

Vehicle Use

703.1 PURPOSE AND 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 City of Redding to provide assigned take-home vehicles.

703.2 POLICY

The Redding 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.

703.3 USE OF VEHICLES

703.3.1 SHIFT ASSIGNED VEHICLES

The Fleet Program Manager (Lieutenant) or their designee shall assign radio cars for each rotation based on Department needs and seniority. The FPM or designee will ensure a copy of the vehicle assignments is completed and posted on the vehicle check out board for each shift. If a member exchanges vehicles during his/her shift, the new vehicle number shall be documented on the vehicle check out board.

703.3.2 OTHER USE OF VEHICLES

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 shift supervisor. A notation will be made on the vehicle assignment roster indicating the member's name and vehicle number.

This subsection does not apply to those who are assigned to vehicle transportation for maintenance or assigned a permanent vehicle (K-9).

703.3.3 INSPECTIONS

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.

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.

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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 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 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 (e.g., continued activation of emergency lights, canine safety, equipment charging). The vehicle shall be locked and secured if left running. 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.

703.3.5 MDC

Members assigned to vehicles equipped with a Mobile Digital Computer (MDC) shall log onto the MDC with the required information when going on-duty. If the vehicle is not equipped with a working MDC, the member shall notify SHASCOM. Use of the MDC is governed by the Mobile Digital Computer Use Policy.

703.3.6 AUTOMATED VEHICLE LOCATOR (AVL) SYSTEM

Patrol and other vehicles, at the discretion of the Chief of Police, may be equipped with a system designed to track the vehicles location. The primary purpose of the Automated Vehicle Locator (AVL) system is to deploy resources, increase officer safety and accountability, and assist SHASCOM in dispatching the closest available unit for high priority (0-2) calls. It is not intended to be used as a random disciplinary administrative tool.

The GPS data obtained from the Mobile Data AVL System will display a patrol vehicle's location within Spillman CAD and Spillman Mobile. This location data is available to all staff logged into Spillman Mobile or Spillman CAD.

The GPS data shall not be used as the sole basis for any administrative investigation.

The GPS data may be used to support or refute evidence in an administrative investigation, including citizen complaints and traffic collisions.

The GPS data may be used for criminal or administrative investigations involving criminal misconduct.

Patrol Supervisors should use AVL for deploying resources, monitoring pursuits, and locating personnel who are not able to communicate via radio.

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

System data may be accessed by supervisors at any time. Historical data by other than supervisors will require Division Commander approval.

All data captured by the system shall be retained in for 90 days.

703.3.7 KEYS

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 through the member's chain of command.

703.3.8 AUTHORIZED PASSENGERS

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-Along Policy.

703.3.9 ALCOHOL

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.

703.3.10 PARKING

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.

703.3.11 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories without written permission from the assigned vehicle program manager.

703.3.12 NON-SWORN MEMBER USE

Non-sworn members using marked emergency vehicles shall ensure that all weapons have been removed before going into service. Non-sworn members shall prominently display the "out of service" placards or light bar covers at all times. Non-sworn members shall not operate the

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emergency lights when the vehicle is moving, or siren at any time unless expressly authorized by a supervisor.

703.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES

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.

703.4.1 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.

703.4.2 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 of the Redding City 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.

703.4.3 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 City of Redding is a prime consideration for assignment of a take-home vehicle. Members who reside outside the City of Redding may be required to secure the vehicle at a designated location or the Department at the discretion of the Chief of Police. Individuals assigned vehicles shall comply with City Policy CM95-2, Personal Use of City Vehicles, see attached.

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. The vehicle, as well as the assigned employees, shall be recorded on the "Individuals

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Assigned City Vehicles" roster. The roster shall be updated as necessary and maintained by the Administrative Unit. A copy of the vehicle roster will be made available to the City Finance Officer.

Criteria for use of take-home vehicles include the following:

- (a) It shall be the policy of the City of Redding that city-owned vehicles shall not be used for personal non-city business purposes except under those limited situations set out in the following:
 - (a) City vehicles may be used for travel to and from the employees residence and a designated work area authorized by the Chief of Police.
 - (b) Any City of Redding employee assigned and authorized to take-home a city vehicle is prohibited from using the city-owned vehicle for personal use, except for commuting when authorized to do so by the City or by a supervisor for bona fide non-compensatory reasons in the conduct of city business and for de minimis personal use, such as stops for meals taken in the course of employment or on the way to and from home that does not materially increase the number of miles a vehicle is driven.
 - (c) For further see CM95-2.
- (b) 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 designee and there is a high probability, 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 designee.
 - 4. When the vehicle is being used by the Chief of Police, Division Commander or employees working on-call administrative positions.
 - 5. When the vehicle is being used by on-call investigators.
- (c) 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.
- (d) 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.
- (e) Unattended vehicles are to be locked and secured at all times.
 - (a) No key should be left in the vehicle except when it is necessary that the vehicle is left running (e.g., continued activation of emergency lights, canine safety, equipment charging).
 - (b) All weapons shall be secured while the vehicle is unattended.
 - (c) All department identification, portable radios and equipment should be secured.

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- (f) 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. 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).
- (g) 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.
- (h) The member is responsible for the care and maintenance of the vehicle.

703.4.4 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work outside of the jurisdiction of the Redding 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.

703.4.5 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.

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- (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.

703.5 DAMAGE, ABUSE AND MISUSE

When any Department vehicle is involved in a traffic collision or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic collision report shall be filed with the agency having jurisdiction (see the Traffic Collision Reporting Policy).

Damage to any Department vehicle that was not caused by a traffic collision shall be immediately reported to the on-duty supervisor. The supervisor will make the determination if the damage is deemed operational damage. Operational damage will be documented by the supervisor and employee through a City of Redding Incident Report. Photographs of the damage should be obtained by the Supervisor and the Watch Commander shall be notified by the supervisor.

703.6 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, should be suitable to reflect positively upon the Department.

This subsection does not apply to undercover operations that have been approved by a supervisor.

703.7 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 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 or utilize the appropriate toll way transponder. Members may submit a request for reimbursement from the City 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 Division Commander within five working days explaining the circumstances.

703.8 USE OF RENTAL VEHICLES

Employees assigned to attend training, school, conduct investigations or other duties, may be authorized to rent a vehicle for Department use under the following guidelines:

- (a) When traveling to a school or an assignment out of the area.
- (b) Surveillance operations.
- (c) Any other activities authorized by the Division Commander.

The authorization for a rental car shall be from a Division Commander.

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Insurance offered by the Rental Vehicle company shall not be authorized as the City is self-insured.

Fuel for the rental vehicle should be done by a city fuel card obtained by the employee prior to the use of the rental vehicle.

703.9 VEHICLES BELONGING TO PRIVATE PERSONS OR CORPORATIONS

Employees of the Police Department are not authorized to drive private vehicles for City business unless prior approval has been received from their supervisor.

The City of Redding is self-insured for general liability which protects employees whenever they drive vehicles in the course of police duties. The City does not ensure or reimburse for property damage to non-City vehicles unless paid pursuant to a general liability claim.

Extreme care shall be exercised while operating a private vehicle on City business. If the vehicle is involved in a traffic collision or incident, an appropriate police report shall be made and damages photographed. The employee's supervisor shall be notified immediately.

703.10 ATTACHMENT

See attachment: [703.4_City Managers Vehicle Policy.pdf](#)

Attachments

703.4_City Managers Vehicle Policy.pdf

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I. PURPOSE

The City assigns City vehicles to individuals which it feels need full-time access to a City vehicle. Generally these are people on emergency call, people with responsibilities that extend longer than a normal eight-hour work day, or people who do considerable driving between places on City business. Other employees are assigned vehicles as part of their work day schedule, use pool cars on an occasional basis, or drive their personal vehicles while conducting City business.

II. ISSUE

The use of City vehicles is subject to public scrutiny and has a bearing on the City's image, potential liability, and overall operating costs. During any given year, numerous calls are received about where City vehicles are parked, what they are used for, and when they are used.

The use of personal vehicles to conduct City business is a Risk Management issue. The City must take the necessary precautions to prevent liability exposure and prevent losses from occurring.

III. POLICY

Vehicles are made available to City employees to facilitate City business. These vehicles shall be provided for authorized City business and shall be operated only by City employees possessing a valid California driver's license of the appropriate class for the vehicle.

A. Assignment:

1. General

It shall be the policy of the City of Redding to limit assignment of City vehicles for take home use to employees who require the use of a City vehicle on a recurring and frequent basis during the day and night time hours for City related business. Unless the authorization to use a City vehicle on an on-going basis confers a benefit to the City and is in the City's best interests, requests to take City vehicles home will not be approved. Use beyond normal working hours and parking/garaging City vehicles at employee's place of residence at night shall be requested by the Department Director and approved by the City Manager on an annual basis.

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The City Manager is responsible for determining the need for assignment of City owned vehicles. Assignment must be justified in writing to the City Manager prior to assignment and is subject to an annual review. The City Manager's approval is subject to budget authorization availability and will be in accordance with the following:

- a. City personnel who, by nature of their specific job responsibilities, would be required to respond directly from their home in an emergency or disaster situation requiring emergency response equipment, warning lights, special apparatus or supplies.
- b. Department Directors or other administrative employees whose official duties require response in emergency situations, higher than the normal need for continuous availability to the public, frequent public meetings beyond normal working hours, and/or frequent responsibilities away from their established work area.

2. Department Director Authority

In the following situations, the Department Director shall have the authority to authorize short term temporary take home vehicle use. Permanent or longer term assignments of vehicles are to be authorized by the City Manager. Department Directors may authorize vehicle use for:

- a. Employees who will be attending an out-of-town meeting where departure will be outside normal working hours or where an employee will be attending a meeting away from City facilities requiring his/her attendance for City business.
- b. Specified employees who serve on an "on-call basis" for specific assigned periods of time and where the nature of the "on-call" will require special equipment, apparatus, supplies or emergency warning lights.
- c. City employees who are authorized by their Department on appropriate occasions to travel directly from their residence to a work site in the field without first coming to the established work area and where the nature of the occasion will require special use of the vehicle, special equipment, apparatus, supplies or emergency warning lights.

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B. Use of Private Vehicle In-Lieu of City Vehicle:

1. General

Where the needs of City business require that a vehicle be assigned to a City employee or that a City employee be required to use a personal vehicle for City business, an evaluation by the City Manager and/or Department Director will be made each time such a position becomes vacant to determine if the need for the vehicle and/or appropriate reimbursement is still appropriate and necessary to the function of the position.

The City is self-insured and has an interest in seeing that the employees who are using their personal vehicles to conduct City business have adequate insurance on their personal vehicle. The City does not want to impose a mandate that requires a higher requirement above the minimal limits set by the State of California of \$15,000/\$30,000. The City strongly recommends that each employee operating a personal vehicle to conduct City business have a policy no less than \$100,000/\$300,000. If an employee is involved in an automobile accident, the employee's personal insurance will be primary regardless of fault.

2. Personal Vehicle Reimbursement for City Use

The mileage reimbursement for use of personal vehicles on City business will be based on the current Internal Revenue Service (IRS) standard for business mileage reporting. The IRS rate is based on fixed and variable costs to operate an automobile which includes the cost of personal insurance, fuel, and maintenance.

The number of miles actually traveled on City business by employees is subject to verification and audit. The employee is required to maintain a log if the use is frequent and ongoing. The employee must provide documentation of actual miles traveled.

The personal vehicle mileage reimbursement will be paid to employees who use their personal vehicle for City business travel within the City or out of the City limits as authorized by the Department Director. Such usage must be documented and will be reimbursed on a monthly basis based on the actual miles traveled. In lieu of the per mile reimbursement, a monthly vehicle reimbursement fee can be approved by the City Manager.

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C. City Vehicle Use Restrictions

It shall be the policy of the City of Redding that City-owned vehicles shall not be used for personal non-City business purposes except under those limited situations set out in the following:

1. City vehicles may be used for travel to and from the employee's residence and a designated work area when authorized;
2. Deviation from the City's Vehicle Use Policy may be authorized in writing (or verbally in emergency situations) by the City Manager upon recommendation of the Department Director;
3. Any City of Redding employee assigned and authorized to take-home a City vehicle is prohibited from using the city-owned vehicle for personal use, except for commuting when authorized to do so by the City or by a designated official for bona fide non-compensatory reasons in the conduct of City business and for de minimis personal use, such as stops for meals taken in the course of employment or on the way to and from home that does not materially increase the number of miles a vehicle is driven; and
4. When employees who are currently assigned City vehicles leave City employment, continued assignment of the accompanying City vehicle to the vacant position and the subsequent new employee is not automatic. Each vacant position must receive written approval of the City Manager after written justification and recommendation from the Department Director, if applicable, before a City vehicle can be reassigned to the position.

D. Employee Responsibilities

Any City of Redding employee regularly assigned a City vehicle or using his or her personal vehicle to conduct City business shall be responsible to comply with the following requests:

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Please **Initial** or **Check** each item.

1. Comply with the City of Redding Procedures for the Maintenance and Repair of Automotive Equipment on City vehicles _____;
2. Never leave keys inside an unattended vehicle _____;
3. Lock vehicle when not in use _____;
4. Immediately report mechanical failures or malfunction of safety devices on City vehicles to the Fleet Manager _____;
5. Bring City vehicles to Fleet Maintenance for regular preventive maintenance as required by the Fleet Manager _____;
6. Ensure all maintenance on City vehicles is performed by or arranged for by the City Fleet Maintenance personnel _____;
7. Never operate a vehicle without engaging the seatbelt _____;
8. Immediately report any collision, theft, or damage to Risk Management and supervisor _____;
9. Park City vehicles off street at night when possible _____;
10. Never operate a vehicle without a valid California Driver's License appropriate to the type of vehicle driven _____;
11. Do not transport employee family members in a City vehicle **unless in the course of City business** as set forth in this policy _____;
12. Do not smoke tobacco products in City vehicles _____;
13. Do not operate a City vehicle while under the influence of alcohol and shall not drive while under the influence of any drugs or medications that could affect his/her driving _____;

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<p>14. Not have any medical restrictions on driving, other than corrective lenses _____;</p> <p>15. Obey all traffic laws _____;</p> <p>16. Report any change in their driver's license status to the Department Director _____;</p> <p>17. Do not use any electronic devices (i.e., computers or personal data assistants) while driving other than a mobile phone or radio which is in accordance with the 2008 Vehicle Code § 23123. It is an infraction to use a wireless telephone while operating a motor vehicle, unless it is designed and configured to allow hands-free listening and is used in that manner _____;</p> <p>18. The employee is responsible for payment of any traffic tickets or fines received while driving during the course of City business _____; and</p> <p>19. Understand that the assignment of a vehicle is not a job right; as such, it may be rescinded at any time by action of the City Manager and/or the Department Director _____.</p> <p>E. Transportation of Family Members and Non-City Individuals:</p> <p>While not in the course of City business, transporting family members or members of the public is prohibited. The City supports the "Volunteer", "Take Your Sons and Daughters to Work Day", "The Ride-A-Long", and other programs that require transporting individuals who are not employees of the City and the practice will be permitted at the approval of the Department Director and/or City Manager.</p> <p>The transportation of individuals who are not employed by the City of Redding in City owned vehicles will ONLY be permitted to conduct City business.</p> <p>F. Out of Town Travel and Vehicle Rental:</p> <p>a. When City employees rent or lease vehicles from a vehicle rental agency, it is required that they purchase the additional comprehensive damage waiver and three hundred thousand (\$300,000) in liability insurance from the rental agency. If the employee is involved in an accident, the rental agency's insurance policy will be primary and the City will not cover any loss regardless of fault with the exception of compensable workers' compensation claims.</p>				

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- b. When a City vehicle is used for out-of-town travel to a meeting or conference that the employee is directed to attend, and other government representatives are going to be attending the same meeting or conference, then the vehicle may be used to transport representative(s) from another agency.
- c. Taking family members to an out of town conference **in a City vehicle** is prohibited. If an employee would like to take a family member to an out of town conference, their personal vehicle maybe used and mileage reimbursement will be redeemed upon the Department Director's approval.
- d. If a family member is going to accompany a City employee to an out of town conference **in a rental vehicle**, the proper "additional driver" authorization must be obtained from the rental agency to ensure the "additional driver" is covered under the rental agency's insurance policy. If an "additional driver" is involved in an automobile accident, the City will not cover any loss regardless of fault.
- e. Mileage reimbursement will strictly be limited to and from the conference. Any mileage for personal activities while at a conference will not be redeemable.

G. Modification of Vehicles or Equipment:

No City vehicle or equipment shall be modified without the approval of the Fleet Maintenance Division. No modification will be authorized that could possibly jeopardize the safety features or warranty of any vehicle or equipment.

H. Off-road Vehicle Idling Policy

Effective June 15, 2008, pursuant to Title 13 CCR Section 2449(d)(3), no City owned, leased or rented off-road vehicle may idle for more than five consecutive minutes. Off-road vehicles are defined as any vehicle designed to operate off-road and powered by off-road engines, even if they can safely be driven on-road.

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K. Use of Two-Way Communication Devices and Electronic Communication & Computer Devices (Mobile Office Technology) while Operating Vehicles or Equipment

No employee shall use any electronic devices (i.e., computers or personal data assistants) while driving other than a mobile phone or radio which is in accordance with the 2008 Vehicle Code § 23123, which makes it an infraction to use a wireless telephone while operating a motor vehicle, unless it is designed and configured to allow hands-free listening and is used in that manner. Emergency personnel are exempt under Vehicle Code §23123 but should follow their respective department policies regarding this subject.

The City of Redding is committed to provide a safe and healthful work environment for its employees. The use of mobile telephones, radios, pagers, computers, PDA's (Blackberrys), also referred to as Mobile Office Technology or Two-way Communication devices, have become important tools in improving our communication abilities as well as our ability to work more efficiently. For this reason, it is necessary that this policy be developed to provide safety guidelines and procedures on the use of such devices while conducting City business and operating vehicles/equipment. It is imperative that employees use these devices safely and not put their life or the lives of others at risk in order to use them.

Public Safety Officers who utilize these communication devices shall take extra care while operating vehicles/equipment. Non-Public Safety personnel may use hand-held mobile telephones while operating vehicles/equipment only if a headset, speaker phone, ear bud, or some other technology is used that frees both hands while talking. Drivers involved in emergency situations are exempt from this requirement.

All personnel may continue to use two-way radios while operating vehicles/equipment as long as care is taken to safely operate vehicles/equipment and all laws are adhered to. Departments may have their own policies in this regard which will supersede this item.

Text messaging and emailing are prohibited at all times when operating vehicles/equipment.

To avoid inattention and distraction while driving, employees must allow telephone calls to be forwarded to an answering device if they are not equipped with a hands-free answering system. Or, they must wait to answer the call until the vehicle/equipment is safely out of traffic and in a parked position. Messages can then be retrieved and responded to accordingly. As an alternative, the employee may make arrangement to have calls forwarded to another individual for a response.