

Vehicle Use

703.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure department-owned vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the City of Louisville to provide assigned take-home vehicles.

Additional guidelines for member responsibilities when transporting persons in custody may be found in the Transporting Persons in Custody Policy.

703.2 POLICY

The Louisville Police Department provides vehicles for department-related business use and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Department, requirements for tactical deployments and other considerations.

703.3 USE OF VEHICLES

703.3.1 SHIFT ASSIGNED VEHICLES

The Shift Supervisor shall ensure a copy of the shift assignment roster, indicating member assignments and vehicle numbers, is completed for each shift and retained in accordance with the established records retention schedule. If a member exchanges vehicles during his/her shift, the new vehicle number shall be documented on the roster.

703.3.2 OTHER USE OF VEHICLES

Members utilizing a vehicle for any purpose other than their normally assigned duties or normal vehicle assignment (e.g., transportation to training, community event) shall first notify the Shift Supervisor. A notation will be made on the shift assignment roster indicating the member's name and vehicle number.

This subsection does not apply to those who are assigned to transport vehicles to and from the maintenance yard or car wash.

703.3.3 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles should be locked and secured at all times. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging). Officers who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Members shall ensure all weapons are secured while the vehicle is unattended.

Vehicle Use

703.3.4 MOBILE DATA CENTER

Members assigned to vehicles equipped with a Mobile Data Center (MDC) shall log onto the MDC with the required information when going on-duty. If the vehicle is not equipped with a working MDC, the member shall notify the Communications Center. Members should also log out of the MDC at the end of each shift. Use of the MDC is governed by the Mobile Data Center Use policy.

703.3.5 VEHICLE LOCATION SYSTEM

Patrol and other vehicles, at the discretion of the Chief of Police, may be equipped with a system designed to track the vehicle's location. While the system may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

Members shall not make any unauthorized modifications to the system. At the start of each shift, members shall verify that the system is on and report any malfunctions to their supervisor. If the member finds that the system is not functioning properly at any time during the shift, he/she should exchange the vehicle for one with a working system, if available.

System data may be accessed by supervisors at any time.

All data captured by the system shall be retained in accordance with the established records retention schedule.

703.3.6 KEYS

Members approved to operate marked patrol vehicles should be issued a copy of the key as part of their initial equipment distribution. Members who are assigned a specific vehicle should be issued keys for that vehicle.

Members shall not duplicate keys. The loss of a key shall be promptly reported in writing through the member's chain of command.

703.3.7 AUTHORIZED PASSENGERS

Members operating department vehicles shall not permit persons other than City personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as passengers in the vehicle, except as stated in the Ride-Alongs Policy.

703.3.8 ALCOHOL

Members who have consumed alcohol are prohibited from operating any department vehicle unless it is required by the duty assignment (e.g., task force, undercover work). Regardless of assignment, members may not violate state law regarding vehicle operation while intoxicated.

703.3.9 PARKING

Vehicle Use

Except when responding to an emergency or when urgent department-related business requires otherwise, members driving department vehicles should obey all parking regulations at all times.

Department vehicles should be parked in assigned stalls. Members shall not park privately owned vehicles in stalls assigned to department vehicles or in other areas of the parking lot that are not so designated unless authorized by a supervisor. Privately owned motorcycles shall be parked in designated areas.

703.3.10 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories without written permission from the assigned vehicle program manager.

703.3.11 CIVILIAN MEMBER USE

Civilian members using marked emergency vehicles shall ensure that all weapons have been removed before going into service.. Civilian members shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

703.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES

Department vehicles may be assigned to individual members at the discretion of the Chief of Police. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

The assignment of vehicles may be suspended when the member is unable to perform his/her regular assignment.

703.4.1 ON-DUTY USE

Vehicle assignments shall be based on the nature of the member's duties, job description and essential functions, and employment or appointment status. Vehicles may be reassigned or utilized by other department members at the discretion of the Chief of Police or the authorized designee.

703.4.2 TAKE-HOME USE

Department vehicles may be used by members to commute to and from a work assignment. Members may take home department vehicles during their workweek, but only with prior approval of a supervisor in situations meeting the following criteria:

- a. The circumstances meet the needs of the Department.
- b. The member lives within a reasonable distance (generally within a 30 mile radius and not to exceed a 60-minute drive time) of the Louisville City limits, as confirmed by the Department.
- c. Off-street parking will be available at the member's residence.
- d. Vehicles will be locked when not attended.

Vehicle Use

- e. All firearms, weapons and control devices will be removed from the interior of the vehicle and properly secured in the residence when the vehicle is not attended, unless the vehicle is parked in a locked garage.

703.4.3 ASSIGNED VEHICLES

Assignment of take-home vehicles shall be based on the location of the member's residence, the nature of the member's duties, job description and essential functions, and employment or appointment status. Residence in the City of Louisville is a prime consideration for assignment of a take-home vehicle. Members who reside outside the City of Louisville may be required to secure the vehicle at a designated location or the Department at the discretion of the Chief of Police.

Department members shall sign a take-home vehicle agreement that outlines certain standards, including, but not limited to, how the vehicle shall be used, where it shall be parked when the member is not on-duty, vehicle maintenance responsibilities and member enforcement actions.

Members are cautioned that under federal and local tax rules, personal use of a City vehicle may create an income tax liability for the member. Questions regarding tax rules should be directed to the member's tax adviser.

Criteria for use of take-home vehicles include the following:

1. Vehicles shall only be used for work-related purposes and shall not be used for personal errands or transports, unless special circumstances exist and the Chief of Police or a Division Commander gives authorization.
2. Vehicles may be used to transport the member to and from the member's residence for work-related purposes.
3. Vehicles will not be used when off-duty except:
 1. In circumstances when a member has been placed on call by the Chief of Police or Division Commanders and there is a high probability that the member will be called back to duty.
 2. When the member is performing a work-related function during what normally would be an off-duty period, including vehicle maintenance or traveling to or from a work-related activity or function.
 3. When the member has received permission from the Chief of Police or Division Commanders.
 4. When the vehicle is being used by the Chief of Police, Division Commanders or members who are in on-call administrative positions.
 5. When the vehicle is being used by on-call investigators.
4. While operating the vehicle, authorized members will carry and have accessible their duty firearms, police badge, and identification, and be prepared to perform any function they would be expected to perform while on-duty.
5. The two-way communications radio, MDC and global positioning satellite device, if equipped, must be on and set to an audible volume when the vehicle is in operation.
6. Unattended vehicles are to be locked and secured at all times.

Vehicle Use

1. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging).
2. All weapons shall be secured while the vehicle is unattended.
3. All department identification, portable radios and equipment should be secured.
7. Vehicles are to be parked off-street at the member's residence unless prior arrangements have been made with the Chief of Police or the authorized designee. If the vehicle is not secured inside a locked garage, all firearms and kinetic impact weapons shall be removed and properly secured in the residence (see the Firearms Policy regarding safe storage of firearms at home).
8. Vehicles are to be secured at the member's residence or the appropriate department facility, at the discretion of the Department when a member will be away (e.g., on vacation) for periods exceeding one week.
 1. If the vehicle remains at the residence of the member, the Department shall have access to the vehicle.
 2. If the member is unable to provide access to the vehicle, it shall be parked at the Department.
9. The member is responsible for the care and maintenance of the vehicle.

703.4.4 ENFORCEMENT ACTIONS

703.5 UNMARKED VEHICLES

Unmarked vehicles are assigned to various divisions and their use is restricted to the respective division and the assigned member, unless otherwise approved by a supervisor. Any use of unmarked vehicles by those who are not assigned to the division to which the vehicle is assigned shall also be recorded with the Shift Supervisor on the shift assignment roster.

703.6 SPECIAL PURPOSE VEHICLES

The Operations Division Commander or the authorized designee shall ensure that procedures are established governing the use of all special purpose vehicles. Special purpose vehicles include, but are not limited to:

- Vehicles used by tactical teams.
- All-terrain vehicles.
- Off-road vehicles.
- Vehicles used for emergency response callouts or special events.

The procedures should include, but are not limited to:

- Objectives of the vehicle's use.
- Authorized uses (e.g., who can use the vehicle, when the vehicle can be used, limitations when using the vehicle).
- Instructions for vehicle use.

Vehicle Use

- Training or qualifications required for a member to operate the vehicle.
- Assignment of vehicle maintenance responsibilities.
- Equipment assigned to the vehicle (including emergency lights and siren).

703.7 DAMAGE, ABUSE AND MISUSE

When any department vehicle is involved in a traffic accident or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic accident report shall be filed with the agency having jurisdiction (see the Traffic Accident Response And Reporting Policy).

Damage to any department vehicle that was not caused by a traffic accident shall be immediately reported during the shift in which the damage was discovered, documented in memorandum format and forwarded to the Shift Supervisor. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

703.8 TOLL ROAD USAGE

Law enforcement vehicles are not routinely exempted from incurring toll road charges.

To avoid unnecessary toll road charges, all members operating department-owned vehicle on a toll road shall adhere to the following:

- a. Members operating a department-owned vehicle for any reason other than in response to an emergency shall pay the appropriate toll charge or utilize the appropriate toll way transponder. Members may submit for reimbursement from the City for any toll fees incurred in the course of official business.
- b. Members passing through a toll plaza or booth during a response to an emergency shall notify, in writing, the appropriate Division Commander within five working days explaining the circumstances.

703.9 ATTIRE AND APPEARANCE

When operating any department vehicle while off-duty, members may dress in a manner appropriate for their intended activity. Whenever in view of or in contact with the public, attire and appearance, regardless of the activity, should be suitable to reflect positively upon the Department.

