

Vehicle Use

703.1 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 Fresno State Police Department to provide assigned take-home vehicles.

703.2 POLICY

The Fresno State 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.

703.3 USE OF VEHICLES

703.3.1 SHIFT ASSIGNED VEHICLES

The Shift Sergeant shall ensure the patrol vehicle assignment memo indicating member assignments and vehicle numbers is posted and followed by patrol personnel. The Shift Sergeant shall coordinate and approve deviations from the assignments due to vehicle maintenance/repairs or the needs of the department. If a member exchanges vehicles during his/her shift, they shall ensure that the change is documented via RiMS.

703.3.2 OTHER USE OF VEHICLES

Members utilizing a vehicle for any purpose other than their normally assigned duties or normal vehicle assignment (e.g., transportation to training, community event) shall first notify the Shift Sergeant. A RiMS log notation will be made indicating the member's name and vehicle number.

This subsection does not apply to those who are assigned to vehicle transportation duties to and from the maintenance yard or carwash.

703.3.3 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.

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.

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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.

703.3.4 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.

703.3.5 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. If the vehicle is not equipped with a working MDC, the member shall notify Dispatch. Use of the MDC is governed by the Mobile Digital Computer Use Policy.

703.3.6 KEYS

Members approved to operate marked patrol vehicles will access keys via the Key Watcher located near the Officer's room. Members who are assigned a specific vehicle shall check their vehicle keys in and out of the Key Watcher at the start and end of their shifts.

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

703.3.7 AUTHORIZED PASSENGERS

Members operating department vehicles shall not permit persons other than State 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.

703.3.8 ALCOHOL

Members 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). Regardless of assignment, members may not violate state law regarding vehicle operation while intoxicated.

703.3.9 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.

When parked at headquarters, Department vehicles should be parked in designated stalls (primarily north and east of the department). Members shall not park privately owned vehicles or motorcycles in these department areas. All personal vehicles shall be parked in designated Staff/Visitor parking lots (i.e. P18 and P20).

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703.3.10 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories without written permission from the Patrol Operations Lieutenant.

703.3.11 NON-SWORN MEMBER USE

Non-sworn members using marked emergency vehicles shall ensure that all weapons have been removed before going into service. Non-sworn members shall prominently display the "out of service" placards or light bar covers at all times. Non-sworn members shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

703.3.12 TRANSPORTATION OF DETAINEES

Generally, detainees/arrestees shall be transported in marked patrol vehicles with safety barriers separating the officer and arrestee. In the event a vehicle without safety barriers must be used, officers shall position arrestees in the rear seat, on the passenger side of the vehicle. Assisting officers shall position themselves in a way to be able to monitor the arrestee during transport.

703.4 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.

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

703.4.1 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.

703.4.2 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 unplanned and were created 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 Fresno State State 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 and properly secured in the residence when the vehicle is not attended, unless the vehicle is parked in a locked garage.

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703.4.3 MAINTENANCE

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Cleaning and maintenance locations/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 facilities approved by the department supervisor in charge of vehicle maintenance.
- (d) The Department Patrol Fleet Technician shall be notified of problems with the vehicle/assigned equipment and coordinate/approve any major repairs before they are performed.
- (e) When taking a vehicle out of service for repair/maintenance, the member will complete a vehicle maintenance form explaining the service or repair needed, and place it in the pending tray. The member will also make appropriate entries on the vehicle status white board (when taking a vehicle out of service or returning a vehicle to normal service).
- (f) All weapons shall be removed from any vehicle left for maintenance.
- (g) The Patrol Fleet Technician shall make monthly inspections of patrol vehicles to ensure the vehicles are being maintained in accordance with this policy.

703.5 POLICE MOTORCYCLES

The Fresno State Police Department recognizes the need to enforce vehicle and pedestrian traffic laws in and around the campus. In order to maximize traffic enforcement and education, the department shall utilize police motorcycles to supplement the patrol vehicle fleet when trained motor officers are available. During inclement weather (rendering it unsafe to operate a motorcycle), during staffing shortages and/or when necessary to complete detainee transportation, officers shall utilize a marked patrol vehicle.

The current department authorized police motorcycle is the Zero DS (Dual Sport) motorcycle, black in color with distinct "Police" markings and Code-3 lights and siren.

703.5.1 MOTORCYCLE TRAINING

Officers selected to operate police motorcycles shall possess a valid California Class M-1 motorcycle driver license. In addition, they shall satisfactorily complete a POST approved motorcycle training course (typically two weeks in length) prior to field operation.

Refresher training should be conducted annually to review safe riding techniques.

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703.5.2 MOTORCYCLE INSPECTION/STORAGE

Officers shall make daily inspections of their motorcycle for service/maintenance requirements and damage. The Patrol Fleet Technician shall make quarterly inspections of police motorcycles to ensure the motorcycles are being maintained in accordance with this policy.

When not being operated, motorcycles shall be stored in the motorcycle trailer. The covered parking to the south of the department shall only be utilized for temporary parking during the officer's shift.

The following equipment shall be carried when operating a police motorcycle:

- (a) First aid kit
- (b) Flares
- (c) Traffic vest
- (d) Issued patrol rifle (when motorcycle equipped with a rifle mount/lock)

703.6 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).

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, documented in memorandum format and forwarded to the Shift Sergeant. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

703.7 TOLL ROAD USAGE

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

To avoid unnecessary toll road charges, all members operating department vehicles on a toll road shall adhere to the following:

- (a) Members operating department vehicles for any reason other than in response to an emergency shall pay the appropriate toll charge or utilize the appropriate toll way transponder. Members may submit a request for reimbursement from the State for any toll fees incurred in the course of official business.
- (b) Members passing through a toll plaza or booth during a response to an emergency shall notify, in writing, the appropriate Lieutenant within five working days explaining the circumstances.

703.8 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.