

Vehicle Use

701.1 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 Irvine to provide assigned take-home vehicles.

701.2 POLICY

The Irvine 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.

701.3 USE OF VEHICLES

Irvine Police Department personnel shall operate official vehicles in a careful and prudent manner, and shall obey all laws of the state and all Department orders pertaining to such operation. Personnel shall set a proper example for other persons by their operation of official vehicles.

When Irvine Police Department personnel drive any vehicle requiring other than a regular driver's license they shall possess the required class endorsement. Loss or suspension of driving privileges by the State Department of Motor Vehicles or a court shall be reported to the Department immediately.

701.3.1 OTHER USE OF VEHICLES

Members utilizing a vehicle for any purpose other than their normally assigned duties or normal vehicle assignment (e.g., court, transportation to training, community event) shall first notify their immediate supervisor.

This subsection does not apply to those who are assigned to vehicle transportation duties to and from the maintenance yard or carwash. This section also does not apply to police managers who are assigned a take home vehicle as part of their MOU.

701.3.2 INSPECTIONS

Members 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 shifts. 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.

The interior of any vehicle that has been used to transport any person other than a member 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.

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

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

701.3.3 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles should be locked and secured at all times. No key should be left in the vehicle except 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.

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

701.3.4 MDC

Members assigned to vehicles equipped with a Mobile Digital Computer (MDC) shall log onto the MDC with the required information when going on duty. On duty for the purpose of this policy references members working in a uniformed assignment, working within the boundaries of the City, and in a marked police vehicle. If the vehicle is not equipped with a working MDC, the member shall notify the Communications Bureau. Use of the MDC is governed by the Mobile Digital Computer Use Policy.

701.3.6 KEYS

Members approved to operate marked patrol vehicles should be issued a copy of the key as part of their initial equipment distribution. Members who are assigned a specific vehicle should be issued keys for that vehicle.

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Members shall not duplicate keys. The loss of a key shall be promptly reported in writing through the member's chain of command.

701.3.7 AUTHORIZED PASSENGERS

Members operating department vehicles shall not permit persons other than City personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as passengers in the vehicle, except as stated in the Ride-Along Policy. This section does not apply to members who are allowed incidental and minimal personal use of City vehicles as part of their MOU.

701.3.8 ALCOHOL

No member of the department shall operate a city owned vehicle, when he/she has consumed an amount of alcoholic beverage or taken any medications that would adversely affect the member's ability to operate a motor vehicle safely within accordance of the law.

701.3.9 PARKING

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

Department vehicles should be parked in assigned stalls. Members shall not park privately owned vehicles in stalls 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.

701.3.10 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories to any City owned vehicle. Department personnel shall not attach, whether temporarily or permanently, any type of sticker, decal, license plate frame, emblem, magnet or any other type of adhesive label or notice to a City owned vehicle without written permission from the assigned vehicle program manager.

701.3.11 PROFESSIONAL STAFF MEMBER USE

Professional Staff members assigned to Technical Services using marked emergency vehicles shall ensure that all weapons have been removed before going into service. Professional Staff members shall prominently display the "out of service" placards or light bar covers at all times

701.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES

Department vehicles may be assigned to individual members at the discretion of the Chief of Police. 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 as long as the required notice is provided (as per the MOU).

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

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701.4.1 ON-DUTY USE

Vehicle assignments shall be based on the nature of the member's duties, job description and essential functions, and employment or appointment status. Vehicles may be reassigned or utilized by other department members at the discretion of the Chief of Police or the authorized designee.

701.4.2 UNSCHEDULED TAKE-HOME USE

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

- (a) The circumstances are necessary by the needs of the department.
- (b) Other reasonable transportation options are not available.
- (c) The member lives within a reasonable distance (generally not to exceed a 60-minute drive time) of the Irvine City limits.
- (d) Off-street parking will be available at the member'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 unless stored in a secure weapons locker within the vehicle or properly secured in the residence when the vehicle is not attended, unless the vehicle is parked in a locked garage.

701.4.3 ASSIGNED VEHICLES

Assignment of take-home vehicles shall be based on the location of the member's residence, the nature of the member's duties, job description and essential functions, and employment or appointment status.

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

- (a) Vehicles should only be used for work-related purposes and should not be used for personal errands or transports, unless special circumstances exist and the Chief of Police or a Division Commander gives authorization or as authorized per the most current MOU.
- (b) Vehicles may be used to transport the member to and from the member's residence for work-related purposes.
- (c) The two-way communications radio, MDC and global positioning satellite device, if equipped, must be on and set to an audible volume when the vehicle is in operation.
 1. For vehicles driven home and parked, these systems are not required to remain on when not in use.
- (d) Unattended vehicles are to be locked and secured at all times.
 - (a) 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).

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- (b) All weapons shall be secured while the vehicle is unattended.
- (c) All department identification, portable radios and sensitive equipment should be secured.
- (e) If the vehicle is not secured inside a locked garage, all firearms and kinetic impact weapons shall be removed unless secured within a weapons locker within the vehicle or properly secured in the residence (see the Firearms Policy regarding safe storage of firearms at home).
- (f) Vehicles are to be secured at the member's residence or the appropriate department facility, at the discretion of the Department when a member will be away (e.g., on vacation) for periods exceeding one week.
 - (a) If the vehicle remains at the residence of the member, the Department shall have access to the vehicle.
 - (b) If the member is unable to provide access to the vehicle, it shall be parked at the Department.
- (g) The member is responsible for the care and maintenance of the vehicle.

701.4.5 MAINTENANCE

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 and car washes shall be performed as necessary at a facility approved by the department supervisor in charge of vehicle maintenance.

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- (d) The Department shall be notified of problems with the vehicle and approve any major repairs before they are performed.
- (e) All weapons shall be removed from any vehicle left for maintenance.
- (f) Supervisors shall make, at a minimum, monthly inspections of vehicles assigned to members under their command to ensure the vehicles are being maintained in accordance with this policy.

701.5 UNMARKED VEHICLES

Vehicles are assigned to various divisions and their use is restricted to the respective division and the assigned member, unless otherwise approved by a division supervisor.

701.6 DAMAGE, ABUSE AND MISUSE

When any department vehicle is involved in a traffic collision or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic collision report shall be filed with the agency having jurisdiction (see the Traffic Collision Reporting Policy), and the supervisor shall make a blue team entry. The blue team entry should be completed within one (1) business day and sent via chain of command.

Damage to any department vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered and documented via a blue team entry. An administrative investigation may be initiated to determine if there has been any vehicle abuse or misuse.

Minor damage may be documented in the vehicle damage log after approval by a supervisor.

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701.8 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.