

Vehicle Use Policy

706.1 POLICY STATEMENT

Department vehicles are assigned for business-related purposes. Members will use and may be assigned Department vehicles in the course and scope of their duties to further the Department's mission, operational goals, and objectives.

Sheriff's Department Executive Management staff is offered a monthly vehicle allowance or assigned a County car as a part of the County benefit package.

With the exception of those Members assigned vehicles as part of a compensation package, Department vehicles may only be used for commuting (when approved for specific job assignments and following Home Garaged approval guidelines) or minimal personal use on the way between work and home.

706.2 VEHICLES DEFINED

For the purposes of this section, the term vehicle shall apply to any car, truck, van, motorcycle, or motorized vehicle owned, leased, rented or otherwise assigned to the Department.

706.3 ASSIGNMENT OF VEHICLES

Vehicles shall be assigned for use under the following two categories:

1. **Specific Use:** Commanders may assign a vehicle to an individual to fulfill a specific business need or purpose.
2. **Divisional Pool:** Commanders may assign vehicles to a pool to be used for business purposes. A vehicle use log must be maintained for all pool vehicles used for and by each Command.

Executive staff who choose a monthly vehicle allowance will not be assigned a County vehicle nor will they have a pool vehicle assigned to them.

Vehicles are assigned to specific Divisions/Bureaus and in some cases assigned to specific Member in a Division/Bureau. In order to properly manage vehicle assignment records for the entire Department, all assignments, reassignments, and transfers must be reviewed and recorded by R&D Fleet Management. No vehicles may be reassigned or transferred until they are reviewed and recorded by R&D Fleet Management. Please refer to [Vehicle Assignment Policy](#).

Department owned/leased vehicles may be home garaged or dispersal parked if authorized to do so as indicated in the below described definitions and/or contract requirements. "Home Garaged and Dispersal Parked Vehicles" requirements apply to Commanders, Captains, Lieutenants, Supervisors, Investigators, Deputies and Professional Staff as established in the following criterion.

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706.4 DEPARTMENT VEHICLE COORDINATOR

The Department Vehicle Coordinator is established and shall be assigned to the Director, Research and Development Division. The Department Vehicle Coordinator shall maintain a file of all Department vehicle Unit Numbers including Home Garage and Dispersal Parked vehicles. The Department Vehicle Coordinator shall be responsible for approving and ensuring compliance with all requests to Home Garage or Dispersal Park Department Vehicles.

706.5 AUDITS

The Department Vehicle Coordinator shall facilitate bi-annual inspections to ensure compliance with the Department Home Garage and Dispersal Parked Vehicle policy requirements.

706.6 HOME GARAGE VEHICLE

Home Garaged Vehicles are those vehicles assigned to Members who regularly respond, or may be required to respond, to major investigations, critical incidents, natural disasters, and/or emergencies. Time is a critical factor, and direct response serves the public interest by facilitating the deployment of certain Members based on their individual expertise, use of specialized equipment or assignment. Eligibility for Home Garaged Vehicles shall be approved by all Commanders and the Department Senior Director.

Home garage vehicles require the following conditions in accordance with this policy:

1. The vehicle must be parked off-street.
2. Vehicle parking shall be available at the Member's residence.
3. Vehicles shall be locked when not attended.
4. When a Member is on vacation, leave, or out of the area in excess of one week, the vehicle shall be stored in a secure garage at the Member's residence or at a Sheriff's facility.

706.7 EMERGENCY CALL-OUTS

Members who may be required to respond to duty related call-outs on an ongoing basis are eligible to have a Home Garaged Vehicle assigned to them to facilitate these call outs as approved by Eligibility for Home Garaged Vehicles shall be approved by all Commanders and the Department Senior Director.

706.8 SPECIALIZED EQUIPMENT OR ASSIGNMENT

Specialized equipment or assignment includes, but is not limited to those Members assigned canines, hazardous devices, special weapons and tactics, two-wheeled motorcycle units, and other specialty assignments where the vehicle contains equipment essential for public safety.

706.9 DISPERSAL PARKED VEHICLES

Dispersal parking is the authorized off-duty parking of a Department vehicle at an Orange County facility other than the Member's regularly assigned duty station. Dispersal parking refers

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exclusively to a named Member authorized to park at a specifically designated location (other than his/her duty station). Each person who is assigned a County vehicle requiring dispersal parking is responsible for identifying a viable City or County dispersal park location as approved by their Commander.

706.10 APPROVAL

A Department Member may Home Garage or Dispersal Park a Department vehicle only after obtaining prior written approval from their Assistant Sheriff via their chain of command to Home Garage or Dispersal Park a County owned/leased vehicle using the Garaged-Dispersal Parked Approval Form.

706.11 CONTRACT AGREEMENTS

Contract agreements that require specific Department positions to home garage vehicles due to "emergency response" and/or "operational necessity" shall continue to meet those contract requirements. Home Garaging a vehicle funded by an outside agency (contract partner) shall be approved, in writing, by an authorized member of that agency. This written authorization shall be submitted in writing to the Department Vehicle Coordinator, Director, Research and Development Division.

706.12 LEGAL REQUIREMENTS

Vehicles shall be operated in a safe manner and in compliance with the law, including when following the provisions provided under the policies relating to Emergency Vehicle Operations and Vehicle Pursuit. The Department's Rules and Regulations specify:

1018.6 Obedience to Laws and Regulations

1. Members shall observe and obey all laws and ordinances, all rules/regulations, procedures and policies of the Department and all orders of the Department or commands thereof. In the event of improper action or breach of discipline, it shall be presumed that the Member was familiar with the law, rule/regulation, procedure or policy in question.

Furthermore, an Assigned Vehicle Acknowledgment form must be signed and on record for all assigned vehicles as an acknowledgment of Department Rules and Regulations that apply to the Vehicle Use Policy.

706.12.1 ALCOHOL AND MEDICATION

Members shall not operate a Department vehicle (defined in section 706.2) if they have taken any medication or consumed an alcoholic beverage, or combination thereof, that would tend to adversely affect their mental or physical abilities.

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706.12.2 SECURITY AND UNATTENDED VEHICLES

Absent an exigent circumstance, unattended vehicles should be locked and secured at all times. Members who exit a vehicle rapidly in an emergency situation should carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

For storage of firearms in a county vehicle, see OCSD Policy 380.11.1, 381.8.1 and 382.8.2.

For use of cellular phones while operating a county vehicle, see OCSD Policy 702.2.3.

706.13 OUT OF COUNTY TRAVEL/COMMUTING

Out of County travel within the surrounding counties is authorized for business purposes. Extended or overnight travel in an assigned Department vehicle shall be approved by the Member's Commander.

Members shall obtain the approval of their Assistant Sheriff before driving a Department vehicle out of the County to their home to support an unusual travel or commuting circumstance.

706.14 AUTHORIZED PASSENGERS

Members operating Department owned vehicles shall not permit persons other than County Members or persons required to be conveyed in the performance of duty or as otherwise authorized to ride as a passenger in their vehicle. Vehicles assigned to executive staff Members or the Sheriff as part of a County approved compensation package do not apply. The drivers and all passengers of all County vehicles are required to be in compliance with the Department's seat belt policy.

706.15 VEHICLES SUBJECT TO INSPECTION

All County owned vehicles are subject to inspection and/or search at any time by a supervisor and no Member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

706.16 IRS REPORTING REQUIREMENTS

The Internal Revenue Service (IRS) regulations (26 C.F.R. 1.61-21) require the County to report commuter use of Department vehicles as additional taxable income under the following criteria:

1. The vehicle is taken home.
2. Sworn Members are exempt if their vehicle is clearly marked as a law enforcement vehicle or has emergency equipment installed (radio, lights, siren, etc.).

Professional staff Members (non-sworn), who are authorized to take their vehicles home, shall log their daily commuter use and submit quarterly reports for IRS wage calculation to the Auditor Controller's office.

706.17 VEHICULAR ACCIDENTS

Members operating a Department vehicle involved in a traffic accident shall notify their direct supervisor or Department Commander immediately and request a field supervisor. The collision

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shall be reported to the law enforcement agency having traffic investigation and enforcement responsibilities (Traffic Collision Policy 502.3.1). Members involved shall promptly prepare the necessary written report.

Members operating a County vehicle involved in a traffic accident "Out of County" shall notify and report to the Department in whose jurisdiction the accident occurred. Additionally, ECB shall be notified as soon as practical informing them of the incident. Members involved shall promptly prepare the necessary written report.

706.18 TRANSPORTATION CORRIDOR AGENCIES (TCA) TRANSPONDERS

The Orange County Sheriff-Coroner's Department, in cooperation with the Transportation Corridor Agencies, shall provide toll road transponders for all Department vehicles for those instances when used for emergency response purposes. Such purposes are responses to emergency situations and incidents requiring the presence of law enforcement.

1. Department Members shall only use the toll-way when conducting official Department business and may not be used for commuting purposes.
2. Department Members shall not tamper with, or remove a transponder from any Department vehicle without approval of their Commander.

TCA transponders and the aforementioned cooperative agreement only pertain to TCA toll roads (241, 261, 73, 133) and do not include the 91 Fwy FasTrak. Any and all charges incurred that apply to the 91 Fwy FasTrak are the responsibility of the Command or the individual assigned to the vehicle.

706.19 FUEL CARDS

Fuel or Voyager cards may be assigned to personnel and/or vehicles to provide access to refueling stations for Department vehicles. Should such cards become lost or stolen, the assigned Member shall notify R&D Fleet Management as soon as possible.

Whenever viable, County fueling stations, or fueling locations identified by R&D Fleet Management, should be used to fuel Department vehicles.

When it is necessary to use the Voyager Card for the purpose of fueling a county vehicle that requires unleaded gasoline, 87 octane gasoline shall be used unless the county vehicle specifically requires a higher octane level gasoline.

706.20 MILEAGE REPORTING REQUIREMENTS

All Department County owned/leased vehicles require mileage reporting. Mileage reporting must be recorded and turned in each month to R&D Fleet Management. Each Command shall assign an individual within their Command to collect and report prior month mileage data to R&D Fleet management within the first 10 days of each month.

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706.21 VEHICLE MAINTENANCE REQUIREMENTS

All Department vehicles must be maintained to ensure useful life, safe operation, and performance. Maintenance schedules are according to each vehicle type. Each Command/user is responsible to ensure that vehicles are made available for service within a reasonable mileage tolerance of (0 + 500 miles).

In addition to maintenance schedules, vehicle inspections should be completed routinely to ensure vehicle safety and reliability. This includes checking oil and fluid levels, tire inspection/pressure, and vehicle cleanliness.

706.22 ACCESSORIES AND/OR MODIFICATIONS

No modifications, additions, or deletions of any equipment or accessories shall be made to a county vehicle without written permission from Fleet Management.

This revised policy supersedes all previous orders addressing home garaged and/or dispersal parked County owned/leased vehicles.