

**DAYTON POLICE DEPARTMENT
GENERAL ORDER
POLICE VEHICLES**



KAMRAN AFZAL – DIRECTOR AND CHIEF OF POLICE

Rev. 05/25

POLICY STATEMENT

The procedures of this policy govern all department personnel operating city vehicles. Employees using police vehicles or equipment are directly responsible for the condition of both the vehicle and equipment. They will be held responsible for the failure to report any damage or malfunction occurring during operation of such vehicle.

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I. EMERGENCY OPERATION OF MARKED POLICE VEHICLES

Emergency operation of an authorized marked police vehicle exists when the vehicle is operated with both its emergency lights and siren activated. No authorized marked police vehicle shall be operated as an emergency vehicle unless both emergency lights and siren are activated.

A. Emergency operation (lights and siren) of a police vehicle is authorized in the following emergency cases and under the following conditions:

1. Responding to a Priority One dispatched call
2. Officer needs assistance – Signal 99
3. Person calling for help (life or death situation)
4. Report of an explosion
5. Foot pursuit
6. Trouble with a prisoner



7. Crimes in progress requiring the immediate presence of a police officer (robbery, burglary, assault - but not GTA (Grand Theft – Auto) / DWOC (Driving Without Consent)) Note: Keep in mind tactical deployment for hold-up alarms and bank robbery alarms)
 8. Auto accident with reported injury
 9. At the direction of a sworn supervisor
 10. Pursuits, as noted in General Order 3.02-1, Vehicle Pursuit
 11. Traffic Enforcement, as noted in General Order 3.02-2, Traffic Enforcement
- B. If a non-dispatched crew is responding to a call or incident with emergency equipment activated, they are required to notify the dispatcher that they are “responding to the location with lights and siren”. This will also serve to notify the responding officer’s supervisor who will monitor and manage the response (see also General Order 1.07-1, Communications, section II.B.5.).
- C. When operating a police vehicle in emergency mode, officers will:
1. Use the emergency lights (red and blue overhead) and siren.
 2. Ensure video and audio recording equipment is activated and remains active for the duration of the response.
 3. Not operate with reckless disregard for the safety of other citizens.
 4. Not use four-way flashers because they interfere with brake lights and turn signals.
 5. Not have non-sworn persons in the cruiser. This includes prisoners, witnesses, civilian employees, etc.
 - a. Exception: Police recruits assigned to field duty, the Police Information Specialist, and other sworn law enforcement personnel (i.e., Parole / Probation officers, DEA, FBI, Mobile Crisis Response Team riders, etc.).
- D. When driving in emergency mode, the operator will conform to all applicable traffic laws and regulations.
1. When driving in emergency mode and approaching a red traffic signal or stop sign, the operator must only enter the intersection with a due regard to safety. In order to show due regard when approaching and entering intersections against a stop sign or red traffic signal, the operator shall slow down as necessary for the safety of traffic and shall proceed into these intersections at a speed which would allow for themselves and/or other drivers and pedestrians a reasonable opportunity to avoid a traffic crash.
 2. When driving in emergency mode, the operator must maintain a vehicle speed which is reasonable for the conditions, including but not limited to: time of day, road conditions, pedestrian and vehicle traffic, and weather.

ORC (Ohio Revised Code) §4511.24 – Speed Limits not Applicable to Emergency or Public Safety Vehicles

The prima-facie speed limitations set forth in section 4511.21 of the Revised Code do not apply to emergency vehicles or public safety vehicles when they are responding to emergency calls and are equipped with and displaying at least one flashing, rotating, or oscillating light visible under normal atmospheric conditions from a distance of five hundred feet to the front of the vehicle and when the drivers thereof sound audible signals by bell, siren, or exhaust whistle. This section does not relieve the driver of an emergency vehicle or public safety vehicle from the duty to drive with due regard for the safety of all persons using the street or highway.

- E. When the need for driving in emergency mode is ended (i.e., other officers on scene and no further assistance needed, additional assistance cancelled, etc.), operators will discontinue driving in emergency mode.



II. USE OF OCCUPANT RESTRAINING DEVICE / ELECTRONIC DEVICES

- A. Any person operating a City of Dayton police vehicle, or a personal vehicle being used for City business, or any passenger (non-prisoner) being transported in any City of Dayton police vehicle or a personal vehicle being used for City business, will wear all of the available elements of a properly adjusted occupant-restraining device.
- B. Any employee, while either operating a vehicle or seated as a passenger in a vehicle, who fails to use all components of a properly adjusted safety belt system may be subject to disciplinary action, up to and including discharge. In addition, the failure to use safety belts by the operator or front seat passenger of a motor vehicle is a violation of State law and penalties will be assessed for non-compliance.
- C. Any employee operating, driving, or riding in a City vehicle that discovers any component of the safety belt system to be inoperable shall promptly report the problem to the Motor Vehicle Coordinator (MVC).
- D. For prisoner transportation, see General Order 3.03-1, Prisoners, section IV. – Transporting Prisoners.
- E. From City Policy HR 2.15, Acquisition and Use of Cellular Telephones (rev. 06/03/2020): 2.1.2. *To better ensure the safety of our employees and citizens, cellular phone use, while driving on-duty, or driving any City-owned vehicle, will be limited as follows:*

2.1.2.1 Cellular telephones may be used while actively driving, if they are equipped with a "hands-free" system. Cellular telephones may be dialed if they are equipped with a voice-activated dialing scheme. Otherwise, drivers on City business or using City and/or personal vehicles for City business shall pull over to the side of the road, stop the car, and then operate the phone.

The use of any wireless telephone by non-sworn personnel while driving a marked police vehicle or Parking Enforcement Aide vehicle is prohibited unless the vehicle operator is using a "hands free" system for dialing and using the cell phone.

It is recognized that Public Safety Officials and uniformed officers (sworn personnel) receive advanced defensive driving training. Therefore, the use of wireless telephones and other electronic communication devices is dictated by the urgency required at any moment, as long as such use is within boundaries defined by their defensive driving training and Ohio state law.

- F. The use of any non-telephone call function on any personal electronic device while driving any City of Dayton vehicle is prohibited.

III. TRAFFIC ACCIDENT INVOLVING CITY VEHICLES

A. Employee responsibilities

- 1. If a police employee or other authorized driver of a police vehicle becomes involved in a traffic accident while operating a city vehicle, the employee must immediately request the presence of a supervisor at the scene, regardless of the location or extent of apparent damage or injury to property or person(s). The jurisdiction where the accident occurred will be contacted by the operator of the city vehicle to ensure that a traffic crash report is completed.
- 2. Check all parties involved in the accident for injuries and make appropriate arrangements for medical attention and/or removal to a medical facility for any injured persons.
- 3. Maintain the scene of the accident. Unless grave traffic hazards exist, vehicles should not be moved prior to the arrival of a police supervisor.
- 4. Attempt to contact and identify disinterested witnesses and obtain statements from them at the scene. Request that such witnesses remain at the scene until the arrival of a police supervisor.
- 5. Upon arrival of the investigating supervisor, provide a complete and accurate account of the incident to the supervisor.
- 6. If the accident occurs outside the corporate limits of the City of Dayton, request copies of any



photographs, witness statements, reports, etc. from the responding jurisdiction at the time of the investigation so that they can be turned in with your reports on the traffic accident.

7. Any time a vehicle or property damage accident occurs, the employee must exchange names and addresses with the other party (or property owner) and the names and addresses of the vehicle owners if not the same and the registration number of the vehicle. This exchange of information must occur before the employee and others involved in the accident leave the scene. This exchange of information should also include insurance information.
8. If the accident causes injury to any party involved and/or damage over \$1,000 to either one or both vehicle(s) and property, an OH-1, Ohio Traffic Crash Report, must be filed with the Ohio Department of Highway Safety, Statistics Section.
9. A separate financial responsibility report must also be submitted to the Financial Responsibility Division of the Ohio Bureau of Motor Vehicles within thirty (30) days. The employee is legally required to submit these reports to the state. After the completion of the financial responsibility report, one (1) copy should be sent to Human Resources. Failure to comply with this requirement can lead to the loss of the employee's driver license and employee discipline, up to and including discharge.
10. In addition to any other reports required, submit a Special Report to the investigating supervisor, detailing all of the circumstances surrounding the traffic accident.

B. Supervisor's Responsibilities

1. Either the supervisor or another management representative of the department shall go to the scene of the accident and investigate. The supervisor shall also verify that the law enforcement agency having jurisdiction over the location is called and responds to the scene. Supervisors shall ensure that names and addresses are exchanged with all parties involved in the vehicle or property damage accident. Photos shall also be taken.
 - a. Photograph all vehicles involved in the accident, at the scene, regardless of the extent of damage.
 - b. Attach photos to the BlueTeam report.
2. If the accident occurred within the Dayton city limits, assign an appropriate officer not involved in the accident to complete the accident investigation.
3. Traffic Services Unit investigators and Professional Standards Bureau investigators may be required to respond for certain incidents that are outlined in General Order 2.07-1 Call Out Call Back Procedures.
4. If the accident occurs outside the corporate limits of the City of Dayton, request copies of any photographs, witness statements, reports, etc. from the responding jurisdiction at the time of the investigation so that they can be turned in with your reports on the traffic accident.
5. In the event of a serious injury / fatal accident involving a police vehicle, the Professional Standards Bureau or the Traffic Services Unit investigators will place a **HOLD** on the vehicle, removing it from service.
 - a. The vehicle will be stored at the evidence garage for processing by the Traffic Services Unit investigators then taken to the City Garage UNTIL the HOLD is no longer required. The Professional Standards Bureau must be notified prior to releasing the hold.
 - b. During the time a HOLD is in effect, **NO** department personnel will attempt to use the vehicle.
 - c. The Professional Standards Bureau Commander, or Professional Standards Bureau Sergeant investigating the situation, will route a Complaint Memorandum to the City Garage releasing the HOLD when it is no longer necessary.
6. No additional supervisory investigation will be completed under the following circumstances:
 - The accident must be immediately apparent that the officer was **NOT** at fault.



- The accident must be a property damage accident **only**.
 - a. Supervisors will complete the Blue Team incident entry filling in all of the trackable fields and will also still attach the OH-1, witness statements, photographs, etc.
 - b. Supervisors will not have to complete an investigation and conclusion report, and the officer can just use the OH-1 witness statement instead of the additional special (which just reiterates the witness statement).
7. Regardless of other reports which may be required, the investigating supervisor will submit Special Reports detailing the results of their investigation and conclusions as to whether the employee or other authorized driver of the city vehicle violated any statute, ordinance, or policy of the department or city (except as noted above).
8. Accidents shall also be reported by the supervisor to the Safety Analyst in the Department of Human Resources (HR) immediately. All written reports must be submitted within five (5) workdays by the supervisor to the HR Deputy Director through the department's chain of command.

IV. NECESSARY REPORTS AND ROUTING

A. **OH-1 STATE CRASH REPORTS** and any **SUPPLEMENTAL REPORTS** are completed as in any crash investigation but have **additional** information. The investigating supervisor must submit the completed investigation to their District / Bureau Commander within five (5) workdays of the initial accident.

1. **Marked police vehicles** do not have license plates so the vehicle number is entered instead of a vehicle license number. In the "STATE" box, add "OJ" for other jurisdiction. In the "LOCAL INFO" box, add "City Property".
2. **Unmarked police vehicles** will not be listed in any OH-1, DIBRS (Dayton Incident Based Reporting System) or other publicly available report by the license plate number. They will list the vehicle number instead of using a license plate number. No unmarked vehicle license plate numbers are to appear in any report available to the public.
3. Crashes involving police vehicles when no OH-1 is necessary:
 - If the crash involves city vehicles only and there are no injuries,
 - The crash occurred on private property within the corporate limits of the City of Dayton and there are no injuries.
 - If the crash involves a privately owned vehicle, an exchange of information card will be completed and they will be provided with an incident number,
 - Hit and Run with no suspect information and there are no injuries,
 - Damage to City property only (i.e., traffic control box, stop sign, etc.)
 - Damage caused to a public street (i.e., curb, etc.),
 - No damage to non-city property (i.e., driving over curb and striking a utility pole or backing into a sign, etc.),
 - Structural damage to property that is nothing more than paint transfer (i.e., backing into a concrete pillar, etc.)

B. **Bureau of Motor Vehicles Report (State Accident Report Form, BMV 3303) Uninsured Motorist**

Any crash involving an **UNINSURED MOTORIST** requires that a State Accident Report Form BMV 3303, be submitted to the Bureau of Motor Vehicles within six (6) months of the accident. **THE EMPLOYEE OPERATING THE POLICE VEHICLE COMPLETES AND SIGNS THIS REPORT**, which will be attached to the MVC's copy of the accident report. The investigating supervisor will forward all these documents upon



completion of the investigation.

C. Certification of Performance of Official Duties Form

1. To comply with the requirements of ORC §3937.41(D), all police agencies are required to file a CERTIFICATION OF PERFORMANCE OF OFFICIAL DUTIES letter with the State of Ohio, Department of Highway Safety, whenever an officer is involved in a traffic accident while operating either **their private** vehicle or a City vehicle, and while performing their official duties.
2. The investigating supervisor or the Traffic Services Unit (if called out) will complete the Certification of Performance of Official Duties cover letter and submit the letter with the accident investigation for review by the appropriate District / Bureau Commander and signature by the Deputy Director / Assistant Chief of Police.
3. If there is no OH-1 completed, this form will not be necessary.

D. Employee Injury Investigation Report, Form S-68

If a police employee claims injury from a crash, an EMPLOYEE INJURY INVESTIGATION REPORT will be submitted by the employee or by the supervisor if the employee is incapacitated.

E. Reports necessary for the Motor Vehicle Coordinator (MVC)

One complete copy of the OH-1 Report, Special Report, Supervisor's Investigation and BMV Form 3303 (if necessary) are to be routed to the MVC by the investigating supervisor to facilitate repairs of the vehicle. Additionally, supervisors will e-mail the MVC with the unit number and a brief summary of the damage before the end of their tour of duty.

V. SUPERVISOR'S CORRECTIVE RESPONSIBILITY

- A. All vehicular accidents involving City employees operating City vehicles or City employees operating private vehicles on City business, must be reviewed by their supervisor for potential disciplinary action. Refer to General Order 1.02-5, Discipline, for the proper procedure to be followed as in any disciplinary action.
- B. Before determining the seriousness of the vehicular accident and the degree of discipline, if any, to be taken, the following non-exclusive factors should be taken into consideration:
 1. Any negligent, intentional, or reckless conduct on the part of the employee.
 2. Any negligent, intentional, or reckless conduct on the part of other parties directly contributing to the cause of the accident.
 3. Whether the accident was preventable by the employee.
 4. The extent of damage to: City vehicles, City property, the property and/or vehicles of other parties.
 5. Physical injuries to City employee(s) and/or other parties.
 6. Potential damage to property and physical injuries.
 7. Whether any other policy, regulation, order, or law was violated by the employee incidental to the vehicular operation.
- C. Supervisors will submit with all accident reports the Form S-69 Vehicle Accident / Loss Investigation Report. This form should contain what disciplinary action was taken, if any. If no action was taken, the reason should be included on this report.
- D. Supervisors who take less than the appropriate action in such matters shall be disciplined, up to and including discharge.



- E. The Department of Human Resources shall, where conditions warrant, make recommendations for disciplinary action to the department director.

Department personnel are subject to corrective and/or disciplinary action for Category 1 and 2 motor vehicle accidents.

F. Definitions:

1. Police Motor Vehicle Accident – an occurrence that results in property damage and/or injury and meets the following conditions:
 - It is an accident (not intentional).
 - It involves a motor vehicle that is owned or leased by the City of Dayton or the Police Department or is under the control of a Police Department member during the performance of official duties.
2. Category 1 (negligent) – a department member has committed a Category 1 violation when found at fault for a vehicular accident and the member has violated a minor misdemeanor provision of the RCGO (Revised Code of General Ordinances), ORC, or applicable statute from another jurisdiction.
3. Category 2 – A member has committed a Category 2 violation when they:
 - are at fault for a vehicular accident and have violated any provision of General Order 3.02-1, Vehicle Pursuit, General Order 3.02-2, Traffic Enforcement, General Order 3.02-4, Police Vehicles, or General Order 3.02-5, Traffic Crash Investigations;
 - are at fault for a vehicular accident and have violated a provision of the RCGO, ORC, or applicable statute from another jurisdiction that is a fourth-degree misdemeanor or higher;
 - operated a vehicle involved in an accident and failed to properly wear a seatbelt restraining device.

G. Progressive Corrective and/or Disciplinary Action

Progressive corrective and/or disciplinary action will be administered for department personnel involved in Category 1 and Category 2 vehicular accidents.

H. Uniform Corrective / Disciplinary Action Guidelines

Mitigating factors, such as injuries and property damage, will be considered to determine recommended disciplinary penalties. Per the current labor agreement, the 24-month period will begin upon issuance of any discipline to include Training Memorandums:

1. Category 1 Accidents (24-month period):
 - 1st Category 1 accident: Training Memorandum.
 - 2nd Category 1 accident: Oral Reprimand.
 - 3rd Category 1 accident: Written Reprimand and driver training.
 - Sustained finding for 4th Category 1 accident: 8 hours suspension.
 - Sustained finding for 5th Category 1 accident within 36 Months: 24-hour suspension.
 - Sustained finding for 6th Category 1 accident within 48 months: 40-hour suspension.
 - Sustained finding for 7th Category 1 accident within 48 months: 80-hour suspension – dismissal.
2. Category 2 Accidents (24-month period)
 - 1st Category 2 accident: Written Reprimand and driver training.



- Sustained finding for 2nd Category 2 accident within 36 months: 8 - 24 hours suspension.
 - Sustained finding for 3rd Category 2 accident within 36 months: 40-hour suspension.
 - Sustained finding for 4th Category 2 accident 48 months: 80-hour suspension – dismissal.
3. Nothing in this policy would prohibit the City of Dayton from issuing more serious disciplinary penalties due to the individual facts of each accident.
4. Once an employee has been disciplined for a Category 2 accident the employee remains in this “risk” category and discipline will be progressive.
- If a minor Category 1 accident occurs after an employee has been disciplined for a Category 2 accident, the prior discipline can be repeated but mitigating circumstances must be cited.
 - Employees who have prior discipline for what are now categorized as Category 1 and 2 accidents can have the prior discipline repeated with mitigation being cited.
 - Otherwise, discipline issued for negligent auto accidents will follow the policy of progressive discipline.

I. Disposition of Training Memorandums

All Training Memorandums related to Rule of Conduct 3.11, Police Vehicle Accidents, will be forwarded to General Counsel. General Counsel will be the repository for all Training Memorandums related to police vehicle accidents.

VI. CRIMINAL OFFENSE DIRECTED AT A POLICE VEHICLES

- A. When a criminal offense has caused damage to a police vehicle, the driver will immediately notify a supervisor. A full criminal investigation will be conducted, and the proper reports made. A copy of these reports will be forwarded to the MVC to get any damages repaired. There is no need to conduct an additional internal investigation unless misconduct on the part of the employee is suspected.
- B. The MVC will report these offenses to the City Garage and facilitate repair of the vehicle.

VII. MOTOR VEHICLE COORDINATOR (MVC) RESPONSIBILITIES

- A. The MVC is assigned to the Support Services Division. The MVC has the primary responsibility for being the liaison between the Department and the Division of Fleet Management regarding the acquisition, maintenance, and repair of police vehicles.
- B. The MVC maintains a Vehicle Assignment List reflecting all current vehicle assignments. Proper maintenance of this list requires **total department cooperation**. ANY VEHICLE REASSIGNMENTS WITHIN THE DEPARTMENT WILL BE REPORTED TO THE MVC. Additionally, each district and bureau will provide the MVC with a monthly Vehicle Report reflecting the current assignment, mileage and condition of each vehicle assigned to the district or bureau.
- C. The MVC may remove any vehicle from service for repairs, maintenance, or modification whenever necessary. Such action is coordinated with the work unit assigned to the vehicle to not unduly disrupt that unit's operation.
- D. The MVC will coordinate and facilitate repairs and installation of equipment by vendors under contract to the Division of Fleet Management or the Department of Police.
- E. The MVC will research current developments in vehicle technology and equipment and make appropriate recommendations to the department concerning vehicle issues.
- F. The MVC will maintain a list of all professional staff employees that are permitted to drive a police vehicle.



VIII. EMERGENCY REPAIRS ON POLICE VEHICLES

When the light equipment area of the City Garage is closed, an officer has the alternative of obtaining emergency service from the heavy equipment side of the garage or parking the vehicle and getting another from the district/bureau.

IX. REPORTING POLICE VEHICLES OUT OF SERVICE

When a vehicle is DEFECTIVE, INOPERABLE / UNSAFE, QUARANTINE / BIOHAZARD or INFESTED, the driver will proceed as follows:

A. Defective but operable

1. Drive the vehicle to the City Garage **unless** the vehicle is **unsafe** (i.e., defective brakes, no headlights, steering problems, etc.).
2. Complete a Service Request Form provided at the City Garage. Be specific and include all necessary repairs. Service Request Forms are to be filled out by the person who is reporting the defective vehicle. Report the defect to the Light Equipment Supervisor, or if City Garage is closed, return the vehicle keys with the Service Request Form, to the RED AREA of the key box.
 - a. Turn off all electrical equipment, roll up all windows, and lock all doors, if leaving a vehicle at the City Garage when it is closed. **REMOVE ALL WEAPONS FROM THE VEHICLE! WEAPONS WILL NEVER REMAIN IN A VEHICLE AT THE GARAGE!**
3. Obtain a "relief" vehicle assigned to the same district / bureau. If no "relief" vehicle is available at the Garage, contact the dispatcher and request transportation to the district / bureau headquarters (depending on the employee's assignment) to obtain a vehicle.
4. **Defective but operable** vehicles will not be parked at the Safety Building or district / bureau headquarters lots, nor will they be turned over to relief employees UNLESS the relief employees are assigned to day shift / second relief and can take the vehicle directly to the City Garage.

B. Inoperable or Unsafe

1. Any **unsafe** or **inoperable** vehicle will always be TOWED to the City Garage.
2. Accompany the tow truck to the Garage, or follow it there, to secure the vehicle.
3. Turn off all electrical equipment, roll up all windows, and lock all doors, if leaving a vehicle at the City Garage when it is closed. **REMOVE ALL WEAPONS FROM THE VEHICLE! WEAPONS WILL NEVER REMAIN IN A VEHICLE AT THE GARAGE!**
4. Write up the defect and deposit the keys in the proper place. THIS IS THE EMPLOYEE'S RESPONSIBILITY!
5. Teletype Responsibility
 - Record the information given by the vehicle driver and dispatch a tow truck.
 - Log the towing information in the CITY VEHICLE TOW LOG. This will assist the MVC in expediting vehicle repairs.

C. Quarantined / Biohazard

1. Any quarantined vehicle due to a biohazard (e.g., contaminated by occupants with tuberculosis, AIDS, Influenza, or other communicable disease by contact with blood, urine, or other bodily fluids) will be taken out of service.
 - a. It will be taken to the district / bureau and a sheet of paper marked "OUT OF SERVICE FOR



BIOHAZARD" will be left on the dashboard.

- b. A biohazard placard or tape will be affixed to the vehicle in a prominent location so that all persons approaching the car will be aware of the contamination.
 - c. Turn off all electrical equipment, roll up all windows, **REMOVE ALL WEAPONS FROM THE VEHICLE** and lock all doors.
2. The officer having the vehicle taken out of service will document the area and type of contamination in an email to be completed by the end of their shift. The e-mail will be sent to the MVC and the district / bureau coordinator.

D. Infestation

1. If a vehicle becomes infested by insects, park and lock it, and contact a supervisor. The supervisor will contact the district / bureau coordinator or the MVC to quarantine the vehicle. The MVC will contact the contracted exterminator. When quarantine has ended, the vehicle will be given a full-service wash. The exterminator's bill will be taken care of by the MVC. In the long-term absence of the district / bureau coordinator or the MVC, the supervisor will contact the City Garage to have them contact an exterminator in order to hasten the cleansing process.

X. SERVICING VEHICLES WITH THE AUTOMATED FUEL SYSTEM

- A. The Automated Fuel System allows City employees to obtain gas and oil for City vehicles 24-hours a day, 7 days a week. Drivers of the vehicles will be responsible for fueling the vehicle, checking the oil level, and adding oil if necessary. Paper towels will be maintained at the fueling station for the employee's use to help prevent the soiling of clothing.
- B. If the Automated Fuel System is not operable, the employee is to contact Fleet Management staff at the garage, or the attendant at the gatehouse at the Monument Street entrance to the Ottawa Street Yards.
- C. The procedures for handling fuel spills at the fuel station are posted near the pumps.
- D. The employee identification card is used to access the Automated Fuel System, along with entering the vehicle number. Employee identification cards are never to be shared or lent to anyone for any reason.
- E. When using the Automated Fuel System or any other reporting system used by the City of Dayton, employees are required to enter the correct vehicle mileage.
- F. Employees who have been issued an outside fuel vendor card (i.e., BP, Shell, etc.) will only use the card for fuel purchases in the following cases:
 - Out of town trips where the vehicle is not within 35 miles of the Automated Fuel System (except for emergency fueling, which will require a Special Report for each charge).
 - The vehicle requires 91 octane fuel not available at the Automated Fuel System.
 - The vehicle does not have an assigned fuel card. This requires a Special Report for each charge (exceptions are where a District / Bureau will be utilizing a vehicle for an extended length of time with the approval of the Assistant Chief of Police, e.g., Professional Standards Bureau rentals).

XI. INSPECTION AND DOCUMENTATION OF VEHICLES AND EQUIPMENT AT BEGINNING OF THE SHIFT

- A. Police vehicles will be searched for contraband or similar items at the beginning of the officer's tour of duty and prior to and after transporting any prisoners or any citizen contact where they had access to the cruiser. When taking a police vehicle from the district / bureau parking area, inspect it closely, **inside and outside**, for damage, missing equipment, or littered and dirty conditions. See Section XIII for standard required equipment for marked and transport vehicles.
- B. Report any **physical damage** to a supervisor immediately if the damage cannot be discerned as old or new.



The supervisor should immediately check vehicle records for any reported damage.

- C. Report **littered or dirty conditions** to a supervisor immediately. If not reported, the vehicle's condition will be the responsibility of the employee who found the vehicle as such and did not report it.
- D. If, during a tour of duty, a police vehicle becomes damaged, or equipment is lost due to accident, theft, or vandalism, the driver will note this in an e-mail to their on-duty supervisor, the district / bureau coordinator and the MVC. The supervisor will notify all supervisors in the district / bureau that the damage or lost equipment was recorded.
- E. Check vehicle oil level each time the vehicle is fueled; marked cruisers will also be checked at the beginning of every shift.
- F. DOCUMENTATION OF MARKED CRUISER USE

1. SWORN PERSONNEL

All sworn personnel must complete the "on duty" screen on the MDC (Mobile Data Computer) whenever they begin using a marked cruiser. This will be done regardless of assignment (regular duty or overtime), the distance traveled or the length of time the cruiser was used. This includes, but is not limited to:

- a. Unit ID (crew number)
- b. User ID (PDA)
- c. Vehicle ID (cruiser number)
- d. Agency

2. PROFESSIONAL STAFF PERSONNEL

All professional staff personnel must document the following when they begin to use and stop using a marked cruiser for any length of time or distance:

- a. Date
- b. Time
- c. Mileage
- d. Condition
- e. Car number
- f. Location taken from
- g. Location taken to

This information will be documented on a "Radio Card" or any form the appropriate Division Commander has approved. Division Commanders will be responsible for ensuring the documentation is properly filed and maintained.

G. DOCUMENTATION OF UNASSIGNED UNMARKED CRUISER USE

Personnel that operate an unmarked vehicle that is not their assigned vehicle will be required to complete an e-mail to their District / Bureau Commander indicating the dates / times and mileages for the vehicle they operated. The District / Bureau Commander will forward the e-mail to the District / Bureau Commander where the vehicle is assigned except in cases where the employee was operating a loaner vehicle from the City Garage.

**XII. INSPECTION OF VEHICLE AT END OF SHIFT**

- A. The vehicle should have at least 1/2 tank of fuel.
- B. All electrical equipment will be turned off.
- C. All debris from passenger compartment and trunk will be removed.
- D. Keys will be removed, windows rolled up, doors locked, and keys placed in their proper place.
- E. Weapons will be removed from the vehicle and secured in the district / bureau headquarters, per individual district / bureau guidelines.
- F. Personnel will complete the "off duty" screen on the MDC when they are finished using the cruiser.

XIII. STANDARD EQUIPMENT IN MARKED / TRANSPORT VEHICLES

- A. The following equipment will be found in all marked cruisers:
 - 1. Thermal printer
 - a. Thermal printers will only be used to print traffic citations, parking citations, criminal citations, and OVI search warrants. Any other printing is strictly prohibited.
 - 2. One shotgun (Department issue)
 - 3. One fully charged fire extinguisher
 - 4. Twelve 20-minute flares (Supervisor's vehicle - one carton)
 - 5. One ice scraper
 - 6. One ResQ Disk
 - 7. One roll of crime scene tape
 - 8. One first aid box containing the following minimums:
 - a. Four (4) pair surgical gloves
 - b. One box of Band-Aids
 - c. Eight (8), 3" x 3" sterile pads
 - d. Four (4) sanitary pads
 - e. Five (5) ammonia inhalants
 - f. Two (2), 2" self-adhesive compress wraps
 - g. Three (3), 4"x4" wound dressing
 - h. Two (2) Sudecon decontamination wipes
 - i. One emergency blanket
 - j. Ten (10) antiseptic wipes
 - k. One CPR mask (disposable)
- B. Marked vehicles assigned to special units will contain the above described equipment but may have other



special equipment.

- C. UNMARKED vehicles are equipped with a variety of special equipment depending upon their assignment. Each work unit with specially equipped vehicles is responsible for the maintenance and condition of its equipment.
- D. Any shortages of equipment found during inspection will be restocked **before** the tour begins. If replacement items are unavailable, this should be noted on the on-duty screen and made known to the employee's supervisor. The supervisor will forward a list of the unavailable items to the district coordinator via memo.

XIV. MAINTAINING VEHICLE APPEARANCE / VEHICLE WASHES

- A. Day shift (second relief) officers have the primary responsibility for having police vehicles washed. Have vehicles washed only at car washes contracted with the City Garage.
- B. Police officers must maintain their vehicles at all times (i.e., properly remove and dispose of debris from inside the vehicle, clean the windshield, etc.). Officers must ensure that any ice and snow are cleared from their cruisers before use to maintain visibility and safe operation.
- C. Employees will only have vehicles washed at approved vendors and will refrain from purchasing washes from outside vendors.
- D. Police vehicles **may** be washed a MAXIMUM of **four times** per month, **except in emergencies** (i.e., blood or other foreign substance deposited in or on a vehicle).
 - To simplify record maintenance, each Division multiplies the number of vehicles assigned to them by four to arrive at the total number of washes they may have each month.
 - Unused vehicle washes each month are not carried over. This system allows more than four washes for those vehicles used more often than others.
- E. Any cleaning, beyond a normal car wash, or any waxing and polishing requires approval by the Light Equipment Supervisor or the MVC.

XV. MISCELLANEOUS INSTRUCTIONS FOR VEHICLE CARE

Police employees and volunteers will diligently maintain the appearance, operability, and security of their vehicles. The following actions are prohibited:

- A. License numbers, phone numbers, and other information written on headliners, sun visors, seats, dashboards, and other parts of the interior.
- B. Stickers, decals, or other slogan type materials placed anywhere on a police vehicle, unless specifically authorized by the Chief of Police.
- C. Leaving engine, radio, lights, air conditioner, or heater on at relief change.
- D. Leaving keys in the vehicle for the next relief when going off duty.
- E. Neglecting to check vehicle oil level each time the vehicle is fueled. Marked cruisers will be checked at the beginning of every shift.
- F. Racing a cold engine. Engines can warm up at regular idle speed. Most vehicles equipped with catalytic converters will perform better if warmed up a few minutes before driving.
- G. Leaving a cruiser running when the operator is out of the cruiser **UNLESS** the vehicle is equipped with the remove key / engine running option and is being used for official police business (i.e., traffic stops, traffic posts, etc.).
- H. Placing flashlights, batons, wires, radios, or any object in or on the protective screens.



- I. Entering incorrect mileage at the Automated Fuel System, or on a Service Request Form, or any other City of Dayton record keeping system.
- J. Purposefully disabling vehicle accessories and/or components (i.e., DVR (Digital Video Recorder), microphones, seatbelts, etc.).
- K. Changing more than one tire and continuing to drive the vehicle.
 - 1. If a police officer or other authorized driver of a marked police vehicle damages two wheels of the vehicle, as a result of striking a curb or other object with such force to bend the wheel or cause a tire blow out, the vehicle will be towed to the City of Dayton garage. Under no circumstance are officers to change the tires and leave the cruiser in service. Once at the garage, garage personnel will inspect the cruiser for further damage before returning it to service.

XVI. DISTRICT COORDINATOR RESPONSIBILITY TO INSPECT VEHICLES

- A. District Coordinators will conduct **weekly** inspections of all vehicles assigned to their district / bureau and spot inspections at unannounced times. Reports of these inspections should be submitted to the District / Bureau Commander.
- B. Inspection is not limited to front line employees; supervisors' vehicles will be inspected as well.

XVII. EMPLOYEE LICENSING INFORMATION, SPECIAL REQUIREMENTS, AND VERIFICATION

Based on City Policy HR 7.02 (rev. 05-15-2020):

- A. (3.1) All department personnel (sworn, professional staff and volunteer) who drive city motor vehicles are required to be in legal possession of and maintain a valid Ohio Operator's License. Periodic verification of the validity of licenses is required by city policy.
- B. (3.2) All personnel in job classifications that are required to operate a commercial motor vehicle must possess and maintain a valid state issued Commercial Driver License, including the qualification to operate a vehicle with air brakes, and any other endorsements required by their vehicle type.

(3.3) All personnel maintaining a driver's license, a driver's license endorsement (e.g., motorcycle endorsement), or commercial motor vehicle license as a requirement of their job must report any and all alleged violations of any criminal traffic laws, including those that will result in an administrative license suspension (i.e., OVI or equivalent, etc.), and also including any convictions of any criminal traffic law. This requirement is in effect no matter what type of vehicle was being operated at the time of the violation and whether it occurs on or off the job. A failure to report an alleged violation of any criminal traffic laws and/or a conviction that affects a personnel's driver's license and/or their ability to operate City vehicles or equipment pursuant to this section may be cause for discipline, up to and including discharge. Supervisors who are made aware of an employee's alleged violation are required to complete the City of Dayton's Criminal Traffic Violation Reporting Form and submit it to Human Resources by the end of the shift during which they were notified. An employee does not need to inform their supervisor of a criminal or civil traffic violation that does not result in a driver's license suspension and/or alter their legal ability to operate City vehicles or equipment.
- C. (3.4) No supervisor shall knowingly permit or authorize any personnel to operate a City and/or personal motor vehicle and/or City equipment for the City during any period in which the personnel's driver's license is suspended, revoked, or canceled.
- D. (3.5) All personnel shall present their valid driver's license to their supervisor immediately upon request.
- E. (3.6) All personnel shall provide immediate notification to their supervisor for any driver license status change or update, including any suspension, revocation, cancellation, or any other disqualification from driving.
- F. (3.7) If any personnel are aware of and fails to notify their supervisor of their driver's license suspension, revocation, cancellation, or any other disqualification from driving, the personnel's inaction will result in disciplinary action, up to and including discharge.



- G. (3.8) Personnel whose position requires the maintenance of a driver's license, and whose driver's license is then suspended, revoked, or canceled, will have forty-five (45) calendar days to present a valid driver's license or authorization from the relevant court for occupational driving privileges. Failure to do so will be cause for immediate discharge.
1. (3.8.1.) If the personnel obtain a reinstated license and/or court authorization for occupational driving privileges, the personnel may still be disciplined, up to and including discharge, for the license suspension.
 2. (3.8.2) Personnel whose license is suspended, revoked and/or canceled, may be removed by Management from the workplace due to the personnel's failure to meet the minimum qualifications of their position. However, before personnel may be removed from the workplace and placed on an unpaid leave status, Management will need to inform the employee (and their Union) or volunteer of the potential removal; and the removal may only occur after a show cause hearing. Personnel removed from work due to a driver's license issue may use their accrued paid leave during this unpaid forty-five (45) calendar day absence.
 3. (3.8.3) Management may allow personnel to work restricted duty during this forty-five (45) calendar day window if they do not operate City vehicles or equipment.
- H. (3.9) No personnel shall operate a City vehicle, operate a motor vehicle, or operate City equipment for City business while under a driver's license suspension, revocation, cancellation, or any other disqualification from driving. Any personnel operating a City vehicle, a motor vehicle for City business, or City equipment while under suspension, revocation, cancellation, or any other disqualification from driving shall be subject to discipline, up to and including discharge.
- I. (3.10) No personnel shall operate a City vehicle or operate a motor vehicle for the City while having alcohol or of a controlled substance in their blood, breath, or urine, as defined with the re.
- J. (3.11) All personnel are responsible for ensuring that they are validly licensed before being assigned to operate a City vehicle and/or private vehicle for City business. A legible, current copy of each personnel's valid license is required to be maintained on file in the personnel's district / bureau. Supervisors are responsible for keeping all driver's license information current in the district / bureau's files.
- K. (3.12) Supervisors are responsible for verifying that new personnel and/or promotional personnel have the required driver's license for the position prior to appointment, or that the personnel obtain the license in accordance with the period provided in the job description. Supervisors must also request the removal from any eligible list any personnel not holding the proper license at the time of referral. Supervisors shall request the probationary removal of any person who fails to obtain the necessary job required driver's license within the period provided in the job description.
- M. Form F-755, Police Department Employee License Verification, will be used to document verification of license validity of all personnel who operate city vehicles.
1. Each supervisor will verify the license status of all such personnel, under their command on a quarterly basis and will submit their reports by January 1, April 1, July 1 and October 1 of each year.
 2. The NAO (Neighborhood Assistance Officer) supervisor will verify the license status of NAO's who operate city vehicles.
 3. The supervisor will verify the validity of the personnel's driver's license by checking the individual's license status through the Ohio Department of Public Safety Identity Manager Website.
 - a. Individual personnel are responsible for ensuring that their driver's license is valid and current.
 4. Police Department Employee License Verification forms are routed through the chain of command to the Chief of Police, and then to Professional Standards for retention.

XVIII. ASSIGNED VEHICLE USE

Pursuant to City of Dayton Personnel Policy 7.04, personnel will be restricted from removing the city vehicle to



the personnel's home / residence that is located outside of the corporate limits of the City more than the allowed mileage listed below from City Hall in a straight line. If the employee's home / residence is outside of the allowable mileage, the vehicle must remain parked at the employee's work site during non-work hours.

While Personnel Policy 7.04 pertains to Vehicle Use after normal working hours, one pertinent portion of Personnel Policy 7.04 for police personnel is the distance restriction – Residing either within the corporate limits of the City, or outside of the corporate limits of the City and the employee is living:

- Less than fifteen (15) miles from City Hall.

Any personnel who are utilizing a vehicle outside of their regular work hours (i.e., call-outs, meetings, extended workdays) will need to ensure that the use of the vehicle is documented. The Off-Duty Vehicle Use digital form, located on the Police Resource Center, is to be completed within 24 hours of an employee using a city vehicle after normal work hours.

On March 1, June 1, September 1, and December 1, the MVC will create a list of eligible employees based on:

- Mileage from City Hall to the employee's home / residence and
- The average number of callouts employees respond to.

The list will be approved by each employee's respective commander.

- A. Personnel who are assigned a vehicle and are going on vacation leave for five (5) or more working days, will ensure that the vehicle is available for departmental use and turn the keys over to their District / Bureau Commander or supervisor prior to taking the leave.
- B. Personnel who are assigned a vehicle and who are on restricted duty:
 1. For a condition that would make the operation of a vehicle unsafe (i.e., broken limbs, eye surgery, etc.) will turn the vehicle and keys into their supervisor until they return from restricted duty.
 2. Due to an administrative investigation will turn in the car and keys to the supervisor initiating the action.
- C. The Deputy Director / Assistant Chief of Police will be the final authority for vehicle assignments based upon the recommendations of the MVC. Any Dayton Police Department vehicle that is being reassigned or transferred to another division, district, bureau, unit, or officer must be documented to the MVC. The District / Bureau Commander or their designee will send an e-mail to [REDACTED] as noted below.
 1. For vehicle reassignments including temporary reassignments within an assigned District / Bureau, the appropriate Commander is authorized to reassign their District / Bureau vehicles. An email to the MVC will contain the following:
 - Vehicle number
 - Vehicle make
 - Vehicle model
 - Vehicle color
 - Vehicle mileage
 - Current assignment location
 - Current assigned driver
 - New assigned location
 - New assigned driver
 2. For vehicle reassignments between Districts / Bureaus, the reassignment must be authorized and approved by the Deputy Director and Assistant Chief of Police and the MVC. The e-mail to the MVC will contain the following:
 - Vehicle number
 - Vehicle make
 - Vehicle model
 - Vehicle color
 - Vehicle mileage



- Current assignment location
- Current assigned driver
- Proposed reassignment location
- Proposed reassigned driver

The requestor will be advised of the reassignment details / approval.

3. For temporary vehicle reassignments between Districts / Bureaus, the temporary reassignment will be arranged through the MVC. The e-mail to the MVC will contain the following:

- Vehicle number
- Vehicle make
- Vehicle model
- Vehicle color
- Vehicle mileage
- Current assignment location
- Current assigned driver
- Proposed reassignment location
- Proposed reassigned driver
- Expected length of temporary reassignment

- a. The e-mail will generate a ticket for the MVC so that the master inventory list can be updated. A monthly vehicle report is available in the Police Resource Center:

A designated person in each district / bureau will be required to review the monthly report for their district / bureau and notify the MVC of any errors or changes required in the monthly report. Indicated mileage on the monthly report is based on the fleet reporting system, minor mileage discrepancies less than 3,000 miles do not have to be noted.

D. Permitted Take-Home Usage for Those with Assigned Vehicles

1. Personnel that are listed below are permitted to utilize their vehicles to and from their regular duty assignment, including overtime assignments, provided they are in compliance with the mileage restrictions and usage requirements outlined in City of Dayton policy HR 7.04, Vehicle Use Policy. Questions on this topic should be directed to the MVC. Personnel are not permitted passengers other than in the course of their duty within the City of Dayton.

- Senior Command Staff *
- District Commanders *
- Bureau Commanders
- Executive Office personnel listed below
 - a. Professional Standards Bureau Commander *
 - b. Professional Standards Bureau personnel
- Investigations Division personnel listed below
 - a. Violent Crimes Bureau Commander and Supervisors *
 - b. Violent Crimes Bureau detectives
 1. Homicide Unit
 2. Care House Unit
 3. Violent Offender Unit
 - c. Central Investigations Bureau detectives
 1. Domestic Violence / Special Victims Unit
 2. General Assignment Unit
 - d. Special Investigations Bureau detectives
 1. Support Unit
 2. Major Case Unit



3. DEA Task Force

- Support Services Division personnel listed below
 - a. Property Room Supervisor
- Operations Support Division personnel listed below
 - a. Emergency Operations / Planning (Homeland Security) Sergeant
 - b. Traffic Services Unit detectives *
 - c. Special Weapons and Tactics Commander *
 - d. Hostage Negotiation Team Commander *
 - e. Bomb Squad personnel *
 - f. Canine officers *
 - g. Motor Unit officers *
 - h. Regional Crowd Management Team Commander *

* = Exempt from documenting callout requirement. Mileage restrictions outlined in City of Dayton policy 7.04 still apply.

2. The MVC will maintain a list of employees eligible to utilize take-home vehicles based on:
 - a. Employee assignment,
 - b. Mileage from City Hall to the employee's home / residence based on City policy HR 7.04,
 - c. And the average number of call-outs the employee responds to as well as after-hours use of a city vehicle based on City policy HR 7.04.
- E. All other assigned City-owned vehicles not listed above in section E. will be used during regular on-duty hours only and will remain parked during off-duty hours at the employee's assigned worksite.
 1. Those who have assigned vehicles, but do not meet the take home criteria or otherwise not listed in Section E. may choose to find personal car parking near their place of work or may use another police facility if approved by the Division Commander (i.e., West District or East District-North parking lots).
- F. City-owned vehicles will only be driven during the following:
 - Employee's regular scheduled shift.
 - Marked cruisers and unmarked vehicles may be driven to / from / during overtime assignments where the cruiser / unmarked vehicle is being used as part of the assignment.
 - Driving a marked cruiser and/or unmarked vehicle to off duty court is prohibited unless assigned as above.
 - Employees designated with take-home usage and are traveling to / from their regular tour.
 - Employees responding to a call-out incident.
 - Employees attending State Liquor Board Hearings or other hearings that would require travel outside the greater Dayton area to answer a subpoena. The use of a police vehicle to attend a hearing or answer a subpoena must be approved by their District / Bureau Commander.
 - There will be no off-duty personal use of a city vehicle.
- G. Any personnel who utilize an assigned City-owned (not federally-owned) take home vehicle outside of their regular work hours for a callout, a meeting, or if the use of vehicle was during an extension of workday, (not for voluntary overtime) will need to document the usage by the close of the next business day using the Off-Duty Vehicle Use digital form located on the Police Resource Center site.
- H. All personnel with take-home usage are **required** to maintain an insurance liability rider on their personal automobile policy to cover them during times when they are operating their assigned City-owned vehicle



during off-duty hours (including driving to and from regular work shifts). The City of Dayton assumes no liability for the actions of personnel operating a city-owned vehicle outside of their normal duty hours unless they are called back to work or performing a City related function. Proof of insurance must be provided to the employee's District / Bureau Commander on a yearly basis to maintain take-home status.

XIX. PARKING CITATIONS ISSUED TO UNMARKED POLICE VEHICLES

- A. Department personnel who are assigned unmarked police vehicles are fully responsible for any parking citations issued to the vehicle. Only in cases where a true police emergency existed will the appropriate District / Bureau Commander be authorized to cancel the citation. Refer to General Order 3.02-3, Parking Enforcement, Section V, for instructions on canceling parking citations.
- B. Each District / Bureau Commander will assure that each unmarked vehicle assigned to their division is checked for unpaid parking citations through the MIS (Management Information System) on a QUARTERLY BASIS. A report reflecting that review is forwarded to the Chief of Police by February 1, May 1, August 1, and November 1, and then to the Professional Standards Bureau for retention.

XX. USE OF ALL-WHEEL DRIVE (AWD) VEHICLES DURING WEATHER EMERGENCIES

- A. When weather conditions make road travel hazardous for police cruisers, the on-duty field commander or highest-ranking street supervisor will contact the Assistant Chief of Police and request that a "Weather Emergency" be declared. If the request is approved, only emergency calls will be responded to until road conditions improve.
- B. Crews who become stuck will not "rock" their vehicles with the engine or excessively spin the drive wheels. They will advise the Regional Dispatch Center (RDC) that they are stuck and RDC will send a 4WD crew.

XXI. USE OF MOTORCYCLES

- A. The primary responsibility of the Motor Unit is to answer calls for service along with both traffic and criminal enforcement. Officers are assigned to a relief and function as patrol officers with the exception of vehicle limitations. These limitations include vehicle pursuits and prisoner transports.
- B. Other responsibilities include dignitary escorts, parades, funerals and special events, with approval from the Motor Unit Supervisor.
- C. For additional information, refer to the Motor Unit Standard Operating Procedure.

XXIII. PERSONAL VEHICLE USE AND INSURANCE INFORMATION

- A. An employee may, upon the approval of the Department Director, use their personal car for City Business. The employee will be reimbursed at the current mileage rate.
- B. Trips outside the City are governed by the rules in the Travel Policy of the Department of Finance, which should be consulted.
- C. An employee can only use their personal vehicle for City business IF their personal insurance covers them in case of accident while on City business AND if the department director approves the use of a personal car.
- D. Proof of current insurance must be maintained on file with the Department Director. Employees are advised to contact their personal insurance carrier to verify that they have coverage when operating a personal car for City business. The Director's decision allowing an employee to use a personal vehicle for City business should be consistent with the Travel Policy if the personal car is to be used for other than local travel.
- E. An employee who knowingly operates a personal vehicle while on City business without insurance will be subject to discipline, up to and including discharge.



- F. City personnel travelling in a City vehicle on City business will be covered by Workers' Compensation, in accordance with State law. Non-City personnel traveling in a City vehicle or non-City vehicle will not be covered by Workers' Compensation, in accordance with State law.

Outside References:

HR 7.02 Vehicular Operation Policy, 05/15/2020

HR 7.04 Vehicle Use Policy, 07/21/2023

Labor Agreement: City of Dayton and the Fraternal Order of Police Lodge #44, effective 01/01/2021 to 12/31/2023