an involved driver in a collision that occurs in this jurisdiction, and the collision results in serious injury or death, another agency should be summoned to handle the investigation.

The employee involved in the collision shall complete the City's vehicle collision form. If the employee is incapable, the supervisor shall complete the form.

Any damage to a vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered, documented in memorandum format and forwarded to the shift sergeant.

An administrative investigation will be conducted to determine if there is any vehicle abuse or misuse. If it is determined that misuse or abuse was a result of negligent conduct or operation, appropriate disciplinary action may result.

706.8 VEHICLE OPERATIONS AND SAFETY COMMITTEE (VOSC)

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 and one (1) person from Risk Management. 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.

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.

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

The purpose of the committee is to do the following:

- Analyze traffic collision reports and support documents that are reported on an Arizona State Traffic Collision form and that meet the requirements for reporting of a traffic collision. The traffic collision involved on-duty personnel, or personnel operating department vehicles, based upon the criteria outlined in current departmental policies

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and City Administrative Regulations or other matters as requested by the Chief of Police

- 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.
- 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 in accordance with the City of Peoria record retention standards.
- To review and make recommendations regarding police vehicle related policies, procedures, equipment, vehicle selection, etc., when requested by the Chief of Police.
- Analyze pursuit incident reports as established in current department policies.

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.