

**NEW SMYRNA BEACH POLICE DEPARTMENT
NEW SMYRNA BEACH, FLORIDA**

POLICY AND PROCEDURE DIRECTIVE

TITLE: INDIVIDUAL VEHICLE ASSIGNMENT PROTOCOL

NUMBER: 14-8

EFFECTIVE: 12/15

REFERENCE:

RESCINDS/ AMENDS: 17-8

REVISED: 09/23

ATTACHMENTS: [CURRENT LABOR AGREEMENT](#)

A. PURPOSE

The purpose of this directive is to establish guidelines for the on and off-duty use of individually assigned vehicles.

B. DISCUSSION

The City of New Smyrna Beach continues to experience a rapid growth rate. Calls for law enforcement services are increasing due to population growth. The program is designed to accomplish the following goals:

- Improve response time for off-duty personnel when mobilized for an emergency;
- Promote the security and well-being of the citizens of New Smyrna Beach by increasing the number and visibility level of patrol vehicles on the streets and highways;
- Promote police community relations by increasing the number of personal contacts and services performed by the Department;
- Reduce the opportunity for criminal activity by creating an awareness of more patrol vehicles in the community;
- Improve response time to priority calls while increasing the probability for criminal apprehension;
- Improve the longevity of vehicle performance and appearance by applying preventive maintenance practices;
- Reduce vehicle per-mile maintenance costs;
- Reduce annual mileage per vehicle, while increasing vehicle life expectancy;
- Provide personal incentives and improve the morale of all members through participation in the program.

C. POLICY

It shall be the policy of the New Smyrna Beach Police Department (NSBPD) to maintain an Individual Vehicle Assignment Program to better serve the citizens of New Smyrna Beach by providing additional police services. This policy supplements not supplants current labor agreements regarding take home vehicle assignments.

It is at the Chief of Police's discretion to assign City-owned vehicles to individual members through a take home plan. Members operating a City-owned vehicle will be driven in a safe and courteous manner that sets an example for the general public.

All vehicle maintenance will be conducted solely through the City Garage, who may schedule service/maintenance to be completed during off-duty time.

D. PROCEDURE - MEMBER PARTICIPATION

14.8.1 Participation in the Individual Vehicle Assignment program is a voluntary benefit extended to sworn personnel, and is contingent on work assignment, seniority, efficiency, job performance, and general merit with the approval of the Chief of Police. Personnel who choose not to participate in the program will not receive any form of alternate compensation.

14.8.2 Department vehicles are assigned to authorized members for use both on and off-duty. Authorized off-duty use includes.

1. To and from work;
2. Work related functions such as:
 - Law Enforcement Schools;
 - Court;
 - Billable details;
 - As specifically authorized by the Chief of Police.
3. To and from exercise;
4. Other, as authorized by the Chief of Police.

14.8.3 Department vehicles that are routinely used to perform patrol/traffic duties shall be equipped with operational lights & siren, a properly charged fire extinguisher, operational flashlight, first aid kits, radios, MCT, and personal protection equipment may be assigned to a member.

1. First-aid kits contain gauze, tape, and band aids.
2. Personal protection equipment consists of gloves, gown, and mask.
3. Expired supplies shall be removed from service and replaced with current products.

14.8.4 Department vehicles may be operated by the assigned member or by other authorized personnel with supervisor authorization. The authorizing supervisor will be responsible to notify the assigned member that their vehicle is being utilized and by whom.

14.8.5 Members that have had their driving privileges suspended/revoked or that are under disciplinary suspension can participate in the Individual Vehicle Assignment Program with the approval of the Chief of Police.

14.8.6 Members assigned to other shift configurations may be exempt, and the parking of the vehicle, while on leave will be left to the Division Commanding Officer's discretion. Other members will not use the vehicle unless a special need arises and a supervisor authorizes its use.

14.8.7 All Department members participating in the Individual Vehicle Assignment Program who are involved in motor vehicle crashes, personal injury incidents, or damage to property involving a Department vehicle will have the matter reviewed by the Command Staff.

1. The employee has the right to present their explanation of the crash to their immediate supervisor prior to the case being presented to the Command Staff.
2. All accident reports will be maintained in the member's personnel file.

14.8.8 Willful negligence on the part of the employee in the care or operation of vehicles, or the failure to comply with directives governing the use of vehicles, will be cause for revoking the vehicle assignment privileges for a period to be determined by the Chief of Police.

14.8.9 One (1) chargeable traffic crash within one year, either on or off-duty while operating a city vehicle, may result in the vehicle assignment privilege being revoked.

14.8.10 Members who fail to properly maintain their assigned vehicle may be suspended from the program and assigned to a “pool” car.

1. Members whose privileges are suspended or revoked may not initiate a grievance to restore their vehicle assignment privileges.

14.8.11 A “pool” car is defined as a vehicle not assigned to a member and is utilized by those members who are not eligible to participate in the program. The “pool” car is utilized for the period of time of the member’s daily tour of duty.

14.8.12 Members who are not in uniform are required to wear conservative clothing, in good condition, suitable for members representing this agency.

1. Examples of unsuitable clothing and/or attire include, but are not limited to: bare feet, sandals, bathing suits, cut-off tops or shorts, worn-out or torn and tattered clothing, clothing denoting advertisements for alcoholic beverages or drugs, clothing bearing obscene gestures or sexual connotation, etc.

14.8.13 While using the assigned vehicle off duty, the member shall monitor the appropriate patrol talk group on their radio transceiver and possess the necessary identification and equipment to effectively perform necessary police functions. Members will have in their possession the following items:

1. A firearm that the member has qualified with and an extra magazine (other than the one in the firearm) loaded to capacity with ammunition.
2. A department badge, identification card, handcuffs, and department-issued portable police radio. An issued department jacket or windbreaker.

14.8.14 Members using department vehicles will obey all traffic laws to include all public and private parking signs, as well to all departmental directives governing the operation and utilization of the vehicle as if the member was on duty.

1. Members will operate department vehicles with reasonable prudence in order to maintain them at the highest degree of operating efficiency.
2. While operating a department vehicle the member shall be required to wear seatbelts in compliance with the vehicle restraint policy.

14.8.15 Car-pooling will be utilized to reduce the number of vehicles attending functions outside the City.

14.8.16 Department vehicles will be locked when unattended. Any switches that remotely open the vehicle or compartments will be locked, if possible.

14.8.17 Firearms Storage

Officers shall at all times, on and off-duty, store issued firearms in compliance with [FSS 790.174](#). Department issued firearms will not be left unprotected without exercising reasonable security measures. Officers will take the necessary steps to ensure their firearms are secured at all times and not readily accessible to others, both on and off duty.

1. Firearms will be secured inside a vehicle by one of two methods:
 - Interior locking device or compartment; or
 - In the vehicle’s trunk (to include an SUV cargo area)
2. Storage of firearms in an unattended vehicle, which is not equipped with an agency approved alarm system or lock box is prohibited.
3. In accordance with [FSS 790.174](#), safe storage of loaded firearms is required. If the officer transfers their weapon into their residence, the officer shall

- Secure the weapon in a securely locked box/safe or gun vault or to a permanent fixture of the residence with a cable lock.
 - Secure the weapon in the vehicle with the approved interior locking device or compartment while parked inside a closed garage.
4. Shoulder Firing Weapons (SFW) can be secured inside the NSBPD armory, or locked locker.
 5. Members shall not leave weapons or firearms in vehicles left at Fleet Maintenance or any other repair facility unless the member is with the vehicle while the work is being performed.

14.8.18 Off-duty members, with departmental approval, may use their vehicles to and from their billable employment, but may not utilize the vehicle as part of that employment, unless authorized by a supervisor.

1. The vehicle may be driven to and from temporary or part-time employment coordinated by the Department.

E. OFF-DUTY INVOLVMENT

14.8.19 Members who are operating their assigned vehicle while off-duty are encouraged to take necessary police action for all observed criminal violations, safety hazards, and flagrant or dangerous traffic violations. In such cases, the member will be compensated in accordance with the current labor contract.

1. If the member is within a reasonable response time to a dispatched emergency in-progress call, they will advise Central Communications of their location, estimated response time, and shall respond as a backup unit or first member on the scene if the situation warrants.
2. Upon arrival at a call for service or while taking a police action, off-duty members shall assume full responsibility for the situation until relieved by on-duty personnel.

F. FUEL SUPPLEMENT FEE

14.8.20 Those members who are assigned take-home vehicles outside of the City limits or its actual or proposed annexed corridor shall have an amount per pay period deducted from their paycheck for the privilege of being able to utilize a take-home vehicle in accordance with the current collective bargaining agreement.

G. PROHIBITED USES

14.8.21 Department vehicles shall not be operated outside of the city limits without the permission of the Chief of Police or designee.

1. Family members may be transported in City vehicles only in exigent circumstances, or via approval from a Division Commanding Officer.
2. Assigned vehicles will not be driven after an employee has taken prescription or non-prescription substances that affect driving ability.
3. Assigned vehicles will not be driven after a member has consumed alcoholic beverages.
4. Members with assigned take-home vehicles will not use those vehicles to patronize liquor stores or any establishment that may result in public criticism.

14.8.22 Traffic violations of a routine nature should not be the subject of enforcement action by off-duty personnel. Only those violations which impose an immediate threat to the safety of the public, in which an on-duty officer cannot be summoned, shall be authorized for off-duty stopping/enforcement.

14.8.23 Members are prohibited from having any repairs, mechanical adjustments, or from making alterations to the vehicle, without authorization of the Chief of Police or designee.

1. Members shall not install, either inside or outside the vehicle, any personally or city owned equipment without written approval of the Division Commanding Officer prior to installation. Members may not install or use any trailer or vehicle towing equipment.

2. Members will provide a complete list of personally owned equipment that has been installed in the vehicle, which shall be forwarded to and filed with the Department's Fleet Manager.
3. Members will not alter the body, general design, appearance, markings, or mechanical or electrical systems to the vehicle without the approval of the Chief of Police or designee.
4. Members will not add, delete, or modify auxiliary vehicle equipment without authorization. Nor will they display any item, sticker, or sign in or on the vehicle. Nothing will be allowed to drape or hang from the rear view mirror.
5. Members are prohibited from using liquid additives in the vehicle other than those authorized by vehicle maintenance.
6. Members may not use the assigned vehicle to "jump start" or to "push" a disabled vehicle, unless exigent circumstances exist.

H. VEHICLE MAINTAINENCE

14.8.24 Members will be responsible for the general maintenance, cleanliness, and condition of their assigned vehicle exterior and interior.

1. Routine preventative maintenance work must be performed by the City Garage facilities and during the employee's time off, if the facilities are open during time-off hours.
2. Employees may voluntarily wash the vehicle on off-duty time at the current designated car wash or at their homes.
3. The City Garage will schedule all maintenance, service work, and repair work during off-duty time.
 - When service is completed, the vehicle will be returned to the department compound and the member will be notified.
 - The City Garage will maintain records that maintenance is being performed at the proper mileage intervals.
4. If the time is scheduled when the officer is working, they will leave the vehicle and transfer to a "pool" car.
 - Unless otherwise informed, the member will not wait for the vehicle.

I. EMERGENCY REPAIRS

14.8.25 Should a member's assigned vehicle require emergency repairs or becomes disabled, the member will notify the City Garage Superintendent and the on-duty supervisor.

1. The City Garage Superintendent will arrange for all emergency repairs and/or towing.
2. An electronic maintenance repair report will be completed and forwarded to the Fleet Manager and Garage Superintendent.
3. Any vehicle that remains outside the confines of the City Garage Compound overnight will have the keys removed, with the doors locked, and all weapons/equipment removed from the vehicle.

J. INSPECTIONS

14.8.26 Members participating in operating a departmentally owned vehicle shall have no expectation of privacy. Supervisors are authorized to inspect each vehicle monthly and document the results of the inspection in the RMS "Employee" module.

1. The inspection is to determine:
 - The overall internal and external cleanliness;
 - The overall condition and availability of all authorized and/or issued equipment;
 - That the vehicle does not contain unauthorized personal equipment, items of contraband, found property, or evidence.

2. Recurring deficiencies shall be documented and the appropriate actions taken.

K. PROVISIONS

14.8.27 The procedures and policy considerations expressed in this directive shall supplement existing Special Directives, Standard Operating Procedures, Written Directives, and Florida State Statutes including, but not limited to, those listed in the cross reference above and other directives covering the operations described herein.

1. Where a directive involving the same operation is clearly contradictory, this written directive shall supersede and amend the contradictory language.
2. The provisions of this Directive shall not be construed to create any recognizable or legal right or remedy and this Directive is created solely for internal Departmental purposes and uses.

Revised: BSS 09/23

**Approved: Signature on File
Chief Eric Feldman**