



Policy # Vehicle Use – Take Home Vehicle	Related Policies: Safe Storage of Departmental Firearms, Ride-Along Policy, Mobile Digital Recording, Off-Duty Action
<i>This policy is for internal use only and does not enlarge an employee's civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third party civil claims against employees. A violation of this policy, if proven, can only form the basis of a complaint by this department for non-judicial administrative action in accordance with the laws governing employee discipline.</i>	
Applicable Arkansas Statutes:	
CALEA Standard:	
Date Implemented:	Review Date:

I. **Purpose:** This policy is established to ensure Department-owned vehicles are used in accordance with the mission of the Department. For the purposes of this policy, Department-owned vehicle includes any vehicle owned, leased, or rented by the Department. This policy provides for the security of the citizens of (Name of Community) through an increased visibility and presence of marked and unmarked police units on the streets, highways, and neighborhoods; providing for expedited response of off-duty personnel called back into service due to an emergency or disaster; deterring crime through the presence of additional police vehicles within the community; improving the Police Department's ability to recruit, select, and retain qualified candidates for employment.

II. **Policy:** The Chief of Police may assign take-home vehicles based on departmental need such as emergency response to critical incidents, tactical deployments, increased visibility in the community and other considerations. It is the policy of this Department to assign police vehicles to full time sworn police officers who reside within X miles of the City/County limit for use pursuant to the following guidelines and procedures. The Department will also assign police vehicles to full time sworn police officers who are assigned to certain positions within the Department as identified by the Chief of Police.

All personnel must recognize that they are representatives of the Police Department and must be cognizant of the constant public scrutiny they will be under while operating their take-home vehicles off-duty. Members must at all times conduct themselves in a professional manner.

III. **Use of Vehicles:**

- A. Officers will be assigned either a marked or an unmarked vehicle for use according to the responsibilities of the officer's position and the needs of the department.
- B. Probationary officers are not allowed to participate in the take-home care program until they have successfully completed the Field Training Officer program and are no longer subject to probation.

- C. Any officer on light-duty or suspension is not authorized a take-home vehicle.
- D. **The following rules apply to those officers who are assigned a take-home police vehicle:**
- a. Officers will maintain the vehicle in a state of readiness. The vehicle shall always have sufficient fuel to allow the officer to respond directly to the scene of an emergency.
 - b. Officers shall not operate a Department vehicle at any time when under the influence of drugs and/or alcohol.
 - c. Officers while in an off duty status and operating a Department vehicle, marked or unmarked, shall not stop at or frequent a business whose primary business is the sale of alcohol. Example: liquor store / barroom.
 - d. Officers and passengers are prohibited from smoking tobacco products while in the vehicle.
 - e. Communications equipment such as radios and MDC will remain on during all vehicle usage. Officers will monitor the police radio at all times while operating a marked vehicle within City limits.
 - f. GPS equipment will remain on during all vehicle usage.
 - g. Officers responding to emergencies shall not engage in a pursuit when a civilian passenger is present in their vehicle.
 - h. Officers are required to respond to any life threatening call for service in their immediate vicinity and to stay on the scene until properly relieved (i.e., accident with injuries, etc.)
 - i. Officers shall obey all traffic regulations (e.g., speed limits, parking regulations, seat belts, shoulder harnesses, and child restraint seats.)
 - j. Officers shall not park their assigned take-home vehicle at any commercial, public, or private location for compensation.
 - k. Officers shall not permit any other person to operate their assigned take-home vehicle (e.g., spouse, children, and friends.)
 - l. Officers shall not use their take-home vehicle to transport pets, carry excessive loads, or carry protruding objects.
 - m. Officers may use the vehicle to conduct personal business within City limits.
 - n. Officers must notify dispatch when operating the marked vehicle within City limits.
 - o. Officers will dress appropriately when using the marked patrol vehicle.
 - i. Proper attire must be worn. Officers will wear some type of identifying attire, i.e., Department approved shirt, hat, or display a badge on their person.
 - ii. Officers will not wear tank tops, flip-flops, etc. Officers shall not wear T Shirts with inappropriate wording or offensive logos
 - iii. Officers will equip themselves with police identification, police radio, handcuffs, firearm, and spare magazines.
 - iv. When driving an assigned vehicle to and from work outside of the jurisdiction of the City officers should avoid becoming directly involved in enforcement actions

except in those circumstances where a potential threat to life or serious property damage exists.

- v. While off duty and in civilian attire, officers will not take traffic enforcement action unless the violation is extremely hazardous.
- vi. Officers may render public assistance (e.g., to a stranded motorist, warning lights, calling for tow service) when deemed prudent.
- vii. Vehicles equipped with Mobile Video Recorders: When an officer initiates any law enforcement-related citizen contact the officer will ensure the MVR is capturing the contact in its entirety.

E. Parking:

- a. The vehicle shall be parked in the driveway or garage at the officer's residence.
- b. In the event there is no residence parking, the officer will park the Department vehicle in a parking space closest to the residence, preferably within eyesight of the residence and under lighting during the nighttime.
- c. Vehicles will be locked at all times.
- d. If the vehicle is not secured inside a locked garage, all firearms and weapons shall be removed from the interior of the vehicle and properly secured in the residence with the exception of long-guns, which may be necessary for immediate response, may be stored in specially designed theft-proof rack systems. If a take home vehicle is to be parked unattended for more than a 24-hour period, all firearms shall be removed and placed in a safe storage locker in the member's home or a department facility.
- e. When the officer will be away (e.g., on vacation) for periods exceeding one week the vehicle shall be stored in a secure garage at the member's residence or at the appropriate office facility.
- f. All office identification, portable radios, and equipment should be secured.

F. MAINTENANCE

- a. Officers are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles.
- b. Officers shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage. It is the assigned officer's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.

G. Incident Reporting: Officer shall report to the department the following incidents:

- a. All damage sustained to a vehicle
- b. Moving violations outside the jurisdiction
- c. Parking violations issued to the department vehicle
- d. Law enforcement citizen contacts made by the officer while operating the Department.