

# Annapolis Police Department



## GENERAL ORDER

**Number: F.5**

**Issue Date: July 2018**

**TO: All Personnel**

**SUBJECT: Take Home Car**

### **PURPOSE**

To establish criteria for general regulations pertaining to take-home vehicles.

### **POLICY**

It is the policy of the Annapolis Police Department to provide take-home vehicles to sworn personnel pursuant to the provisions set forth in this General Order.

- A. General Order shall supersede the existing Sections I and II of General Order F.5 and The Pilot Take Home Car Program for Take Home Vehicles. All Officers currently subject to such GO F.5 and such Program are subject to the terms of this General Order which shall also apply to Officers who currently have take-home vehicles as a result of their assignment within the Department.
- B. Provision of vehicles under this policy is subject to delays associated with the acquisition of vehicles through purchase and/or lease, and from transfer of vehicles and due to vehicles in service or repair.
- C. This General Order is subject to the provisions in the Collective Bargaining Agreement between UFCW Local 400 and the City with respect to implementation time and manner.

## **I. ELIGIBILITY:**

- A. Basic Eligibility: An Officer shall be eligible for a take home vehicle after successful completion of Field Training.
- B. Officers who reside within Anne Arundel County shall be provided a take home vehicle. Such Officers shall not have any restrictions on personal use of the take home vehicle within Anne Arundel County except as otherwise provided in 04 and 05 of this Policy and there shall be no reimbursement for use of the take home vehicle. Members of the Officer's immediate family (defined as "spouse, child, brother, sister, parents or parents-in-law, grandparents, or guardians) are permitted to accompany the Officer when the Officer is operating the take home vehicle provided that the Officer is responsible for the behavior and appearance of the passengers.
- C. Officers who reside outside Anne Arundel County shall be provided a take home vehicle. The use of the take home vehicle shall be restricted to travel to and from City employment, except as provided in Section 04 and 05 of this General Order, and provided however that the Officers use their issued police vehicles for personal errands that occur while directly traveling to or from duty. Additionally, immediate family members as defined in Section 03 B of this General Order may ride in the police vehicle when it is necessary to facilitate an action that occurs while traveling directly to or from duty (i.e., dropping a spouse at work, or picking up a child from school). Immediate family members (as defined in Section 03B) may also ride in the police vehicle when they are attending a City function with the Officer. Such Officers shall reimburse the City \$50.00 per pay period through payroll deduction. The \$50 per pay contribution shall not apply to Officers living outside of AA county who have cars as a result of a special assignment (i.e., CID, SWAT, K-9).
- D. All Officers and Command Staff who reside outside Anne Arundel County and have take-home vehicles are subject to the reimbursement provisions.
- E. Officers who are assigned take home vehicles as a result of special assignment in the Department as determined by the Chief shall continue to be provided with take home vehicles but shall be subject to the provisions of this GO.

## **II. GENERAL REQUIREMENTS:**

- A. Officers shall abide by General Order F1, and the regulations and policies of the City in effect from time to time applicable to the use of City vehicles.
- B. Secondary Employment. An Officer may use the Officer's assigned vehicle for extra-duty assignments as long as the requirements of General order M.3 are met Use of vehicle for Secondary Employment outside the City limits is not permitted.

### C. Off Duty use of the Personal Patrol Vehicle (“PPV”)

1. Police vehicles shall only be driven by authorized sworn members of the Annapolis Police Department. While using the vehicle off duty, Officers will monitor the police radio. Officers need not advise the Police Communications Operator when going in or out of service, however, the officer will advise the dispatcher when responding to a call.
2. Off duty Officers will use their last assigned post number preceded by stating off duty when transmitting radio messages.
3. When operating a take home vehicle off duty, the Officer must be armed with an issued or approved sidearm and will carry the badge and Department identification card. Other enforcement equipment such as OC spray, handcuffs, ASP, extra ammunition and issued flashlight will be in the vehicle. Weapons kept in the vehicle must be out of the public view.
4. Portable radios, firearms other weapons and uniforms will be removed from the vehicle occupant area when the vehicle is unattended, such as when the vehicle is parked at a shopping center or overnight at the Officer’s residence. This does not apply when the officer is temporarily away from the vehicle when on duty and can effectively exercise control over the vehicle. The officer shall prevent unauthorized persons from handling department issued weapons and equipment or approved weapons.
5. Vehicles must be locked at all times when not occupied.
6. So as not to give the public the impression the Department endorses or promotes a particular activity, political candidate or cause, Officers are prohibited from using the vehicle while engaged in political activities such as setting up signs or attending rallies, caucuses, promotional events or fund raisers, etc. Furthermore, no bumper stickers, decals, insignia, banners or placards of any type may be attached to the vehicle.
7. Vehicles will not be operated after the officer has consumed any amount of alcohol. PPV’s will not be operated after the officer has consumed any drug that impairs his/her ability to operate the vehicle. No alcoholic beverages will be carried in the PPV except when they are seized as evidence or contraband. When operating the vehicle off-duty, the police radio must be kept on.

#### D. Miscellaneous

1. The City shall have the right to install and utilize GPS tracking on take home vehicles or use GPS through the car radio for the enforcement of this GO and for investigation of complaints.
2. Officers on leave in excess of five consecutive assigned work days, whether sick leave, annual leave or administrative leave other than for training purposes, and Officers on leave without pay must arrange for delivery of the vehicle to their Division Commander. If an officer is so ill they cannot bring his/her vehicle to the station, arrangements will be made to have the vehicle picked up. This subsection also applies to Officers who are on leave due to work related injury/illness in excess of five (5) consecutive work days.
3. Officers whose police powers have been suspended must deliver the vehicle to their Division Commander.
4. The City shall have the right to assign specific vehicles to Officers and to change vehicle assignments in its discretion.

#### E. Off Duty Enforcement

5. Off duty Officers are not expected to be strict enforcers of traffic law violations. The Transportation Article of the Annotated Code of Maryland §16-112 only requires motorists to exhibit their operator's license to uniformed police Officers. The Transportation Article of the Annotated Code of Maryland §13-409 requires the motorist to exhibit the registration card upon demand of any police officer who identifies himself as such.
6. Traffic collisions encountered by Officers in a vehicle will be handled in accordance with Department policy. Fatal collisions, personal injury collisions, hit and run collisions when evidence or witnesses exist and collisions involving government owned vehicle, these collisions will be handled by on-duty units.
7. While operating a PPV, Off duty Officers are required to respond to incidents to calls for service which come to their attention through any of the following means: (1) on view; (2) citizens; (3) radio monitored activity of a serious nature occurring within reasonable proximity to their location. Additionally, whenever it appears that an officer's immediate response may result in the prevention of a crime or apprehension of a criminal, he/she will respond and initiate or assist in any police action. The operating officer is responsible for the safety of all vehicle passengers.

8. Seat belts will be used by vehicle operators at all times and by all passengers in the vehicle. Only those safety seats approved by the U.S. Department of Transportation will be used to restrain infants and toddlers. Safety seats will be removed from the passenger compartment when not in use.
9. Minor incidents, encountered while operating a vehicle off duty including disabled vehicles, stranded motorists and citizens in need of assistance will be handled and cleared by the off duty officer. In situations which dictate the writing of a report by the off duty officer, the report will be completed as soon as possible upon returning to duty. Completed off duty initiated reports shall be placed on the on Officer's supervisor's desk

III. **LIGHT-DUTY ASSIGNMENTS:** Officers on light-duty are not eligible to participate in the Take Home Car Program

IV. **MAINTENANCE, APPEARANCE AND EQUIPMENT:**

- A. Equipment shall be carried as specified by the officer's assignment, i.e., processing kit for a post car. Forensic Services shall ensure that processing kits are supplied to each vehicle as required.
- B. Officers will keep the interior of their vehicle clean and will wash the exterior once a week or as necessary to keep the vehicle clean.
- C. Officers will inspect the condition of the vehicle and the vehicle's fluids as outlined in General Order F.1.
- D. Officers may not make alterations to vehicles without the approval of the Commander of the Administrative Services Division. Officers will not connect to the electrical systems of any vehicle, other than via a cigarette lighter adaptor. Any other equipment that is purchased for installation into an APD vehicle by a member must be approved by the Administrative Commander prior to installation. The Commander of the Administration Services Division is also responsible for the installation and removal of the additional equipment. The department is not responsible for the replacement of any personal equipment.
- E. Officers are responsible for scheduling preventive maintenance and care of the vehicle. All maintenance and service will be performed while off-duty, when practical and subject to the judgment of the Chief of Police. On-duty repairs may be performed with the approval of the Squad/Unit Supervisor. Issued weapons such as shotguns and nightsticks, etc. will be removed from the vehicle when it is left for service.

- F. Officers shall report any damage to their assigned vehicle promptly.
- G. Officers shall replenish supplies used during the normal course of their duties promptly.
- H. Officers shall report any equipment that is lost or missing in a timely fashion and request a replacement item.
- I. Non-original equipment shall not be installed in, or attached to, any vehicle unless authorized by the Chief of Police or Division Commander.
- J. When operating the vehicle in plain clothes, an officer shall wear appropriate attire.
- K. The City mechanic must oversee the installation of any electrical equipment authorized by the Chief of Police or Division Commander beyond what was originally installed as standard Departmentally approved equipment.

EXCEPTION: The Chief of Police or the Fleet Manager may approve an outside contractor to install electrical equipment in police vehicles.

V. **SMOKING:** Smoking is prohibited in City vehicles.

VI. **ADMINISTRATIVE SANCTIONS:**

- A. Administrative removal from the take-home car program is authorized in circumstances wherein an officer is deemed to have been neglectful or abusive in the use of his/her assigned vehicle.
- B. The take-home car program is a benefit and a responsibility. Its use is to be considered a privilege and not a right. As such, Officers who violate this policy may be subject to removal from the program.
- C. The Chief of Police reserves the right to remove an officer from the take-home vehicle as a disciplinary action, subject to Law Enforcement Officer's Bill of Rights.

The City will be incorporating the provisions of Sections III-VI of GO F5 into the final version of this Policy.

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Scott Baker  
Chief of Police

References
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| 1. Accreditation Standards |
| 2. General Order F.1       |

**Revision: This General Order shall replace F.5 dated April 2012**