

Use of Vehicles

304.1 POLICY

Employees have the responsibility to operate their vehicles in a safe and prudent manner.

Employees shall give due consideration to the safety and welfare of the general public and operate their City vehicle in reasonable compliance with traffic laws and Department policy pertaining to the non-emergency and emergency operation of vehicles.

Legal guidelines for the non-emergency and emergency response operation of vehicles are provided in Title 46 of the Revised Code of Washington.

304.2 USE OF CITY VEHICLES

Employees are subject to the City's "Motor Vehicle Usage" policy set forth in the City of Vancouver Employment Policies Manual.

304.3 MINIMUM REQUIREMENTS

In order to operate a City vehicle, employees must possess a current and valid state issued Driver's License.

All employees may be required to successfully complete vehicle training as prescribed by the Department. Sworn employees will successfully complete Emergency Vehicle Operation Course (EVOC) training as prescribed by the Department.

304.4 REGULATIONS OF VEHICLE USE

Vehicles shall be used in accordance with the following regulations:

- (a) At the end of the period of use, employees assigned to operate City vehicles should leave at least one-half tank of fuel in the vehicle.
- (b) Employees do not permit City-owned vehicles to be driven or operated by non-employees of the Department, except as authorized by the Chief of Police or designee.
- (c) Employees may be subject to disciplinary action if any damage to vehicles is a result of employee negligence.
- (d) Before use, employees shall examine City vehicles assigned to them and report obvious unrecorded damage or operational defects to their supervisor.
- (e) Employees shall not transport persons in police vehicles, except in connection with Department business or as authorized by a supervisor.
- (f) Employees will secure and lock City vehicles whenever they are left unattended in non-exigent circumstances. In an exigent situation, employees should make reasonable attempts to lock a vehicle if practicable while exiting, or once safe to do so. Employees outside of the vehicle, but in close proximity, performing duties such as a traffic stop or field contact or similar action, may use discretion on determining whether to lock the vehicle doors.

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- (g) Employees shall not apply or place signs, decals, posters, insignia, bumper stickers, window stickers or any other items on, or in, City vehicles, unless authorized to do so by the Chief of Police.
- (h) The use of tobacco products and "inhalant delivery systems" are prohibited in City vehicles.

304.5 USE OF SEATBELTS

Current seat belt laws under RCW Title 46 are adhered to except at the specific direction of a supervisor or when it is impractical or unsafe during a specific law enforcement function. In all cases where a supervisor grants an exception to this policy, the efficiency of the law enforcement function must outweigh the safety benefit of the seat belt use.

304.6 TAKE-HOME VEHICLES

It is the policy of the Vancouver Police Department to ensure that vehicles are assigned in the most cost-effective manner.

304.6.1 CRITERIA FOR TAKE HOME/ASSIGNED VEHICLE

At least one of the following conditions must be met in order to be authorized to take home, or be assigned, a City-owned vehicle:

- (a) The employee is subject to emergency response or call-back directly to the scene of an incident.
- (b) The employee will be returning to work for after-hours activity. The employee must make arrangements with their supervisor under the following circumstances:
 - 1. If the employee will be attending a Department authorized activity, then they may be authorized to drive the Department vehicle home following the activity.
 - 2. Employees who will be traveling directly to a Department authorized activity from their home may be authorized to take home a vehicle the workday prior.
- (c) The employee routinely works after regular hours or drives directly to other police facilities instead of reporting directly to work.
- (d) Any other circumstance at the approval of the Office of the Chief.

304.7 OPERATION OF VEHICLES OUT OF JURISDICTION

- (a) Temporary operation outside of the City or State is authorized when necessary for a work related purpose. Extended operations outside the City or State must be authorized by a supervisor.
- (b) Travel status using a City vehicle will be in accordance with applicable City procedures.

304.8 PUSHING AND TOWING

Department vehicles should not be used to push or tow other vehicles, except in an emergency situation or to eliminate a hazard.

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304.9 VEHICLE COLLISIONS

When a Department vehicle is involved in a collision, employees render aid within their training and ability to do so and make reasonable efforts to remove hazards to life or property as a result of the collision. Employees will contact their supervisor promptly. Generally, the vehicles may be moved to allow for the safety of those involved and prevent additional damage or unsafe conditions.

304.10 REPAIRS OF VEHICLES

When a vehicle is found inoperative or unsafe to use due to damage, mechanical failure, or normal wear, the employee should promptly deliver the vehicle to the City Shops for maintenance or repair.

The employee will make verbal or written notification to the shops at that time regarding the reason the vehicle is being delivered. A note left in the vehicle will satisfy the written notification.

304.11 SPECIAL PURPOSE VEHICLES

Special purpose vehicles may be used by Vancouver Police Department to assist with special programs or events.

304.11.1 DEFINITION

Special Purpose Vehicle: Any vehicle type that by law requires specialized instruction in its handling prior to operation.

304.11.2 TRAINING REQUIREMENTS

Prior to utilization of a special purpose vehicle, employees will undergo training in the use of such vehicle. This may consist of training established by the Washington State Criminal Justice Training Commission or other recognized institution. The Department may also establish a minimum level of proficiency for such vehicle.

304.12 VEHICLE OPERATION RESPONSE TO EMERGENCY CALLS

1. Officers responding to an emergency call, or when in the pursuit of an actual or suspected violator of the law, and exercising the privileges set forth in RCW 46.61.035, will operate the vehicle utilizing emergency vehicle lighting and siren consistent with the conditions stated in RCW 46.61.035.
2. The decision to initiate or continue an emergency response is at the discretion of the officer. If, in the officer's judgment, the weather, traffic and road conditions do not permit such a response without unreasonable risk, the officer may elect to respond to the call without the use of emergency lights and siren in reasonable compliance with traffic laws.
3. Officers should only respond to a call as an emergency response when circumstances reasonably indicate an emergency response is required.
4. When it is clearly communicated that an emergency response is no longer required, officers should discontinue an emergency response.
5. An officer shall discontinue an emergency response when directed by a supervisor.

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304.12.1 DEFINITIONS

CODE 1: Officers responding Code 1 respond immediately and by a direct route, but without utilizing emergency equipment and in reasonable compliance with traffic laws.

CODE 3: Officers responding Code 3 respond immediately and by a direct route, and operate emergency lighting equipment and siren as reasonably necessary for safe operation and to warn the public of the emergency nature of the situation.

CODE 4: Where a situation has stabilized, and emergency response is no longer (or not) required. This is communicated to other responding officers over the radio as soon as practicable.

304.12.2 REQUESTING EMERGENCY ASSISTANCE

1. When an officer requests emergency assistance, the involved officer should reasonably believe there is an imminent threat to the safety of the officer or another person, or that assistance is needed to prevent imminent damage to property.
2. should provide the following information: If circumstances permit, the requesting officer
 - (a) Identifying call sign and location of the emergency situation
 - (b) Relevant information of the type of emergency and known or potential dangers.
3. In any event where a situation has stabilized and an emergency response is no longer required, an involved officer should communicate this over the radio as soon as practicable.

304.12.3 SUPERVISOR RESPONSIBILITY

The Shift Sergeant or field supervisor monitoring the call shall make a determination regarding the appropriateness of the response, the number of officers responding, and reduce or enhance the response code as warranted.

304.12.4 EMERGENCY EQUIPMENT

Vehicles not equipped with operational emergency lights and siren are prohibited from initiating or joining in an emergency response. Officers in such vehicles may provide support to the emergency response as long as the vehicle is operated in reasonable compliance with traffic laws.

304.12.5 FAILURE OF EMERGENCY EQUIPMENT

1. If the emergency lights and siren on the vehicle so equipped should fail to effectively operate, the officer must terminate the emergency response and respond in reasonable compliance with traffic laws.
2. When reasonable, the officer should notify the monitoring supervisor or dispatch of the equipment failure so another unit may be assigned to the emergency response.
3. The officer should further facilitate transportation of the vehicle to the city shops for repair as soon as practical.

304.13 TRAINING

The Training Unit provides training annually on this policy and RCW 46.61.035.

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304.14 VEHICLE USE REVIEW BOARD

Vehicle Use Review Board

The Vehicle Use Review Board will include a Commander, a Sergeant, an Accident Reconstructionist and an EVOC instructor. The representatives on the Board will be selected or appointed by the Chief's Office. In the event a representative is unavailable to review a collision due to long-term leave, disability or injury, the representative may be temporarily replaced with a substitute of the same classification. Once the original representative returns to duty, they will also return to the vehicle use review board.

- a. If requested by an assigned decision maker, the Vehicle Use Review Board will review collisions and determine causative and contributing factors and make a recommendation as to fault.
- b. If requested by a pursuit reviewer, the Vehicle Use Review Board will review pursuits for compliance with policy.
- c. For collisions, the Vehicle Use Review Board will forward the recommendation to the appropriate decision maker / requestor with the authority to discipline per policy 602.
- d. For pursuits, the Vehicle Use Review Board will forward their recommendation to the requestor for appropriate follow up, if any.
- e. Request to the Vehicle Use Review Board for either a collision or a pursuit review, are to be made in writing, by the requestor.
- f. The VURB will meet monthly at a regularly set time and location, unless there are no collisions or pursuits to review.

Collision Findings

- a. At Fault–The Officer operated their vehicle outside of policy, the law, and/or training and, the collision could have been reasonably prevented.
- b. Not At Fault – The Officer operated their vehicle within policy, the law, and/or training and, the collision could not have been reasonably prevented.
- c. Not a Collision – When there was an action, or in-action taken by a driver that resulted in damage or injury that was objectively reasonable under the totality of the circumstances for a law enforcement purpose, (i.e.: a PIT, PIN or other law enforcement vehicular action) or there was minor damage that the City will not repair.

Pursuit Findings

- a. Within Policy- The Officer's actions reasonably fell within policy based on what the officer knew at the time of their actions, they performed their duty within law, VPD policy and procedures, and with a due regard to the safety of the public.

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b. Not Within Policy- The Officer's actions were outside of policy, the law, and/or training based on articulable facts in the investigation.