



## Newport News Police Department - Administrative Manual

### ADM-545 - ASSIGNED POLICE VEHICLE PROGRAM

Amends/Supersedes: ADM-545 (10/24/2018)

Date of Issue: 05/16/2019

#### I. DEFINITIONS

- A. *Marked Police Vehicle:* Any city owned vehicle belonging to the Newport News Police Department with visible markings on the exterior of the vehicle, which would identify the vehicle as a police vehicle (i.e. exterior light-bar, police decals etc.).
- B. *On-Duty:* Assigned work hours in which the employee is being paid by the Department.
- C. *Resident:* Shall mean employees who reside within the jurisdictional boundaries of the City of Newport News.
- D. *Take-Home Vehicle:* A police vehicle that is provided to a police employee to take home and utilize in an effort to increase police visibility in the community as well as provide a timely response to emergency situations.
- E. *Assigned Vehicle:* Vehicles assigned by the Chief of Police to a police employee whose duties require availability on a continuous basis.
- F. *15 Mile Rule:* An employee's residence must be within 15 driving miles from the intersection of J. Clyde Morris Boulevard and Jefferson Avenue to be eligible for an unmarked take-home vehicle.

#### II. POLICY

- A. It is the policy of the Newport News Police Department (NNPD) to implement and maintain a program whereby sworn personnel who reside in the City have the opportunity to be assigned a marked or unmarked vehicle (depending upon assignment) and to drive that vehicle on and off-duty.
- B. If an employee is placed on performance probation he will lose eligibility for a take-home vehicle.
- C. Marked police vehicles may only be utilized within Newport News City limits, unless conducting an assigned police duty outside its jurisdiction.
  - 1. A marked take-home vehicle will only be provided to sworn personnel who are residents.
  - 2. In the event a police employee desires to park his vehicle at a location other than at a police facility, it must be parked at a city facility with permission from the facility's manager (i.e., fire station, waterworks, etc.).
- D. Employees assigned to a critical position, which include the Command Staff, Lieutenants, Homicide Unit, Aggravated Assault, Special Victims Unit, and the Forensics Unit, are authorized to take home their unmarked police vehicles on a daily basis if they live within a 15-mile radius

from the intersection of J. Clyde Morris Boulevard and Jefferson Avenue (including all of Hampton, Poquoson, and Smithfield; parts of York County, James City County, Gloucester, Isle of Wight, Suffolk, Chesapeake, Portsmouth, and Norfolk; excluding Surry).

- E. Employees assigned to a non-critical position are authorized to take home their unmarked vehicle while on primary or secondary call back if they live within a 15-mile radius from the intersection of J. Clyde Morris Boulevard and Jefferson Avenue (including all of Hampton, Poquoson, and Smithfield; parts of York County, James City County, Gloucester, Isle of Wight, Suffolk, Chesapeake, Portsmouth, and Norfolk; excluding Surry).
- F. This program is in keeping with the Department's overall goal, which is "To provide efficient and effective police service to the citizens of Newport News, Virginia." To meet this goal, the objectives of the Assigned Police Vehicle Program are:
  - 1. To increase the visibility of marked police vehicles.
  - 2. To allow off-duty officers to respond and assist officers in a critical incident within their proximity.
  - 3. To maximize vehicle life span and decrease maintenance and repair costs.
  - 4. To optimize response time of police employees subject to stand by.

### III. PROCEDURE

#### A. Administration

- 1. The Assigned Police Vehicle Program may be terminated in whole or in part and any vehicle may be withdrawn from the program at any time at the sole discretion of the Chief of Police, which shall be a management decision concerning the use of valuable city property and may not be grieved.
- 2. Bureau/Precinct/Division Commanders shall be responsible for the administration of the program within their own areas. They will ensure that employee activities involving this program are monitored and that any indiscretions are investigated.
- 3. Bureau/Precinct/Division Commanders shall be responsible for monitoring the maintenance performed on take-home/assigned vehicles and for correcting deviations from this policy.
- 4. Police employees assigned a take-home vehicle will be required to sign a Receipt For Take-Home Car (NNPD Form #180). This receipt will outline the equipment issued to the participant and will serve as notice that the participant understands that the assignment of a vehicle in this program is considered a privilege and not a requirement. It will also serve as acknowledgment that the participant is aware and is willing to observe all policy and procedures, directives and guidelines associated with the Assigned Police Vehicles policy.

B. Vehicle Assignment

1. Vehicles are assigned to personnel on the basis of Department need and vehicle availability.
2. The Chief of Police may permit or restrict any vehicle assignment. The Chief of Police may authorize employees who live outside the city to participate in the program based on the needs of the Department.
3. Investigations Bureau personnel (other than Organized Crime Division (OCD) personnel) will maintain control over their originally assigned vehicle regardless of any intra-bureau transfers.
4. Employees will not trade vehicles among themselves without the concurrence of the fleet coordinator through the approval of the Logistics Manager.

C. All policies and procedures of the NNPD shall remain in effect while assigned police vehicles are operated either on or off-duty.

D. Radio Procedures while Off-Duty

Normal radio procedures shall be followed by off-duty personnel operating a police vehicle.

1. Personnel operating an assigned vehicle while off-duty shall keep the police radio on at all times and shall remain alert to radio traffic. Personnel should monitor the channel assigned to the precinct in which they are operating their vehicle.
2. Call Signs [81.2.4(c)]
  - a. Off-duty officers operating marked vehicles will use their computer number preceded by the number nine as their unit identifier (i.e., an officer assigned computer number 00269 would become unit 90269).
  - b. All other personnel operating police vehicles will continue to use their assigned radio call sign when off-duty.
3. Off-duty personnel shall keep radio traffic to a minimum. Contact with the Communications Division will be made only when a police activity is initiated. [81.2.4(a)]
4. When circumstances dictate, watch supervisors or Communications Division personnel may request the location of off-duty units.

E. Vehicle Operation

1. Police vehicles will only be operated by authorized police personnel. Non-departmental personnel (e.g. family members and citizens) may not be transported in police vehicles on, or off-duty, unless specifically authorized.
2. Officers operating a police vehicle off-duty are not expected to enforce all traffic laws; however, when an officer observes a flagrant violation; (including running a red light) he will be expected to take the appropriate action.

3. An off-duty officer operating a take-home vehicle will respond to calls for service where his response may result in prevention of a crime or perpetrator arrest, unless the response is canceled by a watch supervisor or Communications Division personnel. The officer shall:
  - a. Notify the Communications Division of his proximity to the incident;
  - b. Respond as if he were on-duty (i.e. all department directives, policies and procedures shall be adhered to);
  - c. Not respond if canceled by a watch supervisor or the Communications Division. [81.2.4(a)]
4. No special privileges are to be assumed (e.g. exceeding posted speed limits, parking in restricted zones or violating any traffic regulations).
5. Officers assigned a vehicle shall make no alterations to their vehicle that affects the appearance, structure, or the operation of installed police equipment. Factory equipped radios may be installed in police vehicles by authorized personnel
6. Sworn personnel are permitted to use their vehicle to attend department sanctioned training and department approved college courses.
7. Off-Duty Personal Use of Assigned Vehicles.
  - a. Marked Vehicles
    - 1) Sworn personnel who are residents of Newport News are permitted to drive their assigned vehicles to and from work, traveling to and from college or other approved schools; driving to and from workout facilities, and for personal trips within the City.
    - 2) Sworn personnel who are non-residents are prohibited from taking their vehicle home.
  - b. Unmarked Vehicles
    - 1) Sworn personnel who are residents of the City of Newport News are permitted to use their assigned unmarked vehicles to and from work, traveling to and from college or other approved schools, driving to and from workout facilities, and for personal trips within the City of Newport News.
    - 2) Sworn personnel who are non-residents are prohibited from using their assigned vehicle off-duty except;
      - a. When traveling to and from duty assignments,
      - b. When traveling to and from stand-by assignments,
      - c. When traveling to and from secondary employment locations within the City of Newport News.
    - 3) Civilian personnel provided an assigned police vehicle may not take their vehicle home unless they are assigned to active stand-by status (exceptions in

Section II, D). The assigned vehicle shall not be utilized for conducting personal business.

c. Secondary Employment

Sworn personnel are permitted to drive their assigned vehicle to and from places of secondary employment in the City of Newport News provided:

- 1) The assigned vehicle shall not be used during the course of the secondary employment except City sponsored or City contracted events, or transport of any prisoner arrested during secondary employment. (ADM-360 "Secondary Employment")
- 2) The employee must be permitted to leave the secondary employment in the event he is called into duty by the Police Department.
- 3) The vehicle is readily available for the employee to respond in a timely fashion.

d. Violations

Violations of this section may result in disciplinary action, and/or loss of the take home vehicle unless a specific exemption has been approved by the Chief of Police.

8. Assigned Vehicle Fuel Conservation

All employees assigned a take-home vehicle will take part in any City or Department fuel conservation and emission control measures while operating the vehicle.

a. Idling

Employees will reduce any unnecessary, unreasonable and prolonged idling of any vehicle assigned to the Department while it is being used for off-duty use. Idling of all unattended police vehicles not being operated in an emergency capacity is prohibited.

F. Maintenance

1. Personnel operating assigned police vehicles will take care in the vehicle's operation for vehicle life expectancy and operating efficiency.
2. Personnel are responsible for the cleanliness of their assigned vehicle and will wash and wax it in accordance with ADM-550, "Police Vehicle Maintenance and Repairs".
3. Any employee discovering vehicle damage, or who becomes involved in an automobile crash, will immediately notify an on-duty watch supervisor and his immediate supervisor.

G. Availability

1. Off-duty personnel must be capable of responding to calls in an emergency, and will be suitably attired.

- a. Grooming and hygiene shall be in accordance with ADM 230.
  - b. Clothing shall be neat, clean, and free of holes and tears. Cut-off shorts, tank-tops, half-shirts, and bathing-suits are inappropriate attire.
  - c. Officers shall not wear shoes that will hinder them in performing their duties, if called upon to assist (i.e. beach sandals, cleats, etc.).
2. Sworn personnel will carry their official Police Department identification card, badge and issued service weapon or authorized off-duty weapon at all times while operating a police vehicle off-duty.
  3. If off-duty personnel operating a police vehicle encounter an automobile crash, they will notify the Communications Division, rendering any assistance necessary until their presence is no longer needed. [81.2.4(a)]
  4. Police personnel (on or off-duty) shall not operate a City vehicle while receiving Workers' Compensation benefits **or** while they are assigned to light duty status.

#### H. Compensation while operating the vehicle off-duty

1. Officers assigned take-home vehicles who become involved in any off-duty police activity will not begin to receive compensation until involvement in that, or any following police activity, exceeds seven minutes. It is the responsibility of the officer to have an on-duty supervisor sign-off on an electronic Supplemental Duty Record for any off-duty activity which exceeds seven minutes. This provision in no way denies full overtime compensation to personnel assigned take-home vehicles for on-duty assignments which extend beyond normal work schedules or to those who are requested to work additional hours beyond normal scheduling. This section applies to non-ranking personnel only. [22.1.1(f)]
2. When an off-duty officer assigned a take-home vehicle becomes involved in any official off-duty police activity and is injured as the result, Workers' Compensation claims will follow the same procedure as if the officer was on-duty when injured (ADM-325, "Injury On/Off Duty"). [22.1.3(c)]
3. If a police department employee is involved in a motor vehicle accident while off-duty and not involved in a police activity, the employee will be covered by the City's normal self-insurance program. However, the employee will not be eligible for Workers' Compensation benefit coverage [22.1.3(c)]

#### I. Taxation of Take-Home Vehicles

The use of unmarked take-home police vehicles is not taxable if:

1. Personal use is authorized by Department policy.
2. Such use is incident to law enforcement functions (Ex.: being able to report directly to an emergency situation).

J. Vehicle Restrictions

1. Police employees and passengers shall not smoke or use any tobacco product in any police vehicle, whether on or off-duty.
2. Officers shall not transport any items that cannot be properly secured in the interior of the vehicle, unless directed by a supervisor.
3. Officers will ensure that weapon(s), police identification, phone; and other equipment and personal items are secured in the trunk (or lockbox of SUV) of any unattended vehicle.
4. Officers shall not use their assigned Department vehicle to purchase, transport, or consume alcoholic beverages.
  - a. Officers will not operate any city vehicle while impaired by alcohol, or some other substance. Officers will wait reasonable time to ensure safe vehicle operation if they are used.
  - b. Officers shall remain alert to consumption of any substance that may impair driving abilities when on a stand-by or call-back status.
  - c. An on-duty officer is permitted to transport alcohol if confiscated as evidence.

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