

## 112.00 - VEHICULAR EQUIPMENT

### 112.01 Care of Police Vehicles

- (1) All members of the Denver Police Department shall be held responsible for the proper use and care of all Department vehicular equipment. Cases of neglect, alteration or other misuse of equipment shall result in disciplinary action.
- (2) Vehicles – Inspection. See OMS 504.01.
  - a. Each officer shall examine his/her assigned vehicle at the start of each tour of duty.
  - b. Visible damage to the vehicle, unless previously documented, shall be brought to the immediate attention of the officer's supervisor. The officer shall submit a report of the damage to his/her commanding officer.
  - c. Officers shall make sure that the auxiliary equipment - radio, shotgun, fire extinguisher, fuses and any other departmentally issued equipment - is present and in good working order. Fire extinguishers will be equipped with seals to insure their integrity. If a seal on the fire extinguisher is broken or if it is used, the extinguisher must be replaced. The officer using the item will notify his/her supervisor who will provide a replacement.
  - d. Officers shall note the condition of the vehicle and auxiliary equipment on the log sheet, DPD 120. Note: Officers will be held responsible for damaged or missing equipment which they fail to report and which should have been discovered during the vehicle inspection.
  - e. Defective equipment or missing items must be brought to the immediate attention of the officer's supervisor.
- (3) Pushing Other Vehicles
  - a. Only those police vehicles equipped with push bumpers will be used to push other vehicles.
  - b. Police cars shall be used as push vehicles only as a last resort, when it is necessary to remove disabled passenger cars or conventional pick-up trucks from hazardous roadway positions.
  - c. Disabled vehicles shall be pushed no farther than the nearest, safe off-roadway location.
  - d. Officers shall check for proper bumper alignment and take all necessary precautions before pushing other vehicles.
  - e. Vehicles shall not be pushed at speeds exceeding five miles per hour.
  - f. Damage to vehicles. See OMS 3.07
    1. Unintentional damage to the vehicle being pushed will not be handled as a traffic accident. A supervisor shall respond to the scene to assess the damage. The officer involved will write a letter explaining the circumstances of the damage and forward it, through the chain of command, to the Civil Liability Bureau.
    2. Any damage or injury resulting from the pushed vehicle coming into contact with a person or object will be reported on a State of Colorado Investigator's Traffic Accident Report, Form DR-447. See OMS 203.02(10)
- (4) Officers, when parking their cars, will turn off the ignition, put the gear selector in "park" and set the emergency brake.
  - a. The practice of allowing vehicles to sit and idle for long periods of time is damaging to the motors, as well as wasteful in unnecessary use of gasoline. All cars are equipped with oversized generators which will quickly restore any battery deficiency, caused by radio drain when the motor is shut off.
  - b. In the event a car is to be parked for long periods of time during the winter months, the emergency brake will not be set in order to prevent the brake from freezing.
- (5) When leaving the car, the keys shall be removed from the ignition and the vehicle secured.
- (6) Officers shall not turn in a vehicle at the end of their tour of duty with less than one half (1/2) a tank of gas.

**112.02 Vehicle Unit Numbers**

- (1) All police vehicles are assigned five digit "unit numbers" for police purposes.
- (2) The unit number will be used for gas, oil, repairs, etc., and on daily work sheets.
- (3) The unit number shall identify vehicles on all police forms; on accident reports where license numbers are required by law, both the license number and the unit number shall be shown.
- (4) Unit numbers are on the front fender and trunk lid of marked units, the back edge of the driver's door on unmarked units, and by the ignition switch on the motorcycles.
- (5) This means of vehicle identification will in no way affect the radio "call numbers" on precinct assignments.

**112.03 Vehicle Preventive Maintenance Checks**

The police garage shall publish a monthly list of all units in need of preventive maintenance, oil changes, or other maintenance needed. This list shall be forwarded to all divisions, unit commanders, and vehicle coordinators. Units on this list shall be delivered to the appropriate facility for maintenance (Monday through Friday). Supervisory officers shall be responsible for ensuring compliance. Units not delivered in a timely manner shall be placed on fuel restrictions.

**112.04 Vehicle Washing and Lubrication**

- (1) All police vehicles shall be taken to the Police Service Center for washing and lubrication according to the schedule established by the Fleet Maintenance Bureau.
- (2) Whenever a police vehicle is at the Service Center for washing, Service Center personnel will check the vehicle's maintenance schedule and determine if the vehicle is in need of lubrication or oil change. A vehicle requiring such maintenance will remain at the Service Center until the service is performed.
- (3) The exceptions to this rule are: a call from the dispatcher requesting the vehicle's services for an emergency call, the lack of qualified Service Center personnel to perform the required service, or other extenuating circumstances.

**112.05 Vehicles in Need of Repairs**

- (1) Officers shall be alert for anything which may need attention and/or repairs.
- (2) When the condition is critical, the vehicle will be driven or towed to the maintenance section of the Police Garage. If repairs are questionable, the supervisor will decide on the action to be taken.
  - a. When a vehicle is driven or towed to the Police Garage, the responsible officer will complete a Car Location Tag, DPD 327, which will be left at the district or bureau to which the vehicle is assigned.
  - b. The following procedure shall be used when turning in defective vehicles when the Police Garage is closed:
    1. Vehicles shall be left on the east side of the Police Garage, 5440 Roslyn.
    2. The vehicle keys and completed Fleet Maintenance Work Request, DPD 267, shall be placed in the "drop box" located next to the overhead door marked A-2.
    3. The Service Center supervisor shall be notified when a vehicle has been left in any other location and needs a police tow.
  - c. Vehicles turned in for body damage shall be parked at the north end of the garage. A completed DPD 267, Fleet Maintenance Work Request, and the vehicle keys shall be placed in the "drop box".
  - d. During normal business hours, the Service Center tow shall be used. If it is necessary to tow the vehicle and the Service Center is closed, a city contract tow shall be used.

- (3) If the condition is not critical, DPD 267, Fleet Maintenance Work Request, will be completed and forwarded to the Police Garage. The work will be scheduled. The reporting district/bureau will be advised as to when the vehicle is to be turned in.
- (4) Officers shall thoroughly check any vehicle sent to the garage and remove all personal property and weapons.
- (5) Officers shall not call the garage to inquire if their units have been repaired. The district or bureau will be notified when repairs are completed.
- (6) Upon notification from the garage that repairs are completed, the district or bureau shall pick up the vehicle as soon as possible and return any pool unit being used in its place.
- (7) Minor repairs, such as belts, hoses, lights, or fluids will be done at the Service Center.

#### **112.06 Vehicle Damage Responsibility**

- (1) Accidents and Damage to Vehicles. Officers shall be held accountable for driving violations which result in accidents. Officers shall be held strictly accountable for damage caused by abuse or careless handling, and failure to request necessary repairs shall be the liability and responsibility of the officer using the equipment.
- (2) Responsibility for damage to police fleet units shall rest with the individual officer assigned to the unit at the time of its discovery subject to the following procedure:
- (3) Officers relieving the preceding shift shall inspect the vehicle before leaving the station and make a written report to their immediate supervisor of any damage not observed and reported at a previous time.
- (4) Supervisory officers shall inspect, so far as is practical, each fleet unit assigned under their supervision each day. OMS 504.01
- (5) Officers who check a car out of the motor pool or the maintenance pool shall inspect such unit and call any obvious damage to the attention of the attendant or mechanic in charge before leaving the pool.
- (6) Officers who are found driving any fleet unit which displays any obvious and unreported damage shall be held accountable and responsible for such damage.
- (7) Officers who, in their tour of duty, cause any damage, either to the interior or exterior of a fleet unit, shall report such incident to their supervisor in writing before going off shift.
- (8) A traffic accident report shall be made when fleet units are damaged by an officer in any accident involving another vehicle or any fixed object. OMS 203.08
  - a. If a police vehicle equipped with push bumpers causes unintentional damage to a disabled vehicle being pushed, a traffic accident report shall not be made. A supervisor shall respond to the scene to assess the damage. The officer involved will write a letter explaining the circumstances of the damage and forward it, through the chain of command, to the Civil Liability Bureau.
  - b. A traffic accident report shall be made if any damage or injury results from a collision involving a disabled vehicle being pushed by a police unit equipped with push bumpers and a person or other object. OMS 203.02(10)
- (9) Defective equipment not construed as damage or equipment damaged as a result of a non-traffic incident, shall be reported as outlined in reporting procedures.

#### **112.07 Car Pool Procedures**

- (1) All vehicles in the police fleet not otherwise assigned to the Patrol Division or to a specific unit are assigned to the Car Pool located at the Police Garage.
- (2) All Car Pool vehicles will be dispatched in compliance with the following guidelines:
  - a. An officer requiring the use of a Car Pool vehicle will complete the Authorization for Vehicle tag, DPD 20, and present it to the Car Pool attendant.

- b. The officer will then be given the keys to a Car Pool vehicle. The Car Pool attendant will inform the officer where the car is parked or deliver the vehicle to the requesting officer.
- c. Officers will return the vehicle to the Car Pool immediately upon completion of the trip for which it was dispatched. Patrol Division officers will return the vehicle when a regularly assigned car is available or as directed by their commanding officer.
- d. When an officer checks out a pool car, it is his/her responsibility to inspect the vehicle to ensure that the vehicle has at least one-half tank gas. Officers should also look at the interior and exterior for cleanness and damage. If the officer should determine that any of these conditions are not met, he will report the deficiency to the Car Pool Unit immediately. Car Pool Unit personnel will then inspect the unit and determine who used it last. The supervisor of the officer who last used the unit will be responsible for seeing that there is not a recurrence of this deficiency.
- e. Officers must inform the car pool where they parked the vehicle when they return it to the garage. The same procedure should be followed if the car pool returns an assigned unit to headquarters.
- f. Officers returning vehicles shall note on the sign-in slip any repairs that may be needed on the vehicle.
- g. Pool cars are assigned as temporary replacements for specific units requiring repairs. A pool car can be checked out for a seven-day special assignment if cleared through the Director or Superintendent of Fleet Management, as authorized through the Deputy Chief of Administration.
- h. The Car Pool Unit will monitor the use of pool cars, and when necessary shall retrieve delinquent special assignment vehicles. In order to avoid misunderstanding, garage personnel shall make every effort to inform officers of these time limits when the vehicle is checked out.
- i. This policy will insure fairness when assigning pool units, and enhance vehicle accessibility.

**112.08 Emergency Operation of Police Vehicles**

- (1) Police vehicles shall be operated in a safe and courteous manner to prevent accidents, injuries, property damage, and to promote good public relations.
- (2) Police vehicles while parked, stopped, or in motion, must be under control at all times. Operators shall obey all provisions of the Colorado Vehicle Code, City Traffic Ordinances, and Police Department Regulations.

Officers are expected to exercise a standard of care consistent with C.R.S. §42-4-108, in particular subsection 4: "(4) The provisions of this section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor shall such provisions protect the driver from the consequences of his reckless disregard for the safety of others."
- (3) The proper handling of an emergency by a police officer cannot be accomplished unless the officer arrives safely at the scene. There are two emergency driving situations: **EMERGENCY AND PURSUIT EMERGENCY DRIVING, (RED LIGHT AND SIREN TO BE USED)**.
- (4) When emergency driving is allowed Code 10:
  - a. Responding to an officer calling for help.
  - b. Shootings, robbery in progress, explosions, other catastrophe, or major disaster wherein lives are endangered.
  - c. Ambulance investigations, when identified by the dispatcher as a code 10 call or when requested code 10 by Denver Health Medical Center.
  - d. In certain cases, a superior or command officer may give permission for transporting or escorting a patient to a hospital.
  - e. The dispatcher may request emergency response.
- (5) Limitations for police vehicles on emergency runs:

- a. Officers shall respond to fire calls and non-emergency accidents without the use of red lights and siren.
  - b. When an officer is assigned a call of an emergency nature, the officer may request Code 10 response if his present location, distance to the call, traffic conditions, and/or prior knowledge enable him to better evaluate the call than the dispatcher.
  - c. When making an emergency run, an officer shall not pass another authorized emergency vehicle (fire equipment or ambulance) which is making an emergency run and traveling in the same direction.
- (6) The driver of a police vehicle, making any Code 10 run using lights and siren, approaching a red traffic signal or stop sign, shall:
- a. Reduce speed and be prepared to apply brake.
  - b. Be prepared to yield right-of-way to other moving vehicles.
  - c. Enter intersection only when it is safe.
  - d. Never depend entirely upon your siren to clear the roadway for you.
  - e. Drive defensively.
- (7) When making a Code 10 run and approaching any intersection, whether controlled or not, the driver shall:
- a. Remove foot from gas pedal and be prepared to apply brake.
  - b. Enter intersection only when it is safe.
  - c. Resume speed only when it is safe.
- (8) "Pursuit" driving. OMS 204.01
- (9) When emergency operation of a police vehicle results in an accident, the Commander of the Traffic Investigation Bureau will process the report, through the Internal Affairs Bureau, to the involved officer's commanding officer for review. OMS 203.08(2)

#### **112.09 Obedience to Traffic Regulations**

Officers operating motor equipment shall conform to all ordinances regulating traffic. Officers shall set an example of good driving. While patrolling or stopping to handle a situation, special care must be exercised not to obstruct the free movement of traffic. Exceptions to the above are covered under OMS 112.08.

#### **112.10 Vehicle Use - Other than Regular Tour of Duty**

When it is necessary for an officer to use departmental vehicular equipment for police purposes, not on their tour of duty or by reason of special assignment, they must obtain an order from their commanding officer to do so.

#### **112.11 Vehicle Use - Officers on Beat or Post Assignment**

Foot patrol officers shall not patrol in police cars, private automobiles, or other conveyances, except when authorized by their district command officer to do so.

#### **112.12 Safety Restraining Devices**

- (1) All officers and CSA will use the safety restraining devices (seat belts) provided while operating or riding in a City vehicle.
- (2) All prisoners being transported in a police vehicle will be secured to the seat by using safety restraining devices.
- (3) Failure to use the required safety restraining devices as directed will result in these minimum penalty assessments:

- a. First violation will be an oral reprimand with an entry made in the Supervisor's Situation Record.
  - b. Second violation within a twelve (12) month period will be a written reprimand.
  - c. Third violation within a twelve (12) month period will be suspension of one day without pay.
  - d. Subsequent violations will be dealt with more severely.
- (4) Injury accidents in which an officer failed to use a required safety restraining device could result in a substantial reduction of State Compensation benefits.
- (5) In accordance with C.R.S. §42-4-237, a peace officer performing official duties may remove the safety belt during vehicle operation only when necessary for the protection of the officer.

### 112.13 Photo Radar and Photo Red Light (Photo Enforcement) Procedures

- (1) The Division Chief of the Special Operations Division will receive all Photo Radar and Photo Red Light citations of Denver Police Department personnel who are cited while driving city vehicles, in the performance of their duties.
- a. The information will be reviewed, logged, and forwarded to the employee's commander for a disposition.
  - b. A record of all Photo Radar and Photo Red Light violations received by Denver Police Department employees will be maintained in the Special Operations Division.
  - c. The Division Chief of the Special Operations Division will be responsible for having violations received by Denver Police Department employees, removed from the Photo Traffic Management Systems, for internal processing.
- (2) The Commanding Officer of the cited employee will review the citation, and gather all relevant information which may include statements, dispatch tapes, and log sheets. Once the material is reviewed, the Commanding Officer will determine if the traffic violation is EXCUSED, or NOT EXCUSED.
- a. If a citation is *Excused*, the Commanding Officer will forward a Traffic Citation Void Request, DPD 238, (now a template on the DPD tab) along with all supporting material to the Special Operations Division.
  - b. If the citation is *Not Excused*, the Commander of the cited employee shall do the following:
    - 1. Obtain an Internal Affairs Bureau case number and make the appropriate investigation.
    - 2. Make a penalty recommendation based on the following minimum penalties.
      - a. The first unexcused violation within a twelve (12) month period: oral reprimand.
      - b. The second unexcused violation within a twelve (12) month period: written reprimand.
      - c. The third unexcused violation within a twelve (12) month period: a fine of eight (8) hours off.
      - d. Subsequent or flagrant violations may result in more severe disciplinary recommendations.
    - 3. Proceed in accordance with the relevant provisions contained in OMS 503.02.
    - 4. The cited employee's Division Chief shall forward a copy of the completed case to the Special Operations Division and the original to Internal Affairs Bureau.
- (3) For purposes of penalty recommendations, unexcused Photo Radar violations and unexcused Photo Red Light violations received within a twelve-month (12-month) period shall be considered as multiple violations. For example, an unexcused Photo Radar violation and an unexcused Photo Red Light violation received within a twelve-month (12-month) period shall count as two violations and shall result in a written reprimand.