



## Personnel/Payroll Policy

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P-28                      SUBJECT: TAKE HOME POLICE VEHICLES

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To recruit and retain police officers, the following policy is adopted:

**POLICY:** Police 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 Permission to take home a vehicle may be withdrawn at any time.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.

### 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.

### 2.     **UNSCHEDULED TAKE-HOME USE**

Circumstances may arise where department vehicles must be used by members to commute to and from a work assignment. Members may take home department vehicles only with prior approval of a supervisor and shall meet the following criteria:

- a) The circumstances are unplanned and were created by the needs of the Department.
- b) Other reasonable transportation options are not available.
- c) The member lives within a reasonable distance (generally not to exceed a 90-minute drive time) of the town of Frisco Town limits.
- d) Off-street parking will be available at the member's residence.
- e) Vehicles will be locked when not attended.
- f) 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.

### 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 Town of Frisco is a prime consideration for assignment of a take-home vehicle. Members who reside outside the Town of Frisco 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 Town 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:

- a) 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 Sergeant gives authorization.
- b) Vehicles may be used to transport the member to and from the member's residence for work related purposes.
- c) 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 Sergeants 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 Sergeants.
  4. When the vehicle is being used by the Chief of Police, Sergeants or members who are in on-call administrative positions.
  5. When the vehicle is being used by on-call investigators.
- d) While operating the vehicle, authorized members will carry and have accessible their duty firearms and be prepared to perform any function they would be expected to perform while on duty.
- e) 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.
- f) Unattended vehicles are to be locked and secured at all times.
  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.
- g) 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).
- h) 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.
- i) The member is responsible for the care and maintenance of the vehicle.

#### **4. ENFORCEMENT ACTIONS**

When driving a take-home vehicle to and from work outside of the jurisdiction of the Frisco Police Department or while off-duty, an officer shall not initiate enforcement actions except in those circumstances where a potential threat to life or serious property damage exists (see the Off-Duty Law Enforcement Actions and Law Enforcement Authority policies).

Officers may render public assistance when it is deemed prudent (e.g., to a stranded motorist).

Officers driving take-home vehicles shall be armed, appropriately attired and carry their department issued identification. Officers should also ensure that department radio communication capabilities are maintained to the extent feasible.

#### **5. MAINTENANCE**

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Cleaning and maintenance supplies will be provided by the Department. Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

- a) Members shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage.
- b) It is the member's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.
- c) All scheduled vehicle maintenance and car washes shall be performed as necessary at a facility approved by the department supervisor in charge of vehicle maintenance.
- d) The Department shall be notified of problems with the vehicle and approve any major repairs before they are performed.
- e) When leaving the vehicle at the maintenance facility, the member will complete a vehicle repair card explaining the service or repair and leave it on the seat or dash.
- f) All weapons shall be removed from any vehicle left for maintenance.
- g) Supervisors shall make, at a minimum, monthly inspections of vehicles assigned to members under their command to ensure the vehicles are being maintained in accordance with this policy.

#### **6. 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 member operating an unmarked vehicle shall record vehicle usage on the sign-out log maintained in the division for that purpose. 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 Sergeant on the shift assignment roster.

**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 Sergeant. An administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

**8. 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.

**9. 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 Town 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 Sergeant within five working days explaining the circumstances.

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Town Manager

09/2023  
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Origination Date

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Date reviewed/revised