

# THE RALEIGH POLICE DEPARTMENT

1106-05

## OPERATION OF POLICE VEHICLES

### PURPOSE

To provide uniform regulations concerning the operation of Police Department vehicles. Regulations regarding the routine operation of Department vehicles apply to all employees. Regulations covering emergency response vehicles would apply only to sworn officers.

### VALUES REFLECTED

This directive reflects our values of *Service, Courage, and Integrity*. Acting in accordance with these guidelines will not only demonstrate that we take care of our vehicles, the most costly pieces of equipment, but recognize that the safe operation of our vehicles will lessen the risk of injury to individuals. We recognize that achieving a high standard of excellence requires our care and attention to everything that we do, even as commonplace a task as driving.

### UNITS AFFECTED

All Divisions/All Personnel

### REFERENCES/FORMS

G.S. 20-145 "When Speed Limit Not Applicable"  
G.S. 20-156 "Exceptions to Right-of-Way"  
G.S. 20-135.2A "Mandatory Seat Belt Use"  
City Policy 100-10A "Seat Belt Use Mandatory"  
City Policy 100-27 "Personal Use of City Vehicles"  
City Policy 101-25 "Personnel Safety Office"  
City Policy 500-1 "Travel Authorization and Expense Reimbursement"  
DOI 1106-10 "Pursuits"  
DOI 1109-03 "Response to Urgent and High Risk Calls"  
Application for Raleigh Police Ride-Along Program  
Ride-Along Release and Waiver

### AUTHORIZATION FOR RELEASE OF CRIMINAL BACKGROUND TO LAW ENFORCEMENT AGENCIES FOR THE RIDE-ALONG PROGRAM

May be Released to the Public

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Effective Date: 08-12-22  
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Approved By: M. Adams-David  
City Manager

## GENERAL POLICIES

All employees are expected to operate Department vehicles in a manner which is safe, lawful, and conscientious.

This policy applies to all self-propelled vehicles, vehicles being pulled or trailered behind such vehicles, bicycles, and horses used by the Department.

## UNAUTHORIZED USE (ALL EMPLOYEES)

Police Department vehicles are to be used only while conducting official business. Personal use is prohibited.

All operators are required to possess a City Driver's Permit and a valid N.C. Driver's License for the type and class of vehicle being operated.

### Assignment of Vehicles

The daily assignment of vehicles is the responsibility of the employee's immediate supervisor. The assignment is to be recorded in writing, and no police vehicle is to be used without proper authorization. The Vehicle Fleet Manager is responsible for maintaining a list of all permanent vehicle assignments.

Supervisors have the authority to temporarily assign vehicles during a specific tour of duty.

### Take-Home Vehicles

Authorization for the use of city vehicles for commuting purposes is granted by the City Manager. Division heads are responsible for keeping a current list of employees who are authorized to use take-home vehicles and for ensuring that unauthorized use does not occur (City Policy 100-27).

### Unauthorized Passengers

Sworn officers are authorized to transport non-City employees in Police Department vehicles within the confines of this directive as described below. Non-sworn employees are prohibited from transporting non-City employees in Departmental vehicles unless prior approval from a supervisor is given.

## RESPONSIBILITY FOR VEHICLES (ALL EMPLOYEES)

Once a vehicle has been assigned, it is the driver's responsibility to inspect the vehicle for damage and operational condition prior to each use. An employee who accepts a vehicle in a damaged condition without reporting it will be held responsible for the damage. Employees are to lock and secure their vehicles when unoccupied, unless doing so would put the employee or the public at increased risk of danger or demonstrably reduce effectiveness.

### Operational Readiness

The driver of the vehicle is responsible for seeing that the vehicle has sufficient gas, motor oil, safe tires and similar required equipment prior to driving the vehicle.

### Inspecting for Unauthorized Items

The driver is also responsible for inspecting the vehicle for trash, contraband, or unauthorized items. If such items are later found in the vehicle, the last person operating the vehicle is accountable. Bumper stickers, placards, front license plates, or other non-issued items shall not be attached to any police vehicle.

### ROUTINE OPERATIONS (ALL EMPLOYEES)

#### Observance of Traffic Laws

Non-sworn employees are expected to abide by all traffic laws and parking regulations while operating Department vehicles. Sworn officers are under the same obligation unless engaged in emergency response (see below).

Animal Control Officers should not park in a travel lane or block traffic unless absolutely necessary to attend to an injured animal. The amber lights should be activated in these circumstances.

Employees who fail to comply with applicable traffic laws may be subject to disciplinary action in addition to any traffic charges that may result.

#### Maintenance and Service

Employees are responsible for seeing that vehicles assigned to them receive the proper maintenance. They should not operate a vehicle if it can be reasonably foreseen that doing so would result in damage to the vehicle.

A supervisor should be contacted, for authorization, if the Vehicle Fleet Services or private rotation wrecker is needed.

The Police Service Center is available for minor repairs during normal working hours. There is no provision for receiving repairs or supplies from private service stations. Any such requests will be at the employee's expense.

#### Cleanliness

The vehicle operator is responsible for removing trash or debris from inside and maintaining the cleanliness of the vehicle's exterior at the end of a tour of duty or use of the vehicle.

#### Parking

Employees are responsible for parking Department vehicles only at authorized locations. Any expense incurred due to a vehicle being ticketed or towed for unauthorized parking will be charged to the employee.

When parking in the Municipal Building complex, employees are to park only in spaces that have been allocated for the Police Department.

## SEAT BELTS (ALL EMPLOYEES)

Every front seat occupant of a Police Department passenger vehicle will wear a seat belt while the vehicle is in motion on a street or highway. When operating a vehicle that is equipped with rear seat restraints, any occupant who is not in custody will also be restrained in a seat belt. Although North Carolina law does not require an in-custody suspect to be restrained by seatbelt, when being transported in the backseat of a police vehicle, officers are encouraged to restrain suspects with seatbelts in the backseat when they can do so safely and without placing themselves at risk of injury.

## TRAVEL OUTSIDE THE CITY (ALL EMPLOYEES)

### Within Wake County

Trips outside of the City that do not extend beyond Wake County require supervisor notification.

### Trips Out of Wake County

For trips outside of Wake County, a Travel Authorization must be submitted and approved in accordance with City regulations (City Policy 500-1). A Travel Authorization is not required for the following out-of-county travel:

- Travel to any county that abuts Wake County.
- Travel to Orange County.
- Travel to Wilson County.

### Emergency Assistance to Outside Agencies

Whenever emergency assistance is requested by other law enforcement agencies outside the City, the Raleigh Police Department will respond under the following provisions:

- Assistance will only be given in emergencies, and there must be approval from a supervisor before leaving the City limits.
- At least one officer and one supervisor will respond to the call. It is left to the discretion of the supervisor to send additional units.
- Although it is not absolutely necessary, it would be legally advantageous to have the out-of-town officer, to be assisted, personally request aid from Raleigh Officers upon their arrival.
- If engaged in emergency response, all regulations involving emergency vehicle operation will apply.

## TRANSPORTING NON-CITY EMPLOYEES (SWORN OFFICERS ONLY)

### Ride-Along Program

The civilian ride-along program exists to provide enhanced understanding of police operations and for educational purposes.

All requests to participate in the ride-along program will be forwarded to the Field Operations Division Administrative Specialist, located in the Field Operations Division Office. An official request must include the applicant's complete name and date of birth. All requests must be received at least five (5) business days prior to the requested ride-along date. Any requests submitted with fewer than five (5) business days of notice will be denied. All participants must complete the "Authorization for Release of Criminal Background to Law Enforcement Agencies for the Ride-Along Program."

Participants in the ride-along program must:

- Be at least eighteen (18) years of age. Exemptions to the age requirement may be made for Raleigh Police Department Explorers. A parent or legal guardian must sign the Explorer's "Waiver of Liability" Form.
- Undergo a Raleigh Police Department background check. This background check will consist of a records management system check, a DCI criminal records check, and a warrant check. Employees utilizing DCI will use the purpose code "C". This background check will be conducted by the Field Operations Division Administrative Specialist or a designee approved by the Field Operations Division Commander. Convicted felons, persons with misdemeanor convictions reflecting offenses of moral turpitude, and those with outstanding warrants will not be permitted to participate in the ride-along program. Applicants may be denied the opportunity to ride-along based upon other factors and/or findings of background checks. Any questionable findings will be forwarded to the Field Operations Division Commander for a final determination of suitability for participation in the program.

The Field Operations Division Administrative Specialist will assign participants to an available date, time, and district. Approval notifications will be made to the applicable District Commander and the ride-along program participant.

No more than one (1) ride-along will be assigned to each Field Operations "team" (i.e. NWD A-1, SWD B-2) at any given time period. Participants in the ride-along program can ride two (2) times in a calendar year. The ride-along should not last longer than four (4) hours.

Participants of the ride-along program are expected to arrive on time to the specific district station and must comply with the following guidelines:

- Participants must sign a "Waiver of Liability" form. Volunteer Police Chaplains are not required to sign liability waivers prior to performing the ride-along. Participants in the Internship Program will bring a copy of the "Waiver of Liability" form they signed as being part of the Internship Program.
- Participants must provide a photo-identification. This identification will be compared to the information documented on the "Waiver of Liability" form and the information provided for the background records check.
- Participants are prohibited from possessing weapons, cameras, video cameras, or any other electronic devices during the ride-along. An exemption will be made for mobile phones. Mobile phones must be powered off. Any participant who requests to bring personal property (i.e. purses or bags) must submit to their property being searched prior to it being placed inside the police vehicle.

- Family members of Raleigh Police Officers are allowed to participate in the ride-along program. However, the participant cannot ride with their family member unless authorized by the Chief of Police.
- Participants must utilize a seatbelt while in a police vehicle.
- Participants will be neatly dressed (no shorts, t-shirts, sandals, etc.).
- Participants will wear a ballistic vest at all times during the ride-along.

Officers chosen to escort the participant must:

- Have completed field training and have a minimum of one (1) year of service experience post training.
- Ensure that the Watch Commander has been made aware of the ride-along.
- Provide the participant with the "Waiver of Liability" form. The officer must then ensure that the "Waiver of Liability" form has been completed and the participant's information matches their photo-identification. The "Waiver of Liability" form will be submitted to the officer's on-duty supervisor. The on-duty supervisor must review the waiver prior to the ride-along taking place. At the conclusion of the ride-along, the reviewing supervisor will inter-office mail the completed form to the Field Operations Division Administrative Specialist. The Field Operations Administrative Specialist will maintain signed "Waiver of Liability" forms in alphabetical order by participant name for a period of three (3) years.
- Ensure the participant's personal property is searched and secured in the trunk of the police vehicle.
- Sign into CAD utilizing an "R" at the end of their call sign (i.e. C111R, D424R). This will alert ECC to the presence of a civilian ride-along.
- Officers will not engage in emergency vehicle operations while a ride-along is present, nor shall an officer transport a ride-along into a location where there is imminent danger of violence or injury. Units with a ride-along may only respond to non-hazardous calls during the ride-along. Should a dangerous condition arise, the ride-along will be discharged at a safe location and the officer will immediately provide the Emergency Communications Center with the location of the ride-along. The Emergency Communications Center will dispatch another officer, not involved in the emergency situation, to the location to pick up the ride-along.

The Raleigh Police Department reserves the right to cancel a scheduled ride-along. The Watch Commander may cancel or suspend a ride-along for any public safety or operational reason he/she deems appropriate. All ride-alongs will be canceled during periods of inclement weather when adverse driving conditions may exist.

Due to the hazardous nature of the assignments in the Special Operations and Detective Divisions, ride-alongs will not be permitted with these units without the approval of the Chief of Police or Deputy Chief. If approved, the background checks, scheduling, and filing of paperwork will still be the responsibility of the Field Operations Division Administrative Specialist.

Ride-along requests by members of the media will be submitted to the Public Affairs Officer who will be responsible for their review. The Chief or designee will approve the rider, subject to the "Waiver of Liability" form requirements and other conditions set forth above. While recording devices are not permitted on ride-alongs, the Public Affairs Officer may grant approval for the possession and use of cameras and other recording devices at other times for purposes of conducting in-car media interviews.

At the discretion of the Chief of Police or the Chief's designee, any provision of the ride-along policy may be suspended or altered to suit special needs or conditions.

### Emergency Transport

Sworn officers are authorized to transport members of the general public in emergencies or where a special hazard exists (i.e. a stranded motorist on a secluded street). All emergency transports must be approved by a police supervisor.

- The individual shall consent to a frisk of their person for weapons or the transport should not be conducted. Bags, purses and personal belongings should also be searched or transported out of the reach of the individual.
- Absent specific articulable facts that establish a safety hazard for the officer or the individual, officers shall not handcuff individuals who are not in custody during transport.
- Officers shall not transport gasoline in the passenger area of their vehicle or in a non-approved container.
- When transporting any person, officers shall give their starting odometer reading, starting location and destination. The ending odometer reading must be given upon destination arrival.
- Officers are not authorized to transport civilians beyond the City's one-mile extra-territorial limit. Under such circumstances, adjacent police agencies may agree to meet officers at the City limits. Otherwise, RPD officers shall transport the party to a police facility or other place of safety until outside assistance can be obtained.
- Officers shall not transport juveniles or intoxicated persons to a residence unless a responsible adult is present at that location.

Employees should not attempt to transport injured persons, unless no other reasonable alternative is available. They should, instead, apply first aid and await the arrival of an ambulance.

### EMERGENCY VEHICLE OPERATIONS (SWORN OFFICERS ONLY)

Officers responding to emergency situations must drive with due regard for the safety of all persons using the road and in a manner cognizant of traffic conditions at the time.

### Emergency Response

Emergency response involves a situation requiring immediate police attention due to a present danger of public safety, a need for the immediate apprehension of a violator, or a serious crime in progress.

Officers are not to operate police vehicles as emergency vehicles unless an emergency response condition exists.

Emergency operation is defined as any time the vehicle is being operated in excess of the speed limit and/or in contradiction of other traffic laws with all emergency warning equipment activated.

Police vehicles actively involved in emergency operation will reduce their speed and safely see their way clear at all controlled intersections displaying a red light or stop sign in the officer's direction of travel. Officers should safely clear these intersections prior to continuing. Officers will reduce the speed of their police vehicle when confronted with traffic congestion. Officers will not travel the wrong way on a one way street or into opposing traffic other than to safely pass another vehicle when no alternatives are available.

In deciding the degree of physical and legal risk which will be accepted in emergency operation, it is necessary to balance the dangers associated with non-apprehension with the dangers to officers and the public associated with high-speed vehicle operation.

Not all criminal enforcement matters justify endangering officers and the public. The seriousness of the underlying criminal offense should be a major factor in deciding whether or not high-speed vehicle operation is lawful and appropriate.

The appropriate balancing of risks shall include consideration of the following:

- Nature (seriousness) of the call.
- Applicable speed limit.
- Intersections and traffic control devices.
- Road conditions, congestion, and weather.
- Type and condition of vehicles used at high speeds.
- Preparedness of the involved officer(s) condition to drive with reasonable safety at high speeds.
- The use of warning signals and lights.

Emergency operations shall be immediately terminated when:

- Directed by a field supervisor.
- There is clear and unreasonable hazard to officers, violator, or public.
- The dangers created outweigh the necessity for immediate apprehension.
- The emergency response vehicle experiences equipment failure or malfunction involving lights, siren, radio, brakes, steering or other essential equipment.

### Silent Response; Use of Emergency Warning Equipment

The use of blue lights and siren may be excluded when overtaking vehicles for violation of traffic laws, observing vehicles occupied by suspected felons or dangerous persons, or when such use presents an imminent danger to the officer or the public.

At all other times, officers will use emergency lighting, headlights, and siren when engaged in emergency vehicle operations.

Once attempts are made to elude an officer, blue lights and other emergency warning devices are required and procedures regarding pursuit are to be followed (refer to DOI 1106-10 "Pursuits").

When responding to bank or similar alarm calls, officers should discontinue the use of emergency warning devices once they are within hearing or seeing distance of the location (refer to DOI 1109-3 "Response to Urgent and High Risk Calls").

Once the use of emergency warning devices is discontinued, motorists are no longer required to yield to police vehicles. Officers must give proper consideration to the speed of their vehicle and to traffic control signals.

### Vehicle Stops By Unmarked or Covert Vehicles

It is preferable to have marked vehicles conduct traffic stops. When an unmarked vehicle performs a vehicle stop, it is imperative that every possible effort be made to identify our police vehicles and our police officers. The following procedures are to be followed whenever plainclothes or uniformed personnel make traffic stops of any nature. When executing the traffic stop, the plainclothes or uniformed officer:

- Must activate the vehicle's emergency blue lights.
- Must use the vehicle's siren for stopping the subject vehicle but should inactivate the siren once the vehicle is stopped.
- Must take reasonable steps to identify the officer as a police officer to the stopped subject, including displaying a police badge and wearing a police cap. Officers should wear a police shirt or jacket, if available. The officer should take these steps prior to getting out of the police vehicle and approaching the stopped subject.
- Must verbally announce the officer's identity as a police officer to the occupant(s) in the stopped vehicle in a manner reasonably likely to be heard, taking into consideration noise in and around the stopped vehicle.

Covert vehicles shall not be equipped for stops or emergency vehicle operation. Plainclothes officers operating covert vehicles will not engage in vehicle stops without the assistance of a marked police vehicle operated by a uniformed officer.

Only in dire emergencies where existing circumstances warrant immediate action will officers operating covert vehicles deviate from the primary rule of no traffic stops. If an emergency stop is made, the officer must activate the vehicle's four way flashers. Officers must also follow the steps set forth above to make themselves identifiable as a police officer.

## Emergency Escorts

Due to the hazards involved in conducting emergency escorts, no officer will become involved in an emergency escort unless cleared by a supervisor. Only approved police vehicles will be used to provide emergency escorts. Emergency escorts are to be conducted only under the following conditions:

- To assist injured persons or other emergency cases who are in route to the hospital by private vehicle.
- To assist first responders during emergency situations.
- To assist in the security of government officials when necessary.