

Vehicle Use

703.1 PURPOSE AND SCOPE

Best Practice

The purpose of this policy is to establish a system of accountability to ensure department 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 Syracuse to provide assigned take-home vehicles.

703.2 POLICY

Best Practice MODIFIED NYSLEAP- 8.7 - 42.1 (B)

The Syracuse Police Department provides vehicles for department-related business 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. Vehicles assigned to routine or general patrol duties should be equipped with emergency lighting, siren and be conspicuously marked with the department name.

703.3 USE OF VEHICLES

Best Practice

703.3.1 SHIFT ASSIGNED VEHICLES

Best Practice MODIFIED

Members shall ensure when logging into MPS at the beginning of the shift that they include the vehicle number they are using. If a member exchanges vehicles during their shift, the new vehicle number shall be documented within Mobile for Public Safety (MPS).

703.3.2 OTHER USE OF VEHICLES

Best Practice MODIFIED

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 Watch Commander.

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

703.3.3 INSPECTIONS

Best Practice MODIFIED NY_CALEA6.13 - 70.1.2 NYSLEAP- 8.7 - 64.1 (A)

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

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At the beginning of each tour of duty, officers will inspect the interior of their assigned vehicles for any contraband, weapons, dangerous instruments, or property that may have been discarded or lost. Areas under the front seat and behind the rear seat are of critical importance to officer safety. The vehicle will also be inspected by the assigned officer(s) for the same items after transporting a prisoner and at the end of each tour of duty.

- (a) If an officer discovers any of the aforementioned items in the vehicle, they will immediately contact a supervisor whose responsibility it will be to conduct a thorough investigation and submit an Inter-Departmental Memo (Form 10.1) of the matter through the chain of command, directed to the Bureau Chief. The officer must turn in the property and complete all required reports.
- (b) If it is deemed necessary, an evidence technician shall be called to process the object in question, they will handle it like any other recovered property.
- (c) The proper entry will be made in the inspection area of the Officer's Daily Log and the officer's respective commander will be notified at once.

The interior of any vehicle that has been used to transport any person other than a member of this department should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

When transporting any suspect, prisoner or arrestee, the transporting member shall search all areas of the vehicle that are accessible by the person before and after that person is transported.

All department vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

703.3.4 VEHICLE DECONTAMINATION

Agency Content

Whenever a departmentally owned vehicle is found to be contaminated with an individual's blood, vomit, or other bodily secretions, members shall make appropriate reports and notifications to ensure that the vehicle is serviced in a timely fashion and that appropriate measures are taken to recover the cost of cleaning.

[See procedure for VEHICLE DECONTAMINATION](#)

703.3.5 SECURITY AND UNATTENDED VEHICLES

Best Practice

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.

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703.3.6 MDT

Discretionary

Members assigned to vehicles equipped with a Mobile Data Terminal (MDT) shall log onto the MDT with the required information when going on-duty. If the vehicle is not equipped with a working MDT, the member shall notify the Onondaga County 911 Center. Use of the MDT is governed by the Mobile Data Terminal Use Policy.

703.3.7 VEHICLE LOCATION SYSTEM

Discretionary **MODIFIED**

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 system is not functioning properly at any time during the shift they should exchange the vehicle for one with a working system, if available.

System data may be accessed by supervisors at any time. However, access to historical data by other than supervisors will require Commanding Officer approval.

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

703.3.8 KEYS

Discretionary

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.

703.3.9 AUTHORIZED PASSENGERS

Best Practice

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.

703.3.10 ALCOHOL

Best Practice

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.

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703.3.11 PARKING

Discretionary

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.

703.3.12 ACCESSORIES AND/OR MODIFICATIONS

Discretionary **MODIFIED**

There shall be no modifications, additions or removal of any equipment or accessories without written permission from the member's commanding officer.

703.3.13 NON-SWORN MEMBER USE

Best Practice **MODIFIED**

Non-sworn members using marked emergency vehicles shall ensure that all weapons have been removed before going into service. Non-sworn 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

Best Practice **MODIFIED**

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 their regular assignment.

The Commanding Officer shall ensure that the City Hall Take-Home vehicle form is completed and approved by the Chief of Police or their designee prior to the assignment of any take-home cars.

703.4.1 ON-DUTY USE

Best Practice

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 UNSCHEDULED TAKE-HOME USE

Best Practice **MODIFIED**

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:

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- (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 60-minute drive time) of the Syracuse City limits.
- (d) Off-street parking will be available at the member's residence.
- (e) The vehicle will be locked when not attended.
- (f) All firearms, weapons and control devices shall 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

Best Practice **MODIFIED**

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 the member's employment or appointment status. Residence in the City of Syracuse is a prime consideration for assignment of a take-home vehicle. Members who reside outside the City of Syracuse 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:

- (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 Commanding Officer 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 Commanding Officers 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 travelling to or from a work-related activity or function.
 3. When the member has received permission from the Chief of Police or Commanding Officers.

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4. When the vehicle is being used by the Chief of Police, Commanding Officers 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, MDT 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 in the trunk or in a lockbox/safe specifically designed for the safeguarding of weapons 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 of the vehicle and ensure that any maintenance needs are completed by the Syracuse police maintenance garage.

703.4.4 ENFORCEMENT ACTIONS

Best Practice **MODIFIED**

When driving a take-home vehicle to and from work outside of the jurisdiction of the Syracuse 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 other policies related to Off-Duty Law Enforcement Actions, Law Enforcement Authority for Police Officers and Law Enforcement Authority for Peace Officers policies).

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

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

703.4.5 MAINTENANCE

Discretionary **MODIFIED**

Members are responsible for the cleanliness (exterior and interior) and ensuring the proper maintenance of their assigned vehicles is completed by the Syracuse police maintenance garage. 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 promptly bring their assigned vehicle to the garage for service when notified by Syracuse police maintenance garage personnel to do so.
- (c) The Syracuse police maintenance garage shall be notified of problems with the vehicle and approve any major repairs before they are performed.
- (d) When leaving the vehicle in the downed vehicle section at Patrol East, the member will promptly send an email to garagehelp@syracusepolice.org explaining the service or repair.
- (e) All weapons shall be removed from any vehicle left for maintenance.
- (f) Supervisors shall make, at a minimum, bi-monthly inspections of vehicles assigned to members under their command to ensure the vehicles are being maintained in accordance with this policy. Monthly inspections shall be rotated through the three watches.

703.5 UNMARKED VEHICLES

Discretionary **MODIFIED**

Unmarked vehicles are assigned to various bureaus and their use is restricted to the respective bureau and the assigned member, unless otherwise approved by a supervisor. Members utilizing an unmarked 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 Patrol Lieutenant.

703.6 SPECIAL PURPOSE VEHICLES

Best Practice **MODIFIED** NYSLEAP- 8.7 - 42.4, 42.4 (A), 42.4 (B), 42.4 (C), 42.4 (D), 42.4 (E), 42.4 (F), 42.4 (G)

Commanding Officers who have special purpose vehicles assigned to their units shall ensure that procedures are established governing the use of all special purpose vehicles. Special purpose vehicles may include, but are not limited to, vehicles used for:

- Mobile Command Center
- Motorcycles

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- Crime Scene Van
- Crime Scene Unit Vehicle
- Hazardous Devices Unit Vehicles and Disposal Containment vessels
- Patrol Prisoner Transport Wagon (Van or Truck)
- Tow Truck
- Evidence Technician Vehicles
- Canine Patrol
- Emergency Response Team Vehicles
- Crisis Response Unit Vehicle
- Patrol Response Vehicle
- Dog Control Vehicle

The procedures document should minimally include, for each vehicle:

- The purpose of use
- Who may authorize use
- Operation instructions
- Conditions for use
- Limitations on use
- Operator qualification and training
- A list of authorized operators

[See procedure for SPECIAL PURPOSE VEHICLES](#)

703.7 DAMAGE, ABUSE AND MISUSE

Discretionary **MODIFIED**

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 other policies related to Traffic Accidents).

Damage to any department vehicle that was not caused by a traffic accident shall be immediately reported to a supervisor during the shift in which the damage was discovered and the supervisor shall document the damage on the vehicle damage log. At the discretion of a supervisor, an administrative investigation should be initiated to determine if there has been any vehicle abuse or misuse.

703.8 TOLL ROAD USAGE

Discretionary **MODIFIED**

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

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

- (a) Members operating department vehicles for any reason other than in response to an emergency shall pay the appropriate toll charge, when possible, 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.

703.9 ATTIRE AND APPEARANCE

Discretionary

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.