



Apex Police Department General Order



Title Assigned Vehicle Program		Order Number 608-21a
Effective Date: April 30, 2021	Amends: Town of Apex Vehicle Policy General Order 608-19a	
CALEA Standard:	Rescinds:	
Reference: GO 314 – Extra-Duty, Off-Duty and Secondary Employment GO 603 – Police, Special Purpose Vehicle and Equipment GO 709 – Vehicle Pursuits GO 901 - Operation of Police Vehicle and Call Response	Pages: 10	
Forms: F608 – Request to Participate in Assigned Vehicle Program F608a – Assigned Vehicle Commute Data Log		

Assigned Vehicle Program

Purpose

The purpose of this directive is to provide a written policy and procedure regarding the Apex Police Department's Assigned Vehicle Program.

Policy

It is the policy of the Apex Police Department (APD) to reduce response time to critical incidents, crimes in progress, calls for service and investigations; to increase operational efficiency, police visibility, crime prevention, and individual accountability; and to maintain fiscal responsibility by assigning equipped police vehicles to full-time, sworn police officers as outlined in this General Order.

NOTE: As approved by the Town Manager, where there is a conflict between this General Order and the Town of Apex (TOA) Motor Vehicle Use Policy and Procedure, this directive supersedes the Town policy.

Assigned Vehicle Program

Definition

Assigned Vehicle – A vehicle that has been assigned to an authorized employee, who has been approved to participate in the department’s Assigned Vehicle Program, who may take the vehicle home, and use it as defined in the provisions of this General Order.

Procedure

1. The Assigned Vehicle Program is a function of the Administrative Division and is under the supervision and control of the Administrative Division Commander. The Administrative Division Commander will:
 - Determine eligibility of employees to be assigned a vehicle
 - Determine which vehicles will be authorized for assignment
 - Maintain a fleet of pool vehicles for use as needed
 - Monitor mileage, inspections, cleanliness, and overall condition of vehicles
 - Prepare budget requests for the replacement of vehicles and equipment
 - Annually review the Assigned Vehicle Program and provide a summary to the Chief of Police in writing as outlined in this General Order

2. As vehicles, equipment, and the budget allows, and subject to the provisions of this General Order and other applicable written directives, the following employees may be assigned an APD vehicle:
 - Full-time, sworn police officers
 - **EXCEPT** any employee who is:
 - Assigned to the entry-level field training program
 - Working in a light-duty capacity
 - Suspended from duty for any reason
 - Suspended from the Assigned Vehicle Program

3. All assigned vehicles will be fully-equipped police vehicles as outlined in General Order 603 – *Police, Special Purpose Vehicle and Equipment*.

4. Only vehicles that facilitate emergency response or are necessary for designated recall functions are authorized for this program (i.e., fully-equipped police vehicles; not specialty vehicles such as ATVs, etc.). Vehicles will be marked or unmarked, depending on the assignment of the employee as follows:
 - Administrative Division – Marked
 - **NOTE:** Unmarked vehicles may be approved for this program depending on specific assignment and need
 - Patrol Division – Marked
 - **NOTE:** Unmarked vehicles assigned to the Traffic Safety Unit and/or the Directed Patrol Unit may be approved for this program
 - Criminal Investigations Division – Unmarked
 - Executive Staff – Marked or Unmarked, as determined by the Chief of Police

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5. Assigned vehicles remain the property of the TOA and can only be used for official duties. If authorized, the vehicle may be used for transportation directly to and from the employee's primary residence (or other authorized parking location) to:
 - The employee's assigned work location
 - Court
 - Approved training session
 - Approved meeting or event
 - Approved special-duty assignment
 - Approved extra-duty employment
 - Approved off-duty employment
 - Approved vehicle maintenance location
 - **NOTE:** Use of an assigned vehicle for secondary employment is prohibited pursuant to General Order 314 – *Extra-Duty, Off-Duty and Secondary Employment*
6. The assignment of a vehicle to an employee is not a right or employee benefit, and can be modified, suspended, or revoked at any time by the Chief of Police.
7. Pursuant to applicable written directives, only authorized APD and TOA Fleet Maintenance personnel are authorized to operate an assigned vehicle.
8. Once assigned, a vehicle will not be traded, loaned, or otherwise provided to another person without the permission of the Administrative Division Commander.
 - For operational efficiency, a sworn supervisor of the rank of Sergeant or above may authorize another employee to temporarily operate a vehicle assigned to another employee.
 - Patrol Division supervisors at the rank of Corporal and higher may authorize an employee to operate a pool vehicle if that employee's assigned vehicle is out of service.
 - **NOTE:** Vehicles designated as pool vehicles are authorized to be assigned temporarily to an employee during his/her shift and must be returned to the department at the end of the employee's shift.
 - In cases where an employee's assigned vehicle remains out of service, the employee is required to drive his/her personally-owned vehicle or arrange for transportation to and from work until the vehicle is returned to service.
9. Non-departmental employees may only be transported in an assigned vehicle in accordance with the provisions of General Order 603 - *Police, Special Purpose Vehicle and Equipment*, the TOA Vehicle Policy, and other applicable written directives.
10. Department vehicles will not be altered in any manner and no other equipment, lighting, etc. will be installed without the written permission of the Administrative Division Commander.

Vehicle Assignment, Parking, and Security

1. Eligible employees who wish to participate in the Assigned Vehicle Program must complete form F608 – *Request to Participate in Assigned Vehicle Program* and submit it to the Chief of Police through their chain of command.
2. Officers approved to participate in the Assigned Vehicle Program may drive the assigned vehicle home if the primary residence is anywhere within Wake County or within 25 air miles of the Apex Town limits.
 - Employees must provide the physical address of their actual primary residence to the Office of the Chief of Police.
 - If an employee moves, the new actual physical address must be provided to the Office of the Chief of Police no later than 24-hours after the employee moves.
 - Due to the nature of their responsibilities, the Chief of Police may authorize members of the Executive Staff to drive their assigned vehicle home beyond the criteria to participate in the Assigned Vehicle Program, as noted above.
3. While off-duty, the vehicle will be parked at an approved location. For purposes of this General Order, an approved location is:
 - The employee's primary residence if it is:
 - Anywhere within Wake County, regardless of distance from the Town of Apex limits
 - Within the distance authorized by the Assigned Vehicle Program, regardless of county
 - **NOTE:** Generally, only one police vehicle will be parked at an employee's residence
 - **EXCEPTION:** If two employees reside at the same address, they may each park their assigned police vehicles at the residence; however, no more than two police vehicles will be permitted to be parked at one primary residence at any given time
 - An approved government facility that is:
 - Anywhere within Wake County, regardless of distance from the Town of Apex limits
 - Within the distance authorized by the Assigned Vehicle Program, regardless of county
 - Within radio range of the Apex Police Department Communications Center
 - Approved by the Administrative Division Commander
 - **NOTE:** Public safety facilities that are staffed 24 hours per day are preferred (i.e., police, fire, or EMS facilities)
 - The employee is expected to obtain written permission from the person in charge of the approved government facility using form F608 – *Request to Participate in the Assigned Vehicle Program*

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- It is reasonable to believe that, while on-duty in the assigned vehicle, the employee's personal vehicle may be parked at the approved government facility
 - The TOA and APD are not responsible for the employee's vehicle or personal property
4. Employees assigned a vehicle are responsible for the security of the vehicle, its contents and equipment.
 - When parked or otherwise unattended, the vehicle will be locked.
 - Weapons must be secured in a mount or in an approved locking case/box that is secured within the vehicle.
 - If the vehicle is to be left for maintenance, all weapons and sensitive equipment will be removed and securely stored at the APD in the appropriate storage location pursuant to applicable directives.
 - The TOA and APD are not responsible for personal items left in a town-owned vehicle.
 5. Assigned vehicles will be returned to the designated APD facility (headquarters or approved Apex Public Safety Station) when:
 - The employee is out of town for more than five days unless otherwise approved by the Chief of Police
 - The employee is assigned to light-duty status
 - The employee is on extended leave of any type (military, medical, FMLA, etc.) or is otherwise unable to perform regular duties or respond to a call-in directive
 - The employee is suspended, either before the suspension period is to take effect, if possible, or immediately upon notification
 - Directed by a sworn command officer
 6. The employee will notify his/her appropriate Division Commander and the Administrative Division Commander whenever the vehicle will not be parked at the approved location and/or is being returned to a department facility.

Vehicle Mechanical Problems/Maintenance

1. Employees who participate in the Assigned Vehicle Program are responsible for the care, cleanliness, inspection, and maintenance of the assigned vehicle as outlined in General Order 603 – *Police, Special Purpose Vehicle and Equipment* and any other applicable written directive.
2. Request for routine maintenance and vehicle repairs will be made using form F603 – *Request for Fleet Services*.
 - Employees will comply with notifications from the Support Services Supervisor if the vehicle is required for service.

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3. No repair work will be conducted on an assigned vehicle except by TOA Fleet Services Department, or outside vendors at the direction of the appropriate TOA personnel, and/or the Administrative Division Commander.
4. If an employee experiences a minor vehicle problem such as a flat tire or dead battery to/from work or at his/her residence and/or authorized parking location, the employee is authorized to:
 - Change a flat tire
 - Jump-start the vehicle using either a personal jump box and/or jumper cable
 - **NOTE:** All electrical systems/equipment must be turned off prior to use
5. If the employee is not able to resolve the problem or the vehicle repair is other than authorized in this General Order, the on-duty supervisor will be notified, and appropriate action will be taken pursuant to applicable written directives.
 - **NOTE:** Employees are required to arrange for transportation to and from work and are required to be at work at their regular scheduled time unless authorized by their supervisor. Mechanical issues with a department vehicle do not relieve the employee from reporting for duty on time, making proper notification to the supervisor, and accounting for all compensated time.

Notification and Response to Incidents

1. When operating an assigned vehicle and before moving from the authorized parking location, employees will notify the Communications Center via MDC or police radio that the employee is available for duty and the location he/she is enroute to (i.e., APD, court, secondary employment, etc.). When parking the assigned vehicle at the end of duty, the employee will notify the Communications Center to end his/her tour of duty via MDC or police radio.
 - If the employee is out of radio range, the notification may be made by phone.
 - If the employee's approved parking location is outside of radio range the employee will notify the Administrative Division Commander within 24 hours of approval of the parking location.
 - The Administrative Division Commander will review the approval to determine if it remains appropriate.
 - Due to the nature of their duties, members of the Executive Staff may use their discretion for this notification.
2. When operating an assigned vehicle, employees will remain in constant radio contact with the Communications Center, unless travel is approved beyond police radio range.
 - Pursuant to applicable written directives, employees will notify the Communications Center of any response to a call for service, self-initiated activity, or police action.

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3. When operating an assigned vehicle, employees will be dressed in the appropriate class of uniform or type of clothing as appropriate for their duty that day and as authorized by General Order 306 - *Appearance and Uniform Regulation*.
4. During a response to an emergency incident within the jurisdiction of the APD, when called by a Command Staff member or dispatched by the Communications Center, officers may use the emergency equipment in their assigned vehicle; regardless, if they are inside or outside the corporate limits of the TOA. (SOURCE: NCGS 20-125 (b)). **NOTE:** Emergency equipment for response is not authorized when outside the State of North Carolina or beyond a reasonable response distance. For purposes of this section, “reasonable response distance” means Wake County or a contiguous county.
 - Use of emergency equipment is governed by General Order 901 - *Operation of Police Vehicle and Call Response*.
 - Use of emergency equipment when outside the corporate limits of the TOA for response to an incident occurring in the TOA must be approved by the on-duty supervisor.
5. Non-sworn employees or officers operating a vehicle that is not equipped with emergency lighting and equipment will notify the Communications Center of such and are not authorized to operate the vehicle in an emergency response mode.
6. Response to any incident that will incur overtime or other costs, beyond the initial response required by this General Order, must be approved by the on-duty supervisor or another appropriate sworn supervisor.
 - Employees who are called by a supervisor to return to duty or are activated as a result of on-call status (i.e., Detectives, Special Response Team, K-9 Handlers, Accident Reconstructionist(s), etc.) are presumed to have the necessary approval.
7. Assigned vehicles will not be used for generating compensation through unnecessary police assistance or activity generally deemed unwarranted by off-duty officers.
 - Officers operating an assigned vehicle who render any police assistance will be eligible for compensation for the actual time worked.
 - Rendering assistance will not constitute callback pay.
 - Compensation will only be granted for the actual time worked, rounded to the nearest quarter hour.
 - **NOTE:** Officers will not be granted a two-hour minimum.
8. Off-duty officers operating an assigned vehicle who have any incident or occurrence brought to their attention will be responsible for either handling the incident (with approval of an on-duty supervisor) or for referring it to an on-duty officer. If the incident is referred, the off-duty officer will continue to render any assistance necessary and appropriate until the on-

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duty unit arrives and will complete form F608a – *Assigned Vehicle Commute Vehicle Data Log* and any other appropriate report(s) or supplement(s).

- Officers will forward form F608a – *Assigned Vehicle Commute Data Log* prior to the end of their next shift to their direct supervisor, who will submit it through their chain of command to the Administrative Coordinator in accordance with applicable written directives.

Response to Incidents within the Corporate Limits of the Town of Apex

1. While enroute to or from their work location, officers are expected to respond to and address calls for service, reports of criminal activity, requests for police assistance, etc. as they would normally do during their duty shift as follows:
 - Priority Calls – Officers are expected to respond to crimes in progress and life-threatening calls for service if they are able to render aid more quickly than the dispatched unit
 - Routine Calls – Officers may handle a routine call for service if their response is more efficient than waiting for another unit
 - Traffic Violations – Officers are expected to address serious safety violations that occur in their presence (i.e., careless and reckless driving, speeding, passing stop sign/red light, etc.)
 - Motorist/Citizen Assist – Officers are expected to stop and render aid to any motorist or citizen in need and remain until a more appropriate unit may be dispatched or no further assistance is needed
2. If appropriate, the officer may request for an on-duty officer(s) to respond for assistance and/or to take over the call.

Response to Incidents Outside the Corporate Limits of the Town of Apex

1. While enroute to or from their work location, officers may intervene in an emergency situation that they witness or come across.
 - As soon as possible, the officer will notify the Communications Center and will request an on-duty officer from the agency with appropriate jurisdiction to respond.
2. While enroute to or from their work location, officers will not conduct traffic enforcement activities outside the corporate limits of the TOA.
3. Officers will not initiate, assist or otherwise engage in a pursuit while outside the corporate limits of the TOA unless it complies with General Order 709 – *Vehicle Pursuits*.

Loss of Privileges of Assigned Vehicle

1. Assigned vehicle privileges may be temporarily suspended or permanently terminated by the Chief of Police or his/her designee for any reason and at any time.
2. An employee may be removed from the Assigned Vehicle Program if the employee:
 - Has been suspended from duty for any reason
 - Has a history of one or more driving offenses, preventable wrecks, or incidents that are deemed significant by the Chief of Police
 - Is found to not be in compliance with this General Order or other applicable written directives regarding the assignment or use of a vehicle
 - Has not been responsible in the care, maintenance, cleaning, or upkeep of the assigned vehicle
 - Has moved outside the distance authorized to participate in the Assigned Vehicle Program
3. An employee may be temporarily suspended from the Assigned Vehicle Program for the duration of the limiting condition if the employee:
 - Has been assigned to a light-duty status
 - Is on extended leave of any type (military, medical, FMLA, etc.) or is otherwise unable to perform regular duties or respond to a call-in directive
 - Has been transferred to a position where the assignment of a vehicle is not authorized
4. Employees who are either removed from the Assigned Vehicle Program, temporarily suspended or permanently terminated, must immediately return their assigned vehicle, all keys, and vehicle equipment to the department headquarters parking lot or another location as directed by the Administrative Division Commander.
5. If necessary, due to the job duties and status of the employee, the Administrative Division Commander may authorize the employee to operate a pool vehicle during duty hours only.

Annual Review

1. Annually, the Administrative Division Commander will review the Assigned Vehicle Program to determine:
 - Incidents where officers were called in or took official police action while enroute to or from duty
 - **NOTE:** Refer to data collected on form F608a – *Assigned Vehicle Commute Data Log*
 - Fleet and equipment needs
 - Effectiveness of the program
 - Cost savings achieved
 - Compliance with this General Order

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2. The review will be completed and submitted to the Chief of Police through the chain of command no later than January 31st of the year following the period subject to the review.

- This date may be extended with the approval of the Chief of Police

Text in “Green” denotes a significant change in policy

BY ORDER OF:



Anthony L. Godwin
Chief of Police