

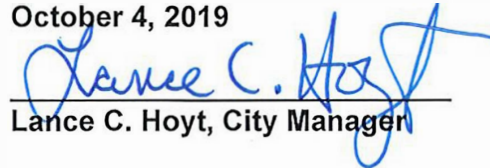
**ADMINISTRATIVE POLICY 2019-36**

**SUBJECT:** Individually Assigned Vehicle

**DATE ISSUED:** October 4, 2019

**DATE EFFECTIVE:** October 4, 2019

**APPROVED BY:**

  
Lance C. Hoyt, City Manager

**SECTION ONE – PURPOSE:** The purpose of this policy is to establish guidelines for the Toppenish Police Department Individually Assigned Vehicle (IAV) Program for full-time sworn officers with at least 36 months (3 years) of service with the Toppenish Police Department.

**SECTION TWO – DEPARTMENT AFFECTED:** The Toppenish Police Department is affected by this policy.

**SECTION THREE – OFFICER PARTICIPATION:** Participation in the IAV program shall be considered a voluntary benefit extended to non-probationary full-time police personnel, who have served the Toppenish Police Department for 36 months (3 years) and is contingent upon vehicle availability, seniority and location of primary residence. The IAV program is not an automatic fringe benefit or employment right.

Currently, only an officer living within a 15-mile radius of the Toppenish Police Department is eligible for the IAV Program.

Vehicles assigned based on specialty job duties and responsibilities such as Investigations and Administration will be exempt from the requirements set forth above.

Marked and unmarked vehicles assigned to officers are authorized for use in the furtherance of the officer's assignment and responsibilities including, transportation to and from work, court, extra duty work assignments and approved training. Travel outside of the prior listed exceptions is prohibited without prior approval from a supervisor.

Driving an IAV for minor or unrelated job assignments (checking mailbox, grocery shopping, utilizing the gym, etc.) is prohibited.

The Chief of Police retains the right to make the final decision on all matters related to the eligibility, assignment, retention and use of all Individually Assigned Vehicles.

**SECTION FOUR – INDIVIDUALLY ASSIGNED VEHICLE GUIDELINES:** Officer utilizing the IAV Program will abide by the following guidelines:

- Officer will exercise good judgment in utilizing their IAV and shall not drive, use or park their IAV in such a manner that will cause unfavorable comment or reflect discredit on the department.
- Only authorized personnel are permitted to operate the IAV.
- Officer will not trade or swap IAV permanently or temporarily without first notifying their immediate supervisor in writing and then only after written permission from their immediate supervisor is received.

- Emergency runs off duty are prohibited except only in extreme times to protect human life (i.e. forcible rape where a weapon was used, robbery where force or a weapon has been used or kidnapping). Traffic stops for minor traffic infractions or wanted persons are strictly prohibited.
- IAV is not to be used for personal business or any type of off duty employment, without the written authorization from the Chief of Police.
- The officer will adhere to all traffic laws and regulations.
- Officer shall not transport any alcoholic beverage in their IAV.
- Officer using IAV is not entitled to claim time spent traveling to and from work as "on-duty time" unless they must perform a police function.
- Only the assigned officer or department employees are permitted to operate assigned vehicles.
- Officer may make traffic stops for observed hazardous moving violations that jeopardize public safety. Officer shall notify Communications of the stop and request that an on-duty officer, from the appropriate jurisdiction be dispatched to his or her location. As soon as possibly able, the officer making the traffic stop will notify their immediate supervisor of the stop and any outcome resulting from the stop. If necessary, the officer will complete a written report on their next scheduled shift. Traffic stops for minor traffic infractions or wanted persons are strictly prohibited.
- Officer must be properly attired when operating their IAV off-duty. Proper attire will consist of the uniform of the day or soft uniform (i.e. polo and khakis).
- Officer is required to have their duty sidearm, or authorized back-up\* or off-duty weapon\*, police identification, badge and handcuffs in their possession and readily available when operating their IAV. In the event a police action is taken, the officer shall have his badge visibly displayed so as to be readily identified as a Toppenish Police Officer.
- Officer who will be on any type of leave from the department for more than 7 days will be required to park their IAV at the police department.
- No firearms will be left within the vehicle during off duty hours or when the vehicle is being repaired or serviced.

**SECTION FIVE – KEYS:** Officer who participates in the IAV will be issued keys or key fob to that specific vehicle. Officer shall not duplicate keys. The loss of a key or key fob shall be promptly reported in writing through the officer's immediate supervisor.

**SECTION SIX – AUTHORIZED PASSENGERS:** Officer operating IAV shall not permit persons other than City personnel, persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as passengers in the IAV, except as stated in the Ride-Along Policy.

**SECTION SEVEN – ACCIDENTS/DAMAGE TO IAV:** All accidents or mishaps involving IAV must be reported immediately to the appropriate jurisdiction where the accident occurred, regardless of whether or not the officer feels that the accident meets the mandatory reporting State minimum damage threshold. A supervisor will also be contacted immediately, and the accident will be reported as soon as practical to the Chief of Police. This notification will be the responsibility

of the officer of the IAV. On the officer's next scheduled shift, they will complete a written report of the accident.

Officer involved in accidents with an IAV will not issue infractions, citations or make an arrest of the driver of the other vehicle(s) involved for a traffic violation. This will be the responsibility of the investigating officer.

In instances where the driver of the IAV observed the other driver commit the traffic violation, which causes the accident, the officer shall relay all necessary information to the investigating officer and appear in court and testify when required by the court.

#### **SECTION EIGHT – MAINTENANCE REGULATIONS:**

Officer with IAV shall be fully responsible for the general maintenance and proper care of the vehicle. They will refrain from:

- Making anything but minor adjustments to the vehicle.
- Altering the body, general design, appearance, markings or mechanical or electrical systems.
- Making any repairs or having any repairs made to the vehicle other than at an authorized garage.
- Having any repairs done, even at an authorized garage, without prior authorization of the Chief of Police.
- Using fuel, oil, lubricant, or other liquid additives in the vehicle other than those authorized by the department.
- Removing, altering or repositioning any equipment within and outside of the vehicle.
- Adding equipment which is not department owned or supplied (i.e. extra radio receivers, gun mounts, speakers, stereo equipment and other add on equipment), unless approved, in writing, by the Chief of Police.
- Officer will be responsible for the appearance and cleanliness of the vehicle, both interior and exterior. The vehicle is subject to inspection by a supervisor at any time and will be kept clean at all times. The department will not reimburse officer for cleaning the interior or exterior of the vehicle, without prior written approval of the Chief of Police.
- The officer is required to schedule all routine maintenance, service or repairs during duty time when possible. This should be scheduled, with the authorized garage(s) prior to taking vehicle in for service, if possible.

**SECTION NINE – POLICY VIOLATIONS:** Damage of any type to the vehicle caused by negligence of the officer will be cause for disciplinary action. Willful negligence on the part of the officer in the care or operation of an IAV or failure to follow these rules and regulations will be cause for officer's IAV privilege to be suspended or revoked.

\* Authorized back-up weapon and off-duty weapons are those described in TPD SOP # 40.011

\*\* Participating officer may be assessed a fringe benefit tax as outlined in IRS Publication 5137 (01-2014) pg. 58 *Commuting Valuation Rule*.