

	STANDARD OPERATING PROCEDURE State Form 39870(R/S-06)	Reference Number ENF-001
	Subject Operation of Department Commissions	
	Special Instructions Replaces ENF-001 dated December 29, 2022	Effective Date November 14, 2025

I. PURPOSE

Establish guidelines for the operation of Department commissions when on or off-duty and during both routine (non-emergency) and emergency driving situations (other than pursuit driving).

II. POLICY

Department employees shall operate Department commissions in a safe, lawful and prudent manner regardless of the employee's duty status. No employee shall drive or use a Department commission in a manner that will reflect discredit on the Department.

III. DEFINITIONS

A. **AUTHORIZED EMERGENCY VEHICLE** – Vehicles operated by a police agency, department or office, or the Department of Corrections, that are designated and used as an authorized emergency vehicle in accordance with IC 9-21-20 and properly equipped with red and blue signal lamps and/or a siren, whistle or bell as required/permitted by IC 9-19.

B. **COMMUTE(S)** – Operation of a department commission between a non-exempt employee's home and assigned work location. Commuting does not include driving to or from a non-regularly assigned location.

C. **DEPARTMENT COMMISSIONS** – Issued vehicles or vehicles authorized for use by the Department for Department employees; including leased vehicles, task force issued vehicles, etc.

D. **EMERGENCY DRIVING** – In compliance with IC 9-21-1-8, the person who drives an authorized emergency vehicle when the vehicle is using audible or visual signals, as required by law and responding to an emergency call, or is in the pursuit of an actual or suspected violator of the law.

E. **NON-EMERGENCY DRIVING** – All other operation of a Department commission which is not considered emergency driving as defined above.

F. **OFF-DUTY** – When a Department employee is not involved in a job-related incident/situation.

G. **ON-DUTY** – When a Department employee is involved in a job-related incident/situation.

IV. PROCEDURE

A. General requirements

1. Employees operating a Department commission shall:

- a. Whenever possible, and as permitted, back into or pull through a space when parking;
- b. Not make emergency runs with unauthorized passengers;
- c. Not drive in excess of the posted speed limit even when responding to an emergency (using lights and/or siren) when pulling a Department-issued trailer;
- d. Monitor the district radio, in which you are traveling and/or located, while on-duty or off-duty;
- e. Permit only authorized passengers in accordance with [ENF-020](#);
- f. Require all occupants (including the driver) to wear all proper safety restraining devices;
- g. Not operate a Department commission outside the state except on official business and with the approval of the appropriate commander;
- h. Not drive or use a Department commission in a manner that will reflect discredit on the Department, such as, but not limited to:
 - (i) Violating any traffic law, unless necessary to perform an official duty;
 - (ii) Hauling objects that are conspicuous and/or protrude from the commission;
 - (iii) Parking a commission, on-duty or off-duty, that is easily identifiable as a state police commission, for extended periods of time, in areas that are considered to be offensive by community standards and would reflect negatively on the Department; unless on official business;
 - (iv) Displaying items not approved by the Department such as stuffed animals, baseball hats, toys, uniform hats, decals, stickers and all other similar items in a window(s) of or upon the vehicle;
 - (v) Leaving a commission running and unattended for any period of time except when necessary to conduct official business (e.g. K-9 unit, crash scene, traffic direction, etc.) or to warm or cool the vehicle due to weather condition; or
 - (vi) Any other indiscreet uses of the vehicle.
- i. Not routinely leave uniforms and other issued or personal articles in an unattended commission. Such items should be relocated to the trunk or other appropriate place with the exceptions of the issued flashlight and issued rifle if secured in an issued weapon rack or vault;
- j. Not leave department issued or personally owned weapon(s) unsecured in the passenger compartment of an unattended commission. Pistols may temporarily be placed in the trunk for safekeeping, but due consideration should be given for where and how long the commission is left unattended prior to doing so. Issued rifles may be left secured in permanently mounted racks inside the vehicle or secured in the trunk. If a vehicle does not have a trunk, an issued rifle may be left out of sight in the vehicle while on duty but must be removed from the vehicle when off duty.
- k. Ensure assigned commissions are locked when left unattended;
- l. When operating a "push to start" commission, employees shall not leave a key fob in an unattended commission and the use of the "secure park feature" be engaged when away from a running commission;

- m. Ensure all occupants (including the driver) conform to the appropriate dress code (See [ENF- 025](#)). This section does not apply to individuals such as stranded motorists, arrestees, etc;
 - n. While on-duty, limit transportation for professional staff employees to the needs of the Department;
 - o. Not routinely permit traffic violators to accompany the officer to or be seated in the officer's commission unless extenuating circumstances dictate otherwise;
 - p. Abide by the guidelines in [FSS-008](#) for proper care and maintenance of the commission;
 - q. Not operate a Department commission at any time with any measurable amount of alcohol in their blood; except police personnel carrying out authorized undercover operations requiring the consumption of alcoholic beverages who shall not operate a Department commission if their blood alcohol content exceeds .04%; and
2. Employees may forfeit the use of a Department commission for violating the rules of proper use or operation of a Department commission as outlined in this procedure.

B. Emergency Operations

1. Professional staff employees are prohibited from operating a Department commission (if so equipped) as an emergency vehicle.
2. Troopers, CPS Officers and Motor Carrier Inspectors shall abide by the guidelines of law and Department policy when operating a Department commission during emergency driving situations.
3. In compliance with IC 9-21-1-8, the person who drives an authorized emergency vehicle when the vehicle is using audible or visual signals, as required by law and responding to an emergency call, may:
 - a. Park or stand, notwithstanding other provisions of IC 9-21;
 - b. Proceed past a red or stop signal/stop sign, after slowing down as necessary for safe operation;
 - c. Exceed the maximum speed limits if the operator does not endanger life or property; or
 - d. Disregard regulations governing direction of movement or turning in specified directions.
4. The foregoing privileges do not relieve the person who drives an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons nor shall such privileges protect the person who drives an authorized emergency vehicle from the consequences of the person's reckless disregard for the safety of others.
5. Personnel shall use due regard in all emergency driving situations; as dictated by:
 - a. Roadway type (interstate, two lane highway, uneven county roads);
 - b. Road surface (asphalt, gravel, etc.), surface conditions (wet/snow covered, roadside hazards, etc.);
 - c. Time of day;
 - d. Density of vehicle and/or pedestrian traffic;
 - e. Urban or rural area(s);

- f. Visibility, terrain, weather conditions;
- g. Limitations of emergency equipment; and
- h. Other relevant circumstances.

C. Other Requirements Related to Department Commissions

1. Department employees shall not permit unauthorized persons or employees to whom the use of a Department commission has been restricted or revoked to operate any Department commission under the employee's control.

2. Motor Carrier personnel shall be restricted to using Department commissions while on-duty and conducting Department business. Off-duty use of the commission is prohibited.

3. Capitol Police Section (CPS) Officers who are not permanently assigned a Department commission shall be restricted to using a commission while on-duty and conducting Department business. CPS Officers who are permanently assigned a Department commission shall follow the guidelines outlined in Section 6 below.

4. Professional staff employee use of Department assigned, issued or (temporary) pool commissions:

a. Professional staff employees utilizing a Department commission shall be restricted to using the commission while on-duty and conducting Department business only. Off-duty use of any commission is prohibited except when the commission is used for the purposes of commuting.

b. Professional staff employees temporarily operating a Department commission shall be notified if any use of the commission is considered "commuting" and subject to taxation by the Internal Revenue Service (see section below on Employer Provided Vehicle Use).

c. Assignment/issuance of a Department commission to professional staff employees shall be restricted to employees whose use of a commission is integral to the employee's work and the Department's mission.

d. Upon permanent assignment/issuance of a Department commission, professional staff employees shall be informed if they are exempt from or must comply with the Internal Revenue Service (IRS) rules regarding taxable benefits to the employee of a take-home company vehicle. Employees who are not exempt from the IRS rules shall be briefed:

- (i) On all applicable [Indiana Department of Administration \(IDOA\)](#) and [IRS rules](#) related to take-home vehicles;
- (ii) On when an employee is considered in "commuting status*" and therefore subject to IRS rules;
- (iii) If they are required to submit an [Employer Provided Vehicle Use Form](#); and
- (iv) Peoplesoft bi-weekly reporting requirements.

*NOTE: Travel between the employee's residence and their normal assigned work location (e.g., GHQ) would be considered "commuting" and therefore subject to IRS rules. However, travel between that employee's residence and a location that is not their normal assigned work location would not be considered commuting and therefore not eligible for taxation;

e. [Employer Provided Vehicle Use Form](#)

- (i) Non-exempt employees shall submit an Employer Provided Vehicle Use form within five (5) working days of the end of each fiscal quarter (Q1 – Sept. 30, Q2 – Dec. 31, Q3 – March 31, Q4 - June 30) to the Fiscal Division via email and cc their supervisor.
- (ii) Non-exempt employees shall complete the form to include:

- (a) The required employee's personal information;
- (b) The actual number of one-way commutes* conducted in a Department commission; and
- (c) Employee signature.

*NOTE: Travel between the employee's residence to GHQ and then from GHQ back to the employee's residence is considered two (2) one-way commuter trips. Professional staff employees may be authorized, on a temporary and justifiable basis, to stage a Department commission at their residence in preparation for or when returning from authorized Department travel. During these periods, employees shall not be considered as commuting and shall not be subject to IRS rules on taxable benefits.

- (iii) The Fiscal Division shall maintain the completed Employer Provided Vehicle Use forms for a period of four (4) years in accordance with IRS requirements.

f. Reporting Commutes for Non-exempt Employees

- 1. The commute rate shall be set by the IRS.
- 2. The current commute federal rate for commuting is \$1.50.
- 3. Non-exempt employees shall report the number of one-way commutes in PeopleSoft bi-weekly in accordance with their time and labor submission schedule.

- (i) Under Time Entry, the employee should add a new line and select "Commute Charges – St. Vehicle."

- (ii) For each day of the pay period wherein an employee "commuted," they shall enter the total of the number of commutes per day multiplied by the current commute rate above. Ex. On Monday a non-exempt employee drove to their assigned work location and home from their assigned work location. The number of commutes is 2. $2 \times 1.50 = 3$. The employee should enter 3 in the Commute Charges line on time entry for the appropriate Monday of the pay period.

- 5. Employees in a limited duty status shall abide by the provisions of [HMR-010](#) regarding the operation of Department commissions when off-duty.

- 6. Authorized ISP police employees and CPS Officers issued or assigned a Department commission:

- a. May exercise De Minimis use of Department commissions for reasonable and limited personal transportation. De Minimis means so insignificant that it does not give rise to a level of sufficient importance to be dealt with judicially;

- b Shall not use the commission in personal employment or business pursuits; however, the commission may be discreetly used to drive to and from the other employment;

- c. Shall respond to emergency situations, when assigned or made aware of a nearby situation; and shall immediately notify the applicable district when responding (lights and or siren) to a call

(emergency) of any type; and

d. May lose all off-duty use of a Department commission if the employee's performance is considered chronically under-achieving by the employee's commander and until such time that the commander considers performance to be at least baseline acceptable.

7. Department motorcycles shall be limited to Department business use only.

D. This procedure is to be used in conjunction with all relevant Department regulations, rules, policies and procedures.