

Vehicle Use

504.1 USE OF PRIVATE VEHICLES

The use of privately owned vehicles for official County business is allowed when the use of a Department vehicle is not feasible and the use has been pre-approved by the Chief Probation Officer or his designee.

504.2 PURPOSE & SCOPE

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 Yolo County Probation Department to provide assigned take-home vehicles. The Yolo County Probation Department uses County-owned motor vehicles in a variety of applications operated by Department personnel. This policy is established to support the existing Yolo County vehicle policy regarding County-owned vehicles.

504.3 POLICY

The Yolo County Probation Department provides vehicles for Department-related business and may assign vehicles based on a determination of operational efficiency, economic impact to the Department, requirements for tactical deployments and other considerations.

504.4 USE OF COUNTY VEHICLES

All Department employees, when using County vehicles, shall:

- (a) Possess a valid California driver's license or license valid in California for the type of vehicle to be operated.
- (b) Operate County vehicles in a safe, responsible and courteous manner consistent with the intended use of the vehicle.

504.4.1 INSPECTIONS

Employees 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.

The interior of any vehicle that has been used to transport any person other than an employee 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 probationer or arrestee, the transporting officer shall search all areas of the vehicle that are accessible by the person before and after that person is transported.

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

504.4.2 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. Officers who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must balance the need to exit the vehicle quickly with the need to secure the vehicle.

Officers shall ensure all weapons are secured while the vehicle is unattended (see Firearms Policy).

504.4.3 KEYS

Employees approved to operate County vehicles shall check out the vehicle for use by filling out the check out sheet specific to the vehicle they will be using, noting the date and time the vehicle was checked out, the destination and the employee who is checking out the vehicle. At that time, the employee will take possession of the key to the vehicle. After use, the employee shall check the vehicle back in noting the time returned and what level the gas gauge of the vehicle indicates. Upon vehicle check-in the vehicle key shall be returned to the vehicle check-out board.

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

504.4.4 INTOXICANTS

Employees who have consumed alcohol or other substance or medication that can impair a driver are prohibited from operating any Department vehicle while under the influence of such substance or medication.

504.4.5 PARKING

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

Department vehicles should be parked in designated Department parking spaces/stalls. Employees shall not park privately owned vehicles in spaces/stalls assigned to Department vehicles or in other areas of the parking lot that are not so designated unless authorized by a Supervisor.

504.4.6 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories without written permission from Department Management.

504.4.7 CIVILIAN EMPLOYEE USE

Non-sworn employees using marked Probation Department vehicles shall check the vehicle for any weapons or contraband. If weapons or contraband are found, the non-sworn employee

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shall notify a sworn officer before driving the vehicle. Non-sworn employees shall not operate any overhead emergency lights of any vehicle.

504.4.8 AUTHORIZED PASSENGERS

Employees operating Department vehicles shall not permit persons other than County personnel, persons required to be conveyed in the performance of duty, or as otherwise authorized to ride as passengers in the vehicle.

504.5 INDIVIDUAL EMPLOYEE ASSIGNMENT TO VEHICLES

Department vehicles may be assigned to individual officers at the discretion of the Chief Probation Officer. 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 officer is unable to perform his or her regular assignment.

504.6 PREREQUISITES FOR PRIVATE VEHICLE USE

Prerequisites for private vehicle use include:

- a. Prior authorization from Department Management.
- b. Possession of a current valid California driver's license.
- c. Public liability/property damage insurance with policy limits not less than those set forth in California Vehicle Code Section 16450 et. seq.

504.7 REIMBURSEMENT CLAIMS

Employees or volunteers authorized to use their private vehicles for County business can claim reimbursement to the extent authorized by either the applicable provisions of the County's Personnel, Policies, and Practices Resolution, or the applicable provisions of any memorandum of understanding, and at the established mileage rates as established by the County of Yolo.

504.8 UNSCHEDULED TAKE-HOME USE

Circumstances may arise where Department vehicles must be used by employees to commute to and from a work assignment. Employees may take home Department vehicles only with prior approval of the Chief Probation Officer or his or her designee 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 employee lives within a reasonable distance (generally not to exceed a 60-minute drive time) of the Yolo County Probation Department.
- d. Off-street parking will be available at the employee's residence.
- e. Vehicles will be locked when not attended.

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f. All firearms will be removed from the interior of the vehicle and properly secured in the residence when the vehicle is not attended.

504.9 TAKE HOME VEHICLES

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

Department employees 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 employee is not on-duty vehicle maintenance responsibilities and employee enforcement actions.

Employees are cautioned that under federal and local tax rules, personal use of a County vehicle may create an income tax liability for the employee. Questions regarding tax rules should be directed to the employee'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 Probation Officer or designee gives authorization.
- b. Vehicles may be used to transport the employee to and from the employee's residence for work-related purposes.
- c. Vehicles will not be used when off-duty except.
 1. When the employee has received permission from the Chief Probation Officer or designee.
 2. When the vehicle is being used by employees who are in on-call positions.
- d. While operating the vehicle, authorized employees 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. 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.
 2. All weapons shall be secured while the vehicle is unattended.
 3. All Department identification, portable radios and equipment should be secured.
- f. Vehicles are to be parked off-street at the employee's residence unless prior arrangements have been made with the Chief Probation Officer or the authorized designee. If the vehicle

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is not secured inside a locked garage, all firearms shall be removed and properly secured in the residence. (see Firearms Policy regarding safe storage of firearms at home)

g. When an employee will be away (e.g., on vacation) for periods exceeding one week, the take-home vehicle is to be secured at the employee's residence or the appropriate Department facility.

1. If the vehicle remains at the residence of the employee, the Department shall have access to the vehicle.

2. If the employee is unable to provide access to the vehicle, it shall be parked at the Department.

h. The employee is responsible for arranging the care and maintenance of the vehicle with their Supervisor or Fleet Services.

504.10 EMERGENCY VEHICLE LIGHTING/AUDITORY IDENTIFIER

Pursuant to California Vehicle Code section 25258(b), a Probation Officer, as defined in Penal Code section 830.5, while in the performance of peace officer duties may display a steady or flashing blue warning light visible from the front, sides, or rear of the vehicle.

Probation Officers may activate a Department-issued vehicle's emergency lights and/or auditory identifier **ONLY** while engaged in peace officer duties (e.g., assisting law enforcement, setting up a perimeter, traffic control, etc.) and when necessary for officer safety or to identify the probation vehicle as a law enforcement vehicle to other law enforcement agencies or members of the public.

Before a Probation Officer operates a Department vehicle with blue flashing warning lights, the officer shall complete a four-hour classroom training course regarding the operation of emergency vehicles that is certified by the Standards and Training for Corrections Division of the Board of State and Community Corrections. In addition to the four-hour training, each Probation Officer shall:

- At all times, drive defensively and with due consideration for the safety of persons and property.
- Be familiar with and adhere to Vehicle Code section 21056, which requires a driver of an emergency vehicle "to drive with due regard for the safety of all persons using the highway."
- Observe the basic speed laws at all times. Vehicle Code section 22350 provides, "no person shall drive a vehicle upon a highway at a speed greater than is reasonable or prudent having due regard for the weather, visibility, the traffic on, and the surface and width, of the highway, and in no event at a speed which endangers the safety of person or property."
- **Not use emergency lights and/or auditory identification to initiate a vehicle stop or assist in high-speed vehicle pursuits.**

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Failure to adhere to Section 504.10 may subject employees to discipline, up to and including termination.