2.2 DEPARTMENT VEHICLES

SUBJECT: Department Vehicles

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William Cochran
William Cochran, Chief of Police

2.2.1 PURPOSE

This policy provides information, rules and guidelines for the use and maintenance of Department vehicles. The Department policy on Vehicle Operation (4.11) provides more detailed guidance on permitted and prohibited driving behaviors, including emergency vehicle operation.

2.2.2 POLICY

Department vehicles shall be used and maintained appropriately and in accordance with this policy. Unauthorized use of a Department vehicle is strictly prohibited.

2.2.3 USE OF DEPARTMENT VEHICLES

A. In General

1. Vehicles used in routine, general patrol service, whether conspicuously marked or unmarked, will be equipped with operational emergency lights and a siren.
2. Vehicles used primarily for transporting detainees will have the driver separated from the detainee by a safety barrier and will have the rear compartment modified to minimize the opportunity for exit of the detainees. <70.4.2>
3. Vehicles shall be equipped with seatbelts. Drivers and all passengers shall wear seatbelts. Prisoners shall be seat-belted when the officer can reasonably belt them in without risk of injury. <70.2.1>
4. Only sworn employees or City mechanics are authorized to operate marked vehicles, except in emergency circumstances.
5. Every vehicle shall contain all equipment necessary to perform its assigned function.
6. Every vehicle shall receive proper care, service and maintenance. Fleet Services shall perform all vehicle repairs unless approved by the Bureau Commander.
7. No alterations, modifications, or adhesive additions (decals, bumper stickers, etc.) shall be made to any police vehicle without the written consent of the Chief of Police.
8. Employees shall drive and sign for, if required, their assigned vehicles unless a supervisor permits a change.
9. All employees shall keep the vehicle interior clean and free of debris.
10. All employees shall be responsible for fueling the vehicle when needed.
11. No employee shall smoke in any Department/City owned vehicle.
12. No employee will cause preventable damage to Department vehicles or related equipment.
13. Upon leaving a Department vehicle unattended, the employee driving shall place the vehicle in park, shut off the engine, remove the keys from the vehicle and lock it. Vehicles equipped with ignition interrupters may be left running.
14. Employees shall not keep a set of Department keys nor have copies made of vehicle keys for their personal use at the City’s expense.
15. An employee removing a vehicle key from a key box shall replace the key at the end of his or her shift.
16. Employees shall be responsible for checking their assigned vehicle for damage, mechanical deficiencies, and for dangerous objects or contraband inside the vehicle before beginning their shift and after each prisoner transport. (See policy 4.4, ‘Arrest Procedures and Prisoner Transport’). <70.1.2>
17. Employees will immediately report any damage of Department vehicles not caused by a reported vehicle accident to their supervisor. The supervisor will inspect the damage and ensure appropriate reports are completed.

B. Use of On-Call Vehicles

1. Employees must reside in Shawnee County and be assigned to a position, unit, or assignment requiring the vehicle for response to specific situations.
2. At a minimum officers must have the following in their possession while driving a marked or un-marked on-call vehicle on or off duty:
   a. Valid Kansas driver’s license;
   b. Department authorized weapon;
   c. Intermediate weapon; and
   d. Police photo identification.
3. Officers will use good judgment at all times and drive in a safe manner.
4. Officers attire will present an appropriate image of the TPD and enable the officer to function effectively should the need arise.
5. Assigned vehicles should be parked off the street when possible.
6. Vehicles should remain locked when unattended.
7. All vandalism or theft to the vehicle shall be immediately reported.
8. The officer should secure weapons and valuables in the trunk, or locked in a secure compartment when unattended.
9. TPD is not responsible for personal items stolen from TPD vehicles.
10. When an on-call vehicle does not have an installed radio, the assigned officer shall have a handheld radio with them when using the vehicle.
11. Officers who are on leave five (5) days or longer shall check with the Bureau Commander to see if the vehicle should be returned to the LEC for other use while on leave.
12. Officers who are on administrative leave shall not operate Department vehicles unless authorized by the Chief of Police.
13. Officers shall notify the appropriate commander or supervisor immediately if they are going to be late for duty due to mechanical failure of the vehicle.
14. Employees are responsible for getting the vehicle to fleet services for routine maintenance and needed repairs.
15. When an on-call vehicle is removed from service due to being wrecked or for major maintenance, it will be the responsibility of the employee who was assigned the vehicle to remove any equipment not permanently secured to the vehicle. Examples would be: firearms, flashlight, radar unit (if installed), riot equipment or miscellaneous tools.
16. If an officer’s on-call vehicle is down for maintenance or repair, the officer may drive a “spare vehicle” until their vehicle is returned, provided permission is given from the Bureau Commander.
17. Department vehicles are to be used only to conduct City business. No personal use of Department vehicles shall be allowed, except that minimal personal use is permitted for employees authorized to take Department owned vehicles home.
18. Only City employees may be passengers in department vehicles unless the need to transport directly relates to City business and falls within the employee’s job responsibilities.
19. Off-duty officer guidelines for use of on-call vehicles include:

   a. Refrain from engaging in self-initiated law enforcement activities unless required by circumstances;
   b. Responding to serious crimes, or life threatening situations in progress, when in close proximity;
   c. Using good judgment at all times when engaging in law enforcement activity; and
   d. Refraining from using the on-call vehicle when traveling to or from any off-duty employment, unless approved by the Chief of Police or the Deputy Chief of Police.
20. Officers are expected to assist stranded motorists/pedestrians during times of serious inclement weather; and

   a. Officers should stop and render assistance at vehicle accident scenes and standy until an on-duty unit arrives. Officers should use the vehicle to improve safety at the scene.
   b. Officers will be considered in pay status if becoming involved in a police related activity, but must notify dispatch of the situation as soon as reasonably possible.

21. Officers will not be compensated for off-duty maintenance such as washing and waxing.

C. Employees on Limited Duty

   1. Employees on limited duty may ride in Department vehicles.

      a. Sworn officers on limited duty that are authorized and choose to carry a firearm while riding in a department vehicle must also carry a badge, Department photo ID and an intermediate weapon at a minimum.
      b. This provision is not meant to allow officers on limited duty to ride for the purpose of taking police related calls or enforcement activities.

   2. In order for officers on limited duty to drive un-marked Department vehicles they must:

      a. Be medically cleared by a physician;
      b. Have a valid need to drive and are authorized by their Bureau Commander; and
      c. Have authorization from a Bureau Commander to carry a handgun. Employees must also have an intermediate weapon, badge and department photo ID.

   3. Sworn officers on limited duty shall not drive marked vehicles including those that are on-call marked vehicles.

D. Parking at LEC

   1. Employees shall park Department vehicles in their assigned stalls and not use visitor, reserved or employee personal vehicle stalls. If the assigned stall is occupied, the vehicle may be temporarily parked in an employee personal stall.
   2. No TPD employees are to park in stalls reserved for SCECC.
3. Vehicles shall be properly parked, locked and vehicle keys checked back in at the end of shift.

2.2.4 EQUIPMENT AND MAINTENANCE

A. Field Operations Patrol Vehicle Equipment

The following supplies, as outlined on the "Vehicle Inspection Report", shall be maintained in Field Operations patrol vehicles. <41.3.2>

1. Patrol Vehicle Supplies
   a. Disposable blanket;
   b. Fire extinguisher;
   c. Personal Protective Equipment (PPE);
   d. *Broom;
   e. First Aid kit;
   f. Hand disinfectant;
   g. Scraper;
   h. Tire deflation device;
   i. Cones (10);
   j. Flares (8);
   k. *Roller tape;
   l. Traffic wand;
   m. Assigned cell phone;
   n. Spit hood;
   o. Window punch;
   p. Seatbelt cutter;
   q. Crime scene tape;
   r. Leg restraints;
   s. Swab/fingerprint kit.

2. Sergeant Vehicle Supplies
   a. Same items as asterisked (*) patrol vehicle supplies;
   b. Bolt cutters;
   c. Sledgehammer;
   d. Ammo-9mm (50 rounds);
   e. Ammo-223 (40 rounds);
   f. Binoculars;
   g. Flex cuffs (5);
   h. Shield/halligan/ram;
   i. Lockout kit.

B. The Shift Lieutenants will assign the responsibility for the inventory of Field Operations vehicles on each shift to the shift Sergeants. Each
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Sergeant will be assigned two to three vehicles to inventory on a monthly basis for accountability purposes.

1. The Sergeant shall check each item on the ‘Vehicle Inspection Report’ (to make sure all items/equipment are accounted for and serviceable.

2. When inventory items such as flares, flex cuffs, hand cleaner, etc., are used by an officer or a supervisor, he or she shall send an email to the supply officer for replacement items.

3. A Department supply officer shall then secure the replacement items from the supply room and reissue the new items to the requesting officer or supervisor. If the item is out of stock, the requesting officer or supervisor should be notified. Those items would then be ordered through proper channels.

4. Vehicles assigned to Community Outreach, Criminal Investigations, and Administration shall be inspected with a similar method approved by the Bureau Commander, or designee. All Bureaus shall secure supplies from the Department Supply Officer as outlined above, by sending an email to the Supply Officer.

C. Removal of Equipment

1. When a Department vehicle is removed from service it shall be the responsibility of the investigating supervisor to remove any equipment not permanently secured to the vehicle, including:

   a. Any firearms
   b. Radar unit (if installed);
   c. Riot equipment; and
   d. Miscellaneous tools.

2. All guns shall be unloaded prior to storage in the gun locker.

3. All equipment removed from the vehicle shall be inventoried and placed in the Equipment Room or other location as designated by the section supervisor. The inventory shall include the following information:

   a. Item description;
   b. Serial number;
   c. Employee name;
   d. Date; and
   e. Vehicle number.

4. A copy of the inventoried items shall be left with the equipment and the original sent to the Bureau Commander;

5. MDT’s shall be removed by Information Technology personnel; and
6. Equipment stored in lockers shall be retrieved and returned to the appropriate vehicle by a designated section supervisor.

D. Hazardous Cleanup Officers

1. Field Operations shall designate two officers as hazardous cleanup officers.
2. These officers shall have the primary responsibility of cleaning police vehicles that have been exposed to hazardous materials.

E. Officer Request for Vehicle Cleanups

1. When an officer’s vehicle has become contaminated, he or she shall park in the underground parking area and clearly mark the vehicle as biohazardous.
2. The officer shall write a brief email to his or her chain of command detailing the nature of the exposure.

F. Field Commander Responsibility

1. When one of the cleanup officers is on duty, the Field Commander will notify the officer to take care of the vehicle immediately.
2. If a cleanup officer will not be available within 24 hours of the officer’s requesting memo, the Field Commander may designate one to perform the cleanup.
3. The on-duty Field Commander has the authority to direct a non-designated officer to clean up the vehicle immediately, if:
   a. Taking the vehicle out of service creates a shortage of available units for the current or next shift; or
   b. If the length of time the vehicle will be down for cleaning is unacceptable because of holidays or weekends, etc. (Note: The Field Commander should check the schedule book to see if the designated cleanup officers will be available in a timely manner.)

G. Cleanup Responsibility

1. The assigned cleanup officer, upon receipt of notice, shall clean the vehicle following procedures outlined in 3.1, ‘Employee Injury and Illness’ and in Risk Management’s ‘Bloodborne Pathogen Exposure Control Plan.’
2. All materials collected from the cleanup shall be turned into the Property Room biohazard disposal area. In the event the Property Room is closed, the material shall be placed in the CSI Biohazard
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Disposal Room. CSI shall then dispose of the material following their procedures.

3. The cleanup officer shall record the amount of time spent cleaning the vehicle and add any pertinent information about the incident and give this to the assigned Lieutenant.

H. Clandestine Lab Transportation

All personnel should be familiar with the Department’s policy on Clandestine Lab Procedure as it relates to transportation issues for persons in custody involved with a clandestine lab.

I. Use of Push Bumpers

Officers may use push bumpers to move vehicles when they need to quickly open the roadway to expedite traffic flow for public safety and/or allow officers to quickly clear and respond to other calls.

1. Authorized Push Bumper Uses

   a. Push bumpers may be used for pushing disabled vehicles that are on a public street, highway or roadway causing, or likely to cause an obstruction of traffic.
   b. Push bumpers may be used to move vehicles in emergency situations. For example, to open a route for police, fire, EMT or other emergency personnel.
   c. Push bumpers may be used to assist in moving a citizen’s stalled vehicle to a place of safety.

2. Push Bumper Prohibitions

   a. Push bumpers are not designed to provide protection to police vehicles during ramming maneuvers.
   b. An officer shall not push a vehicle without the consent of the owner/operator, unless it is an emergency situation.
   c. An officer shall not push a vehicle without a driver. The officer shall determine if the driver is capable of operating the vehicle to be pushed.
   d. Police units shall not push any vehicle with a gross weight over 5,500 pounds.

3. Proper Use of Push Bumpers

   a. Officers shall ensure that assistance can be provided without damaging either vehicle.
b. Before attempting to push a disabled vehicle officers shall consider the surface conditions of the road:

1) Officer shall avoid over-the-hill pushing. It can cause bumper contact to disengage and loss of control over the disabled vehicle going downhill. Officers shall make sure the disabled vehicle is stopped before regaining bumper contact.
2) The officer should be able to see the disabled vehicle being pushed at all times.
3) Officers should avoid pushing over deep holes, as misalignment may occur.
4) Officers should avoid pushing on questionable surfaces, such as ice and snow.
5) Officers should avoid 90 degree turns if possible.

c. The officer shall advise the owner/operator that the City is not responsible for damage occurring to a vehicle as a result of being pushed.
d. Officers shall operate emergency lights while rendering assistance to disabled vehicles.
e. The bumper shall be examined of the vehicle to be pushed for stability.
f. Proper alignment of bumpers shall be checked on both vehicles.
g. Officers shall visually check the wheels on the vehicle to be pushed for free movement.
h. Officers shall proceed with caution to ensure movement of all wheels.
i. Officers shall give the vehicle owner/operator the following instructions regarding pushing their vehicle:

1) Make sure the vehicle is in neutral, and the emergency brake is disengaged.
2) Take and keep the foot off the brake.
3) Make certain the steering wheel is unlocked, if applicable.
4) Explain that steering and brakes will not be power assisted, which will make the controls in the pushed vehicle harder to operate.
5) Point out the destination of the push.
6) Explain that the operator will feel a slight bump when the push bumper makes contact with the vehicle.
7) Have the operator signal when ready to be pushed by raising their hand.
8) Do not exceed 10 mph during the push.

4. Officer Authorization to Use Push Bumpers
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a. Officers must complete Department training on the use of push bumpers before using them.

b. Officers shall record the following information on their call notes each time the push bumpers are used, including the:

1) Date and time of the push;
2) Location;
3) Driver and vehicle information;
4) Reason for using push bumper;
5) Pushed vehicle’s description;
6) Police unit used to push;
7) Officer conducting the push; and
8) Supervisor approving the push.

c. Damage to either vehicle that was sustained during the push shall be reported to the on duty supervisor.

2.2.5 DEPARTMENT VEHICLE ACCIDENT PROCEDURE

A. Employees involved in an accident with a Department vehicle on duty will do the following:

1. Immediately notify dispatch;
2. Officers shall request their supervisor respond to the scene to oversee the investigation and complete a Vehicle Accident Report in Blue Team of the accident investigation. If the officer’s supervisor is not available an on-duty supervisor shall respond;
3. Officers shall give a detailed statement to the investigating officer.
4. A state accident report for private property accidents involving TPD vehicles is not needed unless other criteria for private property are met: (injury, fatality, DUI, H&R etc.)
5. Narratives from involved officer and investigating supervisor attached to the Blue Team Report;
6. Document the notification of Fleet Management; and
7. Complete a Risk Management Bureau Vehicle Accident Report and email it to Accident Notification group,
8. On duty injury through Blue Team-if applicable,
9. Corrective action-if applicable.

B. When an employee is involved in an accident on duty which causes serious injury or death to another individual, the Chief of Police may place the employee on Administrative Leave with pay and benefits or on Administrative Duty pending the results of the investigation. <1.3.8>
C. The employee’s immediate on-duty supervisor shall complete a Vehicle Accident Report in Blue Team. If no supervisor is available from the Bureau of the employee involved, then the Field Commander shall assign an on-duty supervisor to complete the report.

D. The employee’s immediate supervisor shall review all information and initiate any discipline for policy violations discovered during the investigation of the accident. The disciplinary form will be forwarded to the Bureau Commander for review.

E. When a Department vehicle is involved in an accident outside the City limits, the employee driving the vehicle shall immediately notify the law enforcement agency having jurisdiction where the accident occurred. Whenever possible the employee will obtain the name and address of the driver, owner of the vehicle, insurance company and policy number of the vehicle involved.

F. When an Officer is off-duty and involved in an accident or moving violation in their privately owned vehicle, they must notify his/her supervisor within twenty-four (24) hours (or as soon as practical). The supervisor must then report such accident or violation to the Risk Management Section of the Human Resources Department within twenty-four (24) hours (or as soon as practical), regardless of whether in the course of City-related business or during personal use.

G. When the off-duty accident occurs within the city limits, a supervisor will be assigned to oversee the investigation. No Supervisory Report of Accident is to be filed.

2.2.6 Report Distribution

1. The Bureau Commander shall send copies to the Accident/Pursuit Review Board, Fleet Services and Risk Management. Vehicle Accident Report will be routed by the supervisor through the appropriate chain of command using Blue Team. Copies of the accident report and other case documents will be attached.

2. The Bureau Commander or designee shall notify Risk Management as soon as information is available in any accident where another person’s property is damaged or if there is an injury. If this is not during normal business hours they must be notified the next business day.

2.2.7 Accident/Pursuit Review Board Procedure
1. The Accident/Pursuit Review Board will be comprised per prevailing FOP contract.

2. The Accident/Pursuit Review Board will:
   a. Meet once each calendar month when possible;
   b. Review all Department vehicle accidents and assign a classification to each by a simple majority of the Board vote;
      1) The board will not issue discipline and the board’s classification of the accident is separate from any corrective action taken by the officer’s supervisor or commanders.
   c. Review all accidents when possible no later than the Board meeting of the month following the accident, unless a continuance is requested by the employee involved and approved by the Board Chairman;
   d. Review all vehicle accidents involving life threatening injury or fatalities as soon as possible after all pertinent information is collected; and
   e. Forward any training issues identified by the Accident/Pursuit Review Board to the Training Unit and/or the officers Bureau Commander in writing on a case by case basis.

3. Accident reports will be available for EVOC instructors to review for training purposes.

4. The Chairman of the Accident/Pursuit Review Board shall prepare a Quarterly Report of the board activity. This report will be distributed to the Chief, Deputy Chief, and Bureau Commanders.

5. The Chairman of the Accident/Pursuit Review Board shall prepare an annual analysis of the cases reviewed in comparison to the previous year. It should also make recommendations for training and/or equipment needs based on the analysis.

6. This analysis shall be distributed to Accreditation, the Training Unit, Bureau Commanders, Deputy Chief and approved by the Chief.

2.2.8 Department Vehicle Accident Classifications

1. Preventable Accident - Any accident classified by the Accident Review Board as an unsafe act to any degree on the part of the employee.

2. Non-Preventable Accident - Any accident classified by the Accident Review Board as no unsafe act on the part of the employee.

3. Training Accident - Occurred under the direct supervision of a certified instructor during an approved, scheduled training session, excluding any on roadway training.

2.2.9 Administrative Action on Preventable Accidents
1. Discipline set forth in prevailing labor contracts and City Personnel Code will be applied when an employee is found in violation of a Department directive as a result of a city owned vehicle accident.

2. Any disciplinary and/or administrative action taken in relation to this procedure may be in addition to non-disciplinary administrative action as the result of a Department vehicle accident.

3. The reports of any accident involving serious injuries (hospitalization beyond treatment and release at an ER) or death may be forwarded to the appropriate prosecutor’s office for review.

4. Preventable Accidents:
   a. Second preventable accident within 36 calendar months - The employee may be required to attend the Emergency Vehicle Operator’s Course training. The Chief of Police may also impose any other administrative action related to any policy violation(s) contributing to the accident; and
   b. Third and any subsequent preventable accident within 36 months - The Chief of Police may order a fitness for duty evaluation of the involved employee and may impose any other administrative action related to any policy violation(s) contributing to the accident.