

Vehicle Use and Maintenance

601.1 VERSION

Review Date	Effective Date	Approving Authority
08/23/2022	07/09/18	Kelley Warner, Chief of Police

601.2 POLICY AND PURPOSE

The purpose of this policy is to establish a system of accountability to ensure department vehicles are used appropriately and that they are properly maintained. The Harrisonburg 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. The Department will also ensure its vehicles are serviced as required to remain operational and maintain their appearance, as resources allow.

601.3 ACCOUNTABILITY STATEMENT

All employees are expected to fully comply with the guidelines and timelines set forth in this policy. Responsibility rests with the supervisor to ensure that any violations of policy are investigated and appropriate training, counseling and/or disciplinary action is initiated. This directive is for internal use only, and does not enlarge an employee's civil liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violation of this directive, if proven, can only form the basis of a complaint by this department, and then only in a non-judicial administrative setting.

601.4 USE OF VEHICLES

Employees shall operate official vehicles in a careful and prudent manner, and shall obey all laws and orders pertaining to such operations.

601.4.1 SHIFT ASSIGNED VEHICLES

The Patrol Supervisor shall ensure a copy of the shift assignment roster, indicating member assignments and vehicle numbers, is completed for each shift and retained in accordance with the established records retention schedule. If a member exchanges vehicles during his/her shift, the new vehicle number shall be documented on the roster.

601.4.2 OTHER USE OF VEHICLES

Employees utilizing a vehicle for any purpose other than their normally assigned duties or normal vehicle assignment (e.g., transportation to training, community event) should sign out the vehicle as required and notify the shift supervisor if taking a marked unit.

This subsection does not apply to those who are assigned to transport vehicles to and from the maintenance facility or car wash.

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601.4.3 INSPECTIONS

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 their shift/assignment. Any previously unreported damage, mechanical problems, missing items, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

No officer assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents. Therefore, all department vehicles are subject to inspection and/or search at any time by a supervisor without notice or cause.

Department vehicles will be inspected as follows:

(a) Pre-operation Inspection

1. An inspection will be conducted whenever an officer uses a Department vehicle for any purpose (patrol, detail, extradition, etc.). The intent of the inspection is to ensure that Department vehicles maintain a state of readiness at all times.
2. Officers will visually perform a walk-around of the vehicle, check safety equipment (lights, siren, PA), ensure all electronic equipment is functioning, ensure mission essential items are present and in a state of readiness (rifle, PBT, go bag, etc.) before accepting the vehicle for their shift or assignment.
3. If any missing equipment, damage, found property or other problem is discovered during the inspection, the officer will notify the shift supervisor as soon as possible.

(b) Post-operational Inspection

1. Officers will ensure that the vehicle is parked only in assigned police vehicle spaces, and in the numbered space dedicated for that vehicle, if applicable.
2. Officers should perform a walk-around of the vehicle and check that they have returned and secured any equipment used during the shift to the appropriate location in the vehicle.
3. Ensure all computer and other electronic equipment is in the proper configuration for the conclusion of the shift/assignment.
4. Ensure all windows are closed and doors are locked.

(c) Periodic Inspection

1. Every Department vehicle shall maintain an inventory sheet documenting the equipment assigned to that vehicle. The vehicle will be inspected weekly to see that all applicable equipment listed on the (Form 209 for unmarked) is present and in serviceable condition.
2. The inventory form will be returned to the supervisor upon completion of the inspection regardless of whether the vehicle has discrepancies or not.
3. The supervisor will assist the officer in remedying discrepancies before the vehicle goes into service.

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(d) Supervisor Inspection

1. Supervisors will personally perform frequent, unscheduled inspections of Department vehicles that are operated by their personnel.
2. Discrepancies as a result of the inspection will be remedied, and action to include counseling/discipline may be required.

In all instances of vehicle damage or missing/damaged equipment, the investigating supervisor will submit a memorandum through the chain of command concerning his/her findings.

601.4.4 INSPECTION BEFORE AND AFTER TRANSPORTS

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 that person is transported. The interior of any vehicle that has been used to transport any person other than an employee of this department 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.

601.4.5 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles should be locked and secured at all times. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging). 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.

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

All firearms and weapons shall be removed from a vehicle and properly secured/stored prior to the vehicle being released for maintenance, service or repair.

All equipment will be removed before turned over to civilian maintenance facility.

601.4.6 AUTHORIZED PASSENGERS

Employees operating department vehicles shall not permit persons other than City personnel or persons conveyed in the performance of duty to ride as passengers in the vehicle, unless otherwise authorized in this policy, or as stated in the Ride-Along policy.

601.4.7 CIVILIAN EMPLOYEE USE

Civilian members using marked emergency vehicles shall ensure that all weapons have been removed before going into service. Civilian members shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

601.4.8 ALCOHOL

Employees who have consumed alcohol are prohibited from operating any department vehicle unless it is required by the duty assignment (e.g., task force, undercover work).

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601.4.9 PARKING

Except when responding to an emergency or when urgent department-related business requires otherwise, members driving department vehicles should obey all parking regulations at all times.

Department vehicles should be parked in assigned parking spaces. Employees shall not park privately owned vehicles in parking spaces assigned to department vehicles or in other areas of the parking lot that are not so designated unless authorized by a supervisor. Privately owned motorcycles shall be parked in designated areas.

601.4.10 TOLL ROAD USAGE

Employees operating department vehicles for any reason other than those exempted by law shall pay the appropriate toll charge or utilize the appropriate toll way transponder (Va. Code § 33.2-500 et seq.).

601.4.11 ATTIRE AND APPEARANCE

When operating any department vehicle while off-duty, members may dress in a manner appropriate for their intended activity. Whenever in view of or in contact with the public, attire and appearance, regardless of the activity, should be suitable to reflect positively upon the Department. Officers driving marked or unmarked vehicles shall be armed.

601.4.12 VEHICLE REFUELING

Absent unusual circumstances or supervisor approval, patrol vehicles shall not be placed into or out of service with less than one-half tank of fuel. When operating on patrol in the city, vehicles shall only be refueled at authorized locations.

601.4.13 WASHING OF VEHICLES

Vehicles shall be kept clean at all times and, weather conditions permitting, shall be washed as necessary to maintain a professional appearance.

Members using a vehicle shall remove any trash or debris at the end of their shifts. Confidential material should be placed in a designated receptacle that has been provided for shredding.

601.5 EQUIPMENT

601.5.1 MOBILE DATA TERMINAL

Officers assigned to vehicles equipped with a Mobile Data Terminal (MDT) shall log onto the MDT with the required information when going on-duty. For an MDT equipped vehicle, if the MDT is not working, the officer shall notify the Emergency Communications Center. Use of the MDT is governed by the Mobile Data Terminal Use Policy.

601.5.2 AVL (AUTOMATIC VEHICLE LOCATOR) SYSTEM

Patrol and other vehicles, at the discretion of the Chief of Police, may be equipped with a system designed to track the vehicle's location. While the system may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

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System data may be accessed by supervisors at any time. However, access to historical data by personnel other than supervisors will require Commander approval. All data captured by the system shall be retained in accordance with the established records retention schedule.

601.5.3 KEYS

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

Failure to remove keys from unattended City vehicles is prohibited, except for those reasons outlined in Harrisonburg Police Department Policy Manual: 601.4.5 SECURITY AND UNATTENDED VEHICLES.

601.5.4 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories without authorization from the assigned vehicle program manager.

601.5.5 SAFETY BELTS

Safety belts shall be worn by all personnel or ride-alongs during vehicle operation. Child passengers shall be transported using an approved child restraint system in compliance with VA Code §46.2-1095, VA Code §46.2-1096 and VA Code §46.2-1100 as required.

When approaching an incident scene or call where an officer believes that a rapid exit from the vehicle may be required, the officer may release the seat belt (VA Code §46.2-1094 applies).

601.6 ASSIGNED/TAKE HOME

601.6.1 INDIVIDUAL EMPLOYEE ASSIGNMENT TO VEHICLES

Department vehicles may be assigned to individual employees at the discretion of the Chief of Police based on the nature of the employee's duties, job description and essential functions, and employment or appointment status. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

The assignment of vehicles may be suspended when the employee is unable to perform his/her regular assignment.

601.6.2 TAKE HOME USE

Department employees shall sign a take-home vehicle agreement (214-VEHICLE ASSIGNMENT AND TAKE-PRINTABLE.pdf) before being assigned a take-home vehicle. This agreement includes the employee name, vehicle information, the justification for the assignment, and a promise to abide by general policies, directives, and guidelines related to the vehicle's use.

Criteria for use of take-home vehicles include the following:

- (a) Vehicles may be used for personal errands or transports as long as they do not hinder immediate response to situations commensurate with his/her duties..

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- (b) Vehicles may be used to transport the employee to and from the employee's residence for work-related purposes.
- (c) While operating the vehicle, authorized employees will carry and have accessible their duty firearms and be prepared to perform any function they would be expected to perform while on-duty.
- (d) The two-way communications radio, MDT and global positioning satellite device, if equipped, must be on and monitored when the vehicle is in operation.
- (e) Unattended vehicles are to be locked and secured at all times.
 - 1. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging).
 - 2. All weapons shall be secured while the vehicle is at home or for an extended period of time. Portable radios should be secured or removed from the vehicle and taken into the employees residence.
- (f) Vehicles are to be parked at the employee's residence.
- (g) All firearms, other 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 or is equipped with a department issued locked box.
- (h) Vehicles are to be secured at the employee's residence or the appropriate department facility when an employee will be away (e.g., on vacation) for periods exceeding one week.
 - 1. If the vehicle remains at the residence of the employee, the Department shall have access to the vehicle.
 - 2. If the employee is unable to provide access to the vehicle, it shall be parked at the Department.
- (i) The employee is responsible for the care and maintenance of the vehicle.

601.6.3 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 of the department or beneficial to the reason for the use.
- (d) Off-street parking will be available at the member's residence.
- (e) The vehicle will be locked when not attended.

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601.6.4 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work outside of the jurisdiction of the Harrisonburg Police Department or while off-duty, an officer shall not initiate enforcement actions except in those circumstances where a potential threat to life or serious property damage exists (see the Law Enforcement Authority policy).

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

Officers driving take-home vehicles shall be armed and appropriately attired and shall carry their department-issued identification. Officers should also ensure that department radio communication capabilities are maintained to the extent feasible.

601.7 UNMARKED POOL VEHICLES

Unmarked pool vehicles are assigned to various bureaus and their use is restricted to the respective bureau and the assigned employees, unless otherwise approved by a supervisor. Any employee operating an unmarked vehicle shall record vehicle usage on the sign-out log maintained in the bureau for that purpose. (i.e., training van (sign out log in Personnel Development Office).

601.8 VEHICLE DAMAGE OR ABUSE

When any department vehicle is involved in a traffic crash or otherwise incurs damage, the involved employee shall promptly notify a supervisor. Any traffic crash report shall be filed with the agency having jurisdiction (see the Traffic Crash Policy).

Damage to any department vehicle that was not caused by a traffic crash shall be immediately reported during the shift in which the damage was discovered and documented in memorandum format, which shall be forwarded to the appropriate Commander. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

Vehicles that may have been damaged shall be removed from service for inspections and repairs as soon as practicable. If involved in a crash, a crash report shall be given to Administrative Bureau Commander and the Senior Program Support Specialist.

601.9 DEFECTIVE OR POOR PERFORMANCE VEHICLES

When a vehicle becomes inoperative or in need of repair that affects the safety of the vehicle, that vehicle shall be removed from service. Proper documentation shall be promptly completed by the employee who becomes aware of the defective condition and forwarded to the on duty supervisor. The officer will also send an email to the email group (Corrections & Quality Control HPD Vehicle Inspection) detailing the following information:

- (a) Date and time
- (b) Officer
- (c) Specific details of the problem
- (d) If need to go to City shop

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601.9.1 SEVERE USE

Vehicles operated under severe-use conditions, which include operations for which the vehicle is not designed or that exceed the manufacturer's parameters, should be removed from service and subjected to a safety inspection as soon as practicable. Such conditions may include driver training exercises, rough roadway or off-road driving, hard or extended braking, pursuits or prolonged high-speed operation.

601.10 MAINTENANCE

Members are responsible for assisting in maintaining department vehicles so that they are properly equipped, properly maintained, properly refueled and present a clean appearance. City Transit will continue to arrange for the routine repair and maintenance of vehicles through the Administrative Bureau Commander.

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Cleaning and maintenance supplies will be provided by the Department. Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

- (a) Members shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage.
- (b) It is the member's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.
- (c) All scheduled vehicle maintenance shall be performed as necessary at a facility approved by the department supervisor in charge of vehicle maintenance.
- (d) Car washes may be performed at a department approved facility or employees may wash their assigned vehicle at home or have it done elsewhere at their own expense.
- (e) When leaving the vehicle at the maintenance facility, the employee will complete a vehicle repair card ([See attachment: 296-Vehicle Work Order Check Sheet.pdf](#)) explaining the service or repair, and either bring it in to customer service during normal business hours or put it in the boxes outside of the door after hours.
- (f) All weapons shall be removed from any vehicle left for maintenance.
- (g) Supervisors shall make, at a minimum, monthly inspections of vehicles assigned to officers under their command to ensure the vehicles are being maintained in accordance with this policy.