

# Vehicle Use

## 706.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure office vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of office vehicles and shall not be construed to create or imply any contractual obligation by the County of Kitsap to provide assigned take-home vehicles.

Additional guidelines for member responsibilities when transporting persons in custody may be found in the Transporting Persons in Custody Policy.

## 706.2 POLICY

The Kitsap County Sheriff's Office provides vehicles for office-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Office, requirements for tactical deployments and other considerations.

## 706.3 USE OF VEHICLES

### 706.3.1 OTHER USE OF VEHICLES

Members utilizing a vehicle for any purpose other than their normally assigned duties or normal vehicle assignment (e.g., transportation to training, community event) must have prior authorization. Members utilizing marked patrol vehicles for these purposes are not required to log onto their MCT or sign in service over the radio, but should be prepared to use the radio and respond appropriately if an emergency develops.

### 706.3.2 INSPECTIONS

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents, or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

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

All office 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.

### 706.3.3 MOBILE DATA TERMINAL

Members assigned to vehicles equipped with a Mobile Computer Terminal(MCT) shall log onto the MCT with the required information when going on-duty consistent with any memorandum of understanding and collective bargaining agreement, except as previously stated in 706.3.1. If the

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vehicle is not equipped with a working MCT, the member shall notify Central Communications. Use of the MCT is governed by the Mobile Data Terminal Use Policy.

### 706.3.4 VEHICLE LOCATION SYSTEM

Patrol and other vehicles, at the discretion of the Sheriff, may be equipped with a system designed to track the vehicle's location. While the system may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

Members shall not make any unauthorized modifications to the system. At the start of each shift, members shall verify that the system is on and report any malfunctions to their supervisor. If the member finds that the system is not functioning properly at any time during the shift, he/she should exchange the equipment for one with a working system, if available.

System data may be accessed by supervisors at any time. However, access to historical data by personnel other than supervisors will require Division Chief approval.

All data captured by the system shall be retained in accordance with the established records retention schedule.

### 706.3.5 KEYS

Members who are assigned a specific vehicle should be issued keys for that vehicle.

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

### 706.3.6 AUTHORIZED PASSENGERS

Members operating office vehicles shall not permit persons other than County 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.

### 706.3.7 ALCOHOL

Members who have consumed alcohol are prohibited from operating any office 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.

### 706.3.8 PARKING

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

Office vehicles should be parked in assigned stalls. Members shall not park privately owned vehicles in stalls assigned to office vehicles or in other areas of the parking lot that are not so designated unless authorized by a supervisor. Privately owned motorcycles shall be parked in designated areas.

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### 706.3.9 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories without written permission from the assigned vehicle program manager.

### 706.3.10 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 not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

## **706.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES**

Office vehicles may be assigned to individual members at the discretion of the Sheriff. 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.

### 706.4.1 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 office members at the discretion of the Sheriff or the authorized designee.

### 706.4.2 ASSIGNED VEHICLES

Assignment of take-home vehicles shall be based on the location of the member's residence; the nature of the member's duties, job description and essential functions; and the member's employment or appointment status. Residence in the County of Kitsap is a prime consideration for assignment of a take-home vehicle. Members who reside more than 15 travel miles outside the County of Kitsap may be required to secure the vehicle at a designated location or the Department at the discretion of the Sheriff. Members who reside outside of Kitsap County must be within Kitsap County at the start of their shift. Members who reside outside of Kitsap are required to respond within 60 minutes of receiving an order to report for duty.

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

- (a) Vehicles shall only be used for work-related purposes and shall not be used for personal errands or transports, unless special circumstances exist and the Sheriff or a Division Chief gives authorization.
- (b) Vehicles may be used to transport the member to and from the member's residence for work-related purposes. The member's residence shall be within 15 travel miles of the County line. A take-home vehicle is not authorized when a ferry is part of the normal travel to their residence. Members are responsible for all tolls incurred while traveling to and from their residence.
- (c) Vehicles will not be used when off-duty except:

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1. In circumstances when a member has been placed on call by the Sheriff or Division Chiefs and there is a high probability that the member will be called back to duty.
  2. When the member is performing a work-related function during what normally would be an off-duty period, including vehicle maintenance or traveling to or from a work-related activity or function.
  3. When the member has received permission from the Sheriff or Division Chiefs.
  4. When the vehicle is being used by the Sheriff, Division Chiefs or members who are in on-call administrative positions.
  5. When the vehicle is being used by on-call investigators.
- (d) While operating the vehicle, authorized members will carry and have accessible their duty firearms and be prepared to perform any function they would be expected to perform while on-duty.
- (e) The two-way communications radio, MDT and global positioning satellite device, if equipped, must be on and set to an audible volume when the vehicle is in operation.
- (f) Unattended vehicles are to be locked and secured at all times.
1. 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).
  2. All weapons shall be secured while the vehicle is unattended.
  3. All department identification, portable radios and equipment should be secured.
- (g) Vehicles are to be parked off-street at the member's residence unless prior arrangements have been made with the Sheriff or the authorized designee. If the vehicle is not secured inside a locked garage, all firearms and kinetic impact weapons shall be locked in the trunk or gun mount or removed and properly secured in the residence (see the Firearms Policy regarding safe storage of firearms at home).
- (h) Vehicles are to be secured at the member's residence or the appropriate department facility, at the discretion of the Department when a member will be away (e.g., on vacation) for periods exceeding one week.
1. If the vehicle remains at the residence of the member, the Department shall have access to the vehicle.
  2. If the member is unable to provide access to the vehicle, it shall be parked at the Department.
  3. All firearms and MDT will be secured in the member's residence.
- (i) The member is responsible for ensuring the care and maintenance of the vehicle.

### 706.4.3 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work outside of the jurisdiction of the Kitsap County Sheriff's Office or while off-duty, a deputy shall not initiate enforcement actions except in those

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circumstances where a potential threat to life or serious property damage exists (see the Off-Duty Law Enforcement Actions and Law Enforcement Authority policies).

Deputies may render public assistance when it is deemed prudent (e.g., to a stranded motorist).

Deputies driving take-home vehicles shall be armed, appropriately attired and carry their office-issued identification. Deputies should also ensure that office radio communication capabilities are maintained to the extent feasible.

### **706.4.4 MAINTENANCE**

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Cleaning and maintenance supplies will be provided by the Office. Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

- (a) Members shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage.
- (b) It is the member's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.
- (c) All scheduled vehicle maintenance and car washes shall be performed as necessary at a facility approved by the office supervisor in charge of vehicle maintenance.
- (d) The Office shall be notified of problems with the vehicle and approve any major repairs before they are performed.
- (e) When leaving the vehicle at the maintenance facility, the member should complete a note explaining the service or repair, and leave it on the seat or dash.
- (f) All weapons shall be removed from any vehicle left for maintenance.
- (g) Supervisors shall make, at a minimum, annual inspections of vehicles assigned to members under their command to ensure the vehicles are being maintained in accordance with this policy.

### **706.5 UNMARKED VEHICLES**

Unmarked vehicles are assigned to various divisions and their use is restricted to the respective division and the assigned member, unless otherwise approved by a supervisor. The Sheriff may designate unmarked vehicles for use as traffic control, undercover, or confidential investigative purposes. RCW 46.08.065

### **706.6 DAMAGE, ABUSE AND MISUSE**

When any office 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 Collisions Reporting Policy). The Division Lieutenant will complete a collision review for all collisions involving a office vehicle.

Damage to any office 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

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

### **706.7 TOLL ROAD USAGE**

Authorized on-duty emergency vehicles are exempt from incurring toll road charges. An authorized emergency vehicle is an on-duty vehicle of the Office which is equipped with emergency lights and siren and used to respond to emergency calls (WAC 468-270-030; WAC 468-270-085; WAC 468-270-105).

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

- (a) Members operating office vehicles that are not authorized emergency vehicles shall pay the appropriate toll charge or utilize the appropriate toll way transponder. Members may submit a request for reimbursement from the County for any toll fees incurred in the course of official business.
- (b) Members in unauthorized vehicles passing through a toll plaza or booth during a response to an emergency shall notify their supervisor in writing within five working days explaining the circumstances.

### **706.8 ATTIRE AND APPEARANCE**

When operating any office 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 Office.