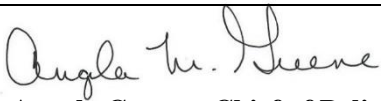
	LEXINGTON POLICE DEPARTMENT POLICY AND PROCEDURE GENERAL ORDER	Distribution ALL PERSONNEL	General Order Number 5.33
		Original Issue Date 01/06/2024	Reissue/Effective Date 06/03/2024
Order Title: Take Home Vehicles		CALEA Accreditation Standard: N/A VLEPSC: N/A	Section 5
		Rescinds: OPR.01-19	
Section Title: Patrol Functions		 Angela Greene, Chief of Police	

This General Order is for departmental use only and does not apply in any criminal or civil proceeding. This General Order should not be construed as creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this General Order will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting

I. PURPOSE

The purpose of this general order is to establish guidelines for the use of assigned vehicles by the Lexington Police Department in order to provide a higher level of service to the citizens of the community.

II. POLICY

It is the policy of the Lexington Police Department that upon availability, City owned vehicles may be assigned to eligible officers within the department as take-home vehicles. The assignment of a take-home vehicle is a privilege and not an officer's right or benefit and may be revoked, altered, or suspended at any time by the Chief of police or his/her designee.

III. PROCEDURES

A. The purpose for allowing the take-home car privilege is:

1. To provide greater police visibility on the roads and in the neighborhoods of the City of Lexington;
2. To enhance the operational readiness of sworn department members;
3. To enhance officer response times to critical incidents;

4. To enhance officer response times to other priority calls for service;
and
 5. To increase the availability of backup assistance to officers for the
safety of both the officers and the public.
- B. Any off-duty use of an assigned vehicle that compromises the professional
image of the Department will be cause for revoking the take home
privilege and could result in disciplinary action up to and including
termination.
- C. Vehicle assignments shall be determined by the Fleet Coordinator or
his/her designee, based on availability, seniority, city residency, and
employee ID.
1. Sworn police officers may take his/her assigned vehicle to their
residence if the following criteria is met:
 - a) The officer has successfully completed Field Training.
 - b) The officer's residence is located within 30 statute
(ground) miles from the City limits of Lexington.
 - a. If an officer's residence is more than 30 statute
miles, they shall be personally responsible for
purchasing one (1) gallon of fuel per working
week.
 - b. If an officer's residence is 40 or more statute
miles, they shall be personally responsible for
purchasing two (2) gallons of fuel per work
week.
 - c) When assigning vehicles, consideration will be given
to department members with specialized, technical,
investigative, or command responsibilities and/or
department members in unique job assignments to
best meet the operational needs of the department.
- D. Personal Use:
1. Officers who reside within the City of Lexington are authorized to
utilize their assigned vehicle for personal use while in the City of
Lexington.
 2. Employees who reside outside of the City of Lexington, but within
the 40-mile limit, are authorized to utilize their assigned vehicle for
personal use under the following conditions:
 - a) When outside the City, you are allowed to stop while
traveling to or from work as long as the destination is

on that route. For example, stopping at an exercise facility or store while traveling to or from work.

- b) You are allowed to drive in the City of Lexington, whether working that day or not, and utilize your assigned vehicle for personal use if the location of its use is within the City of Lexington.

E. Restrictions:

1. Assigned vehicles will not be operated within eight (8) hours after the officer has ingested *any* amount of alcohol or if the officer has a BAC greater than .00.
2. No alcoholic beverages will be carried in an assigned vehicle except when they are seized as evidence or contraband.
3. The assigned vehicle must not be used to carry large or heavy loads or objects except when required in the performance of official duty.
4. No unauthorized personnel or citizens are permitted to operate the officer's assigned vehicle.
5. All officers and authorized passenger are required to wear state-mandated safety belts restraints systems any time the vehicle is being driven. Authorized passengers include family members as defined by VA Code: [§ 16.1-228](#)
6. Officers are prohibited from utilizing his/her assigned vehicle to travel to and from any secondary non-law enforcement employment, or to facilitate any non-law enforcement employment.
7. To avoid public perception that the Department endorses or promotes a particular activity, political candidate, or cause, officers are prohibited from using his/her vehicle when participating in political activities to include setting up signs or attending events, fundraisers, etc.

F. Operational Procedure

1. While operating his/her assigned vehicle while off-duty, it is the officer's responsibility to ensure that he/she can carry out law enforcement duties if required to do so.

2. While operating his/her assigned vehicle off-duty, the officer shall monitor the police radio.
 - a) The off-duty officer will advise EOC when he/she is responding to a call or engaging in an on-view situation.
3. While operating his/her assigned vehicle off-duty, the officer is required to respond to incidents or calls for service which come to their attention as per policy OPR 01.09, procedures A through C.
4. Any minor incidents encountered while operating his/her assigned vehicle off-duty will be immediately reported to EOC.
5. The on-duty Shift Supervisor will make the appropriate determination as to whether an on-duty officer should be assigned to handle the incident or if the off-duty officer will be assigned to handle the incident.
6. While operating his/her assigned vehicle off-duty, officer will have the following equipment available in the event that he/she responds to a call for service or engages in an on-view situation:
 - a) Department issued handgun and ammunition
 - b) Department issued police identification and badge
7. When an assigned vehicle is parked, out of service, or the officer is not within the immediate vicinity of the vehicle, the operator shall ensure that the contents of the vehicle are secured and that all radios, badges, identification cards, and other police equipment are either removed or otherwise properly locked and secured.
8. All firearms shall be secured by a secondary locking device within the locked police vehicle or the trunk at all times except when under the direct control and in the possession of an officer.
9. Unattended vehicles shall be locked at all times.

G. Compensation:

1. Compensation will be made to officer who perform approved law enforcement services while off-duty.

2. When an officer engages in the performance of such services, they will immediately notify the on-duty Shift Supervisor.
3. Approved law enforcement services should include situations where police intervention is necessary for:
 - a) The prevention of a crime;
 - b) The apprehension of a criminal; or
 - c) To assist citizens.
4. The on-duty Shift Supervisor will decide whether to send an on-duty officer to the scene or to allow the off-duty officer to remain on the call. This decision will be made clear by the on-duty Shift Supervisor to all officers involved.

H. Restricted Duty Usage:

1. In the event an officer of the Department is officially limited to working in a restricted duty status and unable to perform his/her regular duties, the following guidelines will apply;
 - a) His/her assigned vehicle will be returned to the Department as soon as practical.
 - b) His/her assigned City vehicle will be reissued when the officer is returned to full-duty status.
 - c) The use of a City vehicle during the work day is a privilege and officers will still be required to provide their own transportation to and from their duty assignment.
 - d) Any personal use of the assigned vehicle will be suspended until the officer returns to full-duty status.

I. Vehicle Inspection and Maintenance:

1. Officers who are assigned a vehicle have the ongoing responsibility to maintain the cleanliness and general operability of the vehicle.
 - a. Officers who are assigned a vehicle shall routinely complete the Daily Inspection form each shift and one Monthly Inspection form to ensure operational readiness.
2. Circumstances permitting, all officers should check the safety features of the assigned vehicle before driving it.
3. Officers must ensure that the interior of the vehicle is kept clean and orderly.

4. Officers will also examine the interior of their vehicles at the beginning and end of their shifts, and after each transport, in order to search for evidence, contraband, or property discarded by prisoners or others.
 5. Routine maintenance should be performed at the direction of the Fleet Coordinator.
 6. The officer to whom the vehicle is assigned is responsible for making the appointment and delivering the vehicle for this service.
 7. The officer operating a Department vehicle is responsible for handling flat tires and other minor emergency maintenance when the problem occurs.
 8. Officer may be held liable for repairs to an assigned vehicle due to their neglect of routine attention and maintenance.
 9. When permanently turning in a vehicle the officer must ensure that the vehicle is clean, orderly, and in appropriate condition for re-issue.
 10. No bumper stickers, decals, insignis, banners, or placards of any type may be attached to the police vehicle without approval from the Chief of Police.
 11. Vehicles will be inspected quarterly by the Fleet Coordinator and/or Shift Supervisor(s) for cleanliness, proper supplies, and overall condition.
- J. Installation of non-issued equipment into assigned vehicles must be approved by the Fleet Coordinator:
1. Approval procedure
 - a) A memo seeking approval for any equipment must be sent to the Fleet Coordinator.
 - b) The Fleet Coordinator must approve the location of the equipment to be installed.
 - c) Factory installed equipment shall not be removed from an assigned vehicle unless approved by the Fleet Coordinator.

K. Installation procedures:

1. Once approval has been received, it will be the responsibility of the officer to have the equipment installed.
2. Any equipment that is not “plug-and-play” must be professionally installed.
3. Any costs associated with the installation of non-issued equipment will be at the requesting officer’s expense.
4. Once installation is completed, the Fleet Coordinator will inspect the work for final approval.
5. Officer will not operate their police vehicle in either an on-duty or off-duty status until this inspection has been completed and approved.
6. Supervisors will be responsible for the on-going inspection of non-issued equipment in assigned vehicles.
7. Any damage to departmental equipment that occurs because of the installation of non-issued equipment, will be the responsibility of the officer.
8. The Lexington Police Department will not be responsible for replacement of any non-issued equipment.

L. Removal Procedures:

1. It will be the responsibility of the officer to have all non-issued equipment removed from the vehicle upon separation from the Department.
2. This removal must be arranged with the Fleet Coordinator.
3. Any costs associated with the removal will be at the officer’s expense.

M. Spare Vehicles

1. All of the rules and regulations that pertain to an officer’s assigned vehicle apply equally to spare vehicles that may be temporarily used.
2. Spare vehicles may be temporarily assigned when they are available.
3. The following additional procedures are applicable regarding the use, care, and issuance of spare vehicles:
 - a) Keys for all spare vehicles will be maintained in the key lock-box.
 - b) Approval to utilize spare vehicles must be obtained by the on-duty Shift Supervisor.
 - c) The responsibility for the care and maintenance of these vehicles rests with the officer temporarily utilizing it.

