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## Vehicle Use

### 705.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure department vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the City of City of Elk Grove to provide assigned take-home vehicles.

### 705.2 DEFINITIONS

**Take-home Vehicle** - a City-owned vehicle which is under the direction and control of the Elk Grove PD and is not a personal vehicle owned by a city employee.

**Off Duty** - The time period during which the employee is not involved in performing their respective duties or functioning at the direction of the department.

### 705.3 POLICY

The Elk Grove Police Department provides vehicles for department-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Department, requirements for tactical deployments, and other considerations.

#### 705.3.1 ALCOHOL AND DRUGS

Employees may not violate any state law regarding vehicle operation while intoxicated. Employees shall not operate a City-owned vehicle at any time when impaired by drugs and/or alcohol.

#### 705.3.2 SHIFT ASSIGNED VEHICLES

Employees who use a fleet vehicle as part of their work assignment shall ensure that the vehicle is properly checked out and logged on the daily shift roster, according to current procedures, prior to taking it into service. If for any reason during the shift the vehicle is exchanged, the member shall ensure that the exchanged vehicle is likewise properly noted on the daily shift roster.

Any officer operating a vehicle equipped with a two-way communications radio, MDC and/or a GPS device shall ensure the devices are on and set to an audible volume whenever the vehicle is in operation.

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.

#### 705.3.3 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles should be locked and secured at all times. No key should be left in the vehicle except in the event of an emergency situation. Officers who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

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Employees shall ensure all weapons are secured while the vehicle is unattended.

#### **705.3.4 PARKING**

Except when responding to an emergency or other urgent official business requires otherwise, employees driving City-owned vehicles should obey all parking regulations at all times.

#### **705.3.4 UNMARKED VEHICLES**

Except for use by the assigned employee, unmarked units shall not be used without first obtaining approval from the supervisor of the unit to which the vehicle is assigned.

#### **705.3.6 DEPARTMENT TAKE-HOME VEHICLES**

Having personnel with expertise in investigations, tactical situations, and other important functions of the Department with an on-call status is crucial to the daily operations of this agency.

Recognizing that some staff are subject to responding to ongoing critical incidents at any time, these employees are authorized to use their assigned take-home vehicles during off-duty hours. If an employee is paid to be on-call, they are permitted to use their take-home vehicle while they are off-duty.

#### **705.3.6 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 or personal items have not been left in the vehicle.

When transporting any suspect, prisoner or arrestee, the transporting officer shall search all areas of the vehicle that are accessible by the person before and after the person is transported.

#### **705.3.8 PRIVACY**

All City-owned vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No employee assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

### **705.4 ASSIGNED VEHICLES**

Employees who have been assigned a take-home vehicle may use the vehicle to commute to the workplace and for department-related business. The member must be approved for an assigned vehicle by his/her Division Commander and shall abide by the following criteria:

- (a) Except as may be provided by a memorandum of understanding time spent during normal commuting is not compensable.
- (b) Vehicles shall be locked when not attended.
- (c) If the vehicle is not secured inside a locked garage, all firearms and kinetic impact weapons shall be removed from the interior of the vehicle and properly secured in the residence (see the Firearms and Qualification Policy regarding safe storage of firearms at home).

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- (d) When the member will be away (e.g., on vacation) for periods exceeding two full work weeks (80 hours) the vehicle shall be stored in a secure garage at the member's residence or at the appropriate department facility.
- (e) All department identification, portable radios, and equipment should be secured.

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. The assignment of vehicles may be suspended when the employees is unable to perform the employee's regular assignment.

### 705.4.1 UNSCHEDULED TAKE-HOME USE

Circumstances may arise where department vehicles must be used by employees to commute to and from a work assignment. Employees may take home department vehicles only with prior approval of a supervisor and shall meet the following criteria:

- (a) The circumstances are unplanned and were created by the needs of the department.
- (b) Other reasonable transportation options are not available.
- (c) The employee lives within a reasonable distance (generally not to exceed a 60-minute drive time) of the City of Elk Grove City limits.
- (d) Off-street parking will be available at the employee's residence.
- (e) Vehicles will be locked when not attended.
- (f) All firearms, weapons, and control devices will be removed from the interior of the vehicle and properly secured in the residence when the vehicle is not attended, unless the vehicle is parked in a locked garage.

### 705.5 KEYS AND SECURITY

All uniformed field employees approved to operate marked patrol vehicles should be issued a copy of the unit key as part of their initial equipment distribution upon hiring. Officers shall not duplicate keys.

Employees assigned a permanent vehicle should be issued keys for their assigned vehicle.

The loss of any key shall be promptly reported in writing through the employee's chain of command.

### 705.6 ENFORCEMENT ACTIONS

When driving an assigned vehicle to and from work outside of the jurisdiction of the Elk Grove Police Department, an officer should avoid becoming directly involved in enforcement actions except in those circumstances where a potential threat to life or serious property damage exists (see the Off-Duty Law Enforcement Actions Policy and the Law Enforcement Authority Policy).

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

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Officers shall, at all times while driving a marked City-owned vehicle, be armed, appropriately attired and carry their department-issued identification. Officers should also ensure that department radio communication capabilities are maintained to the extent feasible.

#### **705.7 MAINTENANCE**

Employees are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles.

Employees shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage. It is the assigned employee's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.

Supervisors should make quarterly inspections of vehicles assigned to employees under their command to ensure the vehicles are being maintained in accordance with policy.

##### **705.7.1 ACCESSORIES AND/OR MODIFICATIONS**

No modifications, additions, or removal of any equipment or accessories shall be made to the vehicle without written permission from the Division Commander.

#### **705.8 VEHICLE DAMAGE, ABUSE AND MISUSE**

When a City-owned vehicle is involved in a traffic collision or otherwise incurs damage, the involved employee shall promptly notify a supervisor. Any traffic collision report shall be filed with the agency having jurisdiction (see also Traffic Collision Reporting Policy).

When a collision involves a City vehicle or when an employee of this department is an involved driver in a collision that occurs in this jurisdiction, and the collision results in serious injury or death, the supervisor should request that an outside law enforcement agency be summoned to investigate the collision.

The employee involved in the collision shall complete the City's vehicle collision form. If the member is unable to complete the form, 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 Watch Commander. An administrative investigation should be initiated to determine if there is any vehicle abuse or misuse.

#### **705.9 TOLL ROAD USAGE**

Law enforcement vehicles are not routinely exempted from incurring toll road charges.

To avoid unnecessary toll road charges, all employees operating a City-owned vehicle upon the toll road shall adhere to the following:

- (a) All employees operating a City-owned vehicle for any reason other than in response to an emergency shall pay the appropriate toll charge or utilize the appropriate toll way transponder. Employees may submit a request for reimbursement from the City for any toll fees incurred in the course of official business.

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- (b) All employees passing through a toll plaza or booth during a response to an emergency shall notify, in writing, the appropriate Division Commander within five working days explaining the circumstances.