

WINTER HAVEN POLICE DEPARTMENT

GENERAL ORDER 16.4

Assigned Vehicle Program

ACCREDITATION STANDARDS: N/A

EFFECTIVE DATE: November 15, 2006

RESCINDS: G.O. 16.4, January 5, 2018 and all applicable Amended/Temporary Orders prior to October 10, 2018

LAST REVISED DATE: October 10, 2018

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POLICY

It shall be the policy of the Winter Haven Police Department to provide assigned vehicles to eligible members, in order to improve the level of police service provided to the citizens of Winter Haven.

PURPOSE

The purpose of this General Order is to establish guidelines for the participation in the assigned vehicle program and authorized use of city vehicles.

SCOPE

This General Order shall apply to all Department members who are issued an assigned vehicle.

DISCUSSION

All members shall represent the City of Winter Haven in a professional manner and must be cognizant of the image they portray while operating city vehicles.

PROCEDURE

I. Eligibility Requirements

- A.** Participation in the assigned vehicle program is voluntary. Members meeting the eligibility requirements may make application to participate in the program to the Chief of Police or designee through the chain of command.
- B.** Members who do not wish to participate in the assigned vehicle program shall be assigned a fleet vehicle by the Support Services Commander.
- C.** Vehicles will be assigned based on availability.
- D.** Members must meet the following requirements to be eligible for the program:
 - 1.** Successfully completed the Field Training and Evaluation Program.
 - 2.** Reside in Polk County and within a twelve (12) mile radius of the Winter Haven Police Department.
 - 3.** Members that reside in Polk County but outside the twelve (12) mile radius may participate in the program but will be charged a flat rate of twenty (\$20) dollars bi-weekly for use of the vehicle. This flat rate shall be charged through pay roll deduction.
 - 4.** Members that reside outside of Polk County may elect to park their assigned vehicle at a Polk County law enforcement department or substation that is closest to their residence with the following requirements.
 - a.** The member shall have written permission (may be email) from an administrator at the law enforcement department/substation where the vehicle will be parked.
 - b.** If the law enforcement department/substation is outside the twelve mile radius as described above, the member shall pay the bi-weekly rate as set in this General Order.
 - c.** All aspects of this General Order shall apply to this section.
 - 5.** Members whose duties require them to be “on-call” may be assigned a vehicle for the specified on-call time period.
 - 6.** As approved by the Chief of Police or designee.
- E.** Members participating in the assigned vehicle program shall execute and abide by the Take Home Vehicle Memorandum of Understanding (WHPD-44).

II. Off-Duty Use of City Vehicles

- A.** When off-duty, city vehicles may be used by members to perform Department related task(s) such as:

1. Driving to or from the member's residence to assigned work station or work assignment.
 2. City vehicle service or maintenance.
 3. Traveling to or from court, depositions or Department approved training.
 4. Traveling to or from approved Institutions of higher learning within Polk County for college classes.
 5. Traveling to or from Kenneth C. Thompson Institute of Public Safety or other approved training facilities for the purposes of approved training.
 6. Traveling to and from official City or Department functions.
 7. Other travel as authorized by the Chief of Police or designee.
- B.** Members who have been assigned a marked or an unmarked vehicle may use such vehicles for approved extra-duty assignments.
- C.** At no time will Department members use an issued vehicle for any type of personal business. No unauthorized persons shall be transported in a Department vehicle without prior authorization by the Chief of Police or designee. Other law enforcement officers are permitted to ride with a member; however, they must carry a firearm.
- D.** When a member uses a Department vehicle off-duty, the member must notify the Emergency Communications Center via the radio or CAD of the member's identification number and the appropriate code (i.e. 10-7 training, etc).
- E.** Off-duty members must stop at any incident which requires police or public safety services such as crashes, stalled cars, etc. The off-duty member shall call for an on-duty member to handle the call and stand by until relieved by an on-duty member. However, if the problem can be resolved immediately, the off-duty member shall handle the call. Off-duty members are responsible for completion of any reports when police action is taken.

III. Required Equipment for Off-Duty Operation

- A.** When operating a City vehicle off-duty, sworn members shall have in their immediate possession the following items:
1. An approved firearm that the member has qualified with to include an extra magazine or ammunition (revolver).
 2. A Department badge, identification card and issued jacket/windbreaker and traffic vest.
 3. Handcuffs and hand held two-way radio
- B.** When operating a City vehicle off-duty and not in uniform, members shall wear appropriate clothing. Examples of unsuitable clothing includes but is not limited to; bare feet, sandals, bathing suits, tank tops, cut-off shorts, clothing denoting alcoholic beverages or drugs, clothing with obscene gestures or sexual connotations.

IV. Vehicle Inspections

- A.** Lieutenants and/or Sergeants shall inspect the assigned vehicles of members under their command quarterly. These inspections shall be documented on the Department's Vehicle Inspection Form (WHPD-036).
- B.** Vehicles shall be checked for cleanliness (interior and exterior), working order of equipment, appropriate equipment assigned and scheduled maintenance is being performed.
- C.** Any deficiencies found (e.g. missing equipment, broken equipment etc.) shall be documented on the form, if replacement has been requested in accordance with General Order 1.9, then a copy of the request shall accompany the form and be submitted to the Bureau Commander via chain of command. The Bureau Commander shall ensure deficiencies have been corrected.
- D.** Appropriate disciplinary action shall be taken for violations discovered during inspections.

V. Maintenance and Repair of Assigned Vehicles

- A.** Members are solely responsible for the proper maintenance and service of their assigned vehicle.
- B.** Repairs, maintenance and servicing shall be performed at the City Motor Pool or other location as designated by the City Motor Pool or Command Staff.
 - 1.** If an assigned vehicle will be out of service for an extended period of time, the member may be temporarily assigned a fleet vehicle to take home if there are a sufficient number of fleet vehicles available. If there are not a sufficient number of fleet vehicles, the member shall provide their own transportation to and from work and the fleet vehicle shall be left at the Department at the conclusion of duty.
 - 2.** All vehicles left unattended for, or during service or repair shall have all assigned weapons removed from the vehicle.
- C.** Members shall not:
 - 1.** Perform mechanical work on their assigned vehicle.
 - 2.** Have any repairs made on their vehicle other than at the City Motor Pool, unless authorized by Motor Pool or Command Staff.
 - 3.** Use any fuel, oil, lubricant or other liquid additives in their assigned vehicle that has not been authorized or issued by the City Motor Pool or the Department.
- D.** It shall be the responsibility of the member to fuel their vehicle and check the vehicle prior to each tour of duty (i.e. all fluid levels, tires, etc.).
- E.** The City will provide fuel, oil and all other maintenance items for the operation of City vehicles.

VI. Alterations or Modifications

- A.** Any alteration or modification (i.e. emergency lights, window tinting, license plates, etc) to a City vehicle shall be approved in writing by the member's bureau commander and the Chief of Police or designee prior to the alteration or modification. Any approved alteration or modification shall be completed at the member's expense.
 - 1.** Alterations or modifications to any mechanical or electrical system shall be checked for safety and approved by the City Motor Pool after the alteration or modification has been made and before the vehicle is placed back into service.
 - 2.** The Department or City assumes no financial responsibility for stolen, damaged or lost personal property maintained in an assigned vehicle.

VII. General Provisions

- A.** During vacations and/or other periods of absence of seven (7) days or more when the member will be away from their residence, the assigned vehicle shall be parked at the Department. Assigned weapons shall be removed and secured.
- B.** Members involved in a traffic crash with an assigned vehicle shall immediately notify the on-duty Watch Commander.
- C.** Any theft of equipment (including personal equipment) or any damage to an assigned vehicle shall be immediately reported to the on-duty Watch Commander. Theft or damage shall be reported to the appropriate law enforcement agency. Follow up investigations shall be conducted in accordance with Department General Orders.
- D.** When off-duty, members shall park their assigned vehicles in a driveway or parking lot of their residence. Vehicles shall not be parked on a public street overnight.
- E.** Members taking police motorcycles home shall provide a secure area where the motorcycle is not exposed to the weather.
- F.** Assigned vehicles shall not be parked in areas/spaces where non-police vehicles would be prohibited (i.e. fire lanes, handicap spaces, etc) except as authorized by state statute in the performance of official duties.
- G.** Members operating an assigned vehicle are prohibited from patronizing package stores or any business for the purpose of buying alcoholic beverages.
- H.** Members shall not operate a City vehicle within less than eight (8) hours after consuming any alcoholic beverages.
- I.** Members who operate an assigned vehicle shall abide by all state laws, local laws, ordinances and Department General Orders.

VIII. Loss of Privileges

- A.** Assigned vehicle privileges may be terminated by the Chief of Police or designee for violation of any of the provisions of this general order or City of Winter Haven Vehicle Policy.

- B.** Assigned vehicle privileges may be suspended up to thirty (30) days at the discretion of the Chief of Police and/or Bureau Commander upon a first violation of any the rules governing City vehicles or the personally assigned vehicle program. Subsequent violations may result in longer suspension or permanent revocation of assigned vehicle privileges.
1. The member shall be notified in writing by the Chief of Police or Bureau Commander of any suspension or revocation of the assigned vehicle privileges and continued eligibility for future participation in the program.
 2. Appropriate disciplinary action for a policy violation may be taken in addition to the loss of the privilege of an assigned vehicle.
- C.** Members on disciplinary suspension for any reason shall automatically lose their assigned vehicle privileges during the period of suspension. The member shall be required to turn in their vehicle to their Bureau Commander for the duration of the suspension period.
- D.** Members who fail to qualify with the Department issued handgun shall lose their assigned vehicle privileges. The Firearm Instructor with whom the member failed to qualify with shall be responsible for turning the vehicle into the member's Bureau Commander. Assigned vehicle privileges may be re-instated once the member has successfully completed remedial training and qualification.
- E.** Members on light duty who are unable to perform law enforcement functions shall lose their assigned vehicle privileges during this period. The member shall turn in their vehicle to their Bureau Commander for the duration the member is on light duty status.

IX. Definitions - None

APPROVED



Charles E Bird
CHIEF OF POLICE