

SPECIAL ORDER



DISTRICT OF COLUMBIA

Title
Authorization and Accountability for Metropolitan Police Department Vehicles
Number
SO-10-11
Effective Date
September 13, 2010
Related to: GO-OPS-301.04 (Motor Vehicle Take Home Program) GO-OPS-301.07 (Use of Privately Owned Vehicles for Metropolitan Police Department Business) Mayor's Order 2009-210 (Government and Personal Vehicle Operators Accountability Policy)
Rescinds: Part I.F, General Order 301.1 (Vehicle Operation and Maintenance), Effective Date December 28, 1979

I.	Background	Page 1
II.	Definitions	Page 1
III.	Regulations	Page 2
IV.	Procedures	Page 3
V.	Roles and Responsibilities	Page 6
VI.	Related Provisions Superseded	Page 8
VII.	Cross References	Page 8
Viii.	Attachments	Page 8

I. BACKGROUND

To ensure the safety of the public and Metropolitan Police Department members, it is critical that members who operate vehicles as part of their official job duties are authorized to do so and are responsible for their safe and proper operation and compliance with related laws and regulations. The purpose of this order is to describe the procedures governing the authorization and accountability for the use of Metropolitan Police Department vehicles by members.

II. DEFINITIONS

When used in this directive, the following terms shall have the meanings designated:

1. Fleet Coordinating Official – Individual responsible for managing the use of vehicles by members for official Metropolitan Police Department (MPD) business.
2. Member – Sworn or civilian MPD employee or MPD Reserve Corps member.

3. Official Business – Job task or activity that is directly related to a member's assigned duties and responsibilities.

III. REGULATIONS

- A. The Chief of Police shall appoint a Fleet Coordinating Official who shall manage the use of MPD vehicles by members, including the establishment of a fleet registry.
- B. Bureau Heads shall maintain documentation for the members of their command regarding compliance with the requirements for obtaining and retaining authorization to use MPD vehicles and regarding crashes, incidents, citations (including Notices of Infraction), and summonses incurred by members while using or having custody of MPD vehicles.
- C. All Metropolitan Police Department members are authorized to use MPD vehicles for official MPD business as long as they meet all requirements of this order and all other applicable MPD directives.
- D. All members (except those whose authorization to operate a MPD vehicle has been suspended or revoked) shall execute a PD Form 102-A (Vehicle Operator's Acknowledgement Form) annually (Attachment A).
- E. Members who operate an MPD vehicle while conducting official MPD business shall possess a valid driver's license from their jurisdiction of residence and shall have this license in their possession while operating the MPD vehicle.
- F. Members shall provide the MPD a copy of their driver's licenses annually and as otherwise requested by the MPD. Failure to provide a copy or to report as required a change in driver's license status may result in disciplinary action.
- G. Sworn members who operate an MPD vehicle while conducting official business shall have successfully completed all initial training vehicle skills requirements in compliance with GO-PER-201.29 (Police Officer Initial Training Program).
- H. Members shall successfully complete any driving re-certification training required by the Crash Review Board.
- I. Sworn members shall be in uniform when operating marked vehicles while on-duty.
- J. Members who operate MPD vehicles while conducting official MPD business shall comply with applicable District Government and MPD orders and directives and applicable motor vehicle (traffic) laws, and regulations governing motor vehicle operation, safety, registration, and

inspection, including the Distracted Driving Safety Act of 2004, effective March 30, 2004 (D.C. Law 15-124; D.C. Official Code § 50-1731.01 *et seq.*) and Special Order 04-11 (Distracted Driving Safety Act of 2004).

- K. Members shall not be considered to be performing official MPD business while driving to or from work unless the member's Commanding Official otherwise expressly grants authorization in advance, in writing.
- L. Members shall not transport non-District government employees in MPD vehicles, unless transporting non-District government employees:
 - 1. Is one (1) of the member's job responsibilities; and
 - 2. For non-sworn employees, is authorized in advance in writing by the member's Commanding Official.

NOTE: All sworn employees are authorized to transport non-District government employees for official MPD business.

- M. Members shall notify their Commanding Official of any crash, incident (e.g., Damage to Property), citation (including Notice of Infraction), and/or summons incurred while using an MPD vehicle in accordance with this order and other applicable directives.
- N. Crashes involving MPD vehicles shall be reported and handled in accordance with applicable directives including General Order 301.1 (Vehicle Operation and Maintenance), GO-SPT-401.03 (Traffic Crash Reports), and GO-SPT-401.02 [Crash Review Board (CRB)].
- O. Members who operate commercial vehicles on official MPD business shall possess the appropriate Commercial Driver's License while operating the vehicle and report driving violations as required by this order.
- P. MPD vehicles may not be used for the conduct of District Department of Motor Vehicle driver's tests.

IV. PROCEDURES

- A. Authorization
 - 1. By October 15 of each fiscal year, each Commanding Official shall prepare and submit to the Bureau Head for each member currently authorized to operate an MPD vehicle, a copy of the member's:
 - a. Driver's license;
 - b. Driving record and results of a driver's license verification;

- c. Signed copy of a *Vehicle Operator's Acknowledgement Form*; and
 - d. Where appropriate, documentation regarding any suspension of a member's authorization to operate an MPD Vehicle.
2. Members who are authorized to use MPD vehicles shall notify their Commanding Official, through the chain-of-command, immediately, but no later than the next scheduled tour of duty, of any change in driver's license status, including suspension or revocation.
 - a. The Commanding Official shall, in turn, immediately notify the Bureau Head and the Director, Human Resource Management Division.
 - b. The Commanding Official shall ensure that an administrative investigation is initiated immediately and conducted in accordance with applicable MPD directives.
 - c. For suspensions and revocations, the Commanding Official shall advise the member in writing, with a copy to the Bureau Head, of the suspension of his/her authorization to use MPD vehicles until the conclusion of the administrative investigation.

NOTE: This suspension may be in addition to any other action taken by the MPD in connection with the circumstances that led to the suspension/revocation.

3. Commanding Officials shall ensure that the possession of a valid driver's license, to include where appropriate a commercial driver's license, by each member of their command authorized to use an MPD vehicle is verified quarterly and as otherwise directed.
4. Commanding Officials shall ensure that the report required by Part A.1 of this order is kept current, including updates for members newly assigned during the fiscal year.
5. Members who operate commercial vehicles on official MPD business shall report, to their Commanding Official, at least once every twelve (12) months, all violations of motor vehicle traffic laws and ordinances (other than parking violations) of which the member has been convicted or on account of which the member has forfeited bond or collateral during the preceding twelve (12) months.

- a. Following receipt of the report, Commanding Officers shall recommend to the Bureau Head whether authorization shall be retained.
- b. The Commanding Official shall advise the affected member in writing of any decision to revoke the authorization to operate commercial vehicles.

B. Accountability

1. The Fleet Coordinating Official shall:
 - a. Establish and maintain a fleet registry of all vehicles assigned to the Metropolitan Police Department (MPD) that includes, at a minimum, the following information about each vehicle:
 - (1) Tag number;
 - (2) Make;
 - (3) Model;
 - (4) Year;
 - (5) Whether the vehicle is leased or owned; and
 - (6) If leased, the name, address, and contact information of the leasing company.
 - b. Coordinate with the Department of Motor Vehicles to ensure proper information about the MPD fleet is submitted for use in the Government Multi-Owner Fleet Program.
2. Members shall document each use of an MPD vehicle on a PD Form 775 (Daily Vehicle Inspection and Activity Report) including the date and time of the use, the purpose of the use, and any reported crashes, incidents, citations (including District Notices of Infraction) or summonses.
3. Members shall notify their Commanding Official, through the chain-of-command, immediately, but no later than the end of the current tour of duty, of any incident (e.g., Damage to Property), citation (including District Notice of Infraction) or summons.
 - a. If the event occurs outside the normal hours of operation of the work unit, the member shall notify the Command Information Center.

- b. The Commanding Official, Command Information Center, shall ensure that the member's Commanding Official is notified immediately.
 - c. Commanding Officials, by the end of the tour of duty in which so notified, shall, in turn, notify the Bureau Head.
 - d. District Government Notices of Infraction shall be processed in accordance with General Order 303.2 (Notices of Infraction Procedures).
4. Members shall notify their Commanding Official, through the chain-of-command, immediately, but no later than the end of the current tour of duty, of any crash involving an MPD vehicle.
- a. If the event occurs outside the normal hours of operation of the work unit, the member shall notify the Command Information Center.
 - b. The Commanding Official, Command Information Center, shall ensure that the member's Commanding Official is notified immediately.
 - c. Commanding Officials, upon notification, shall, in turn, notify the Bureau Head.
 - d. The Bureau Head, upon notification, shall ensure the Director, MPD Office of Risk Management is notified.
 - e. The Director, MPD Office of Risk Management shall ensure the Director, District Government Office of Risk Management is notified within forty-eight (48) hours of the crash.

V. ROLES AND RESPONSIBILITIES

- A. Supervisors are responsible for ensuring that the PD Forms 775 are completed and processed properly and for timely notifications as required by this order and related directives.
- B. Commanding Officials are responsible for:
 1. Keeping the information required of members authorized to use MPD vehicles current.
 2. Ensuring that that the quarterly checks of the validity of authorized members' driver's licenses are conducted.

3. Notifying, in writing, the member and Bureau Head, as appropriate, when a member's authorization must be revoked.
 4. Making the proper notifications regarding any crash, incident, citations and summons incurred by a member using an MPD vehicle.
 5. Ensuring PD Forms 11 (Request for Cancellation of NOI) are processed in accordance with General Order 303.2 (Notices of Infraction Procedures).
 6. Ensuring that crashes are reported and investigated properly and decisions of the Crash Review Board are implemented.
- C. Bureau Heads are responsible for:
1. Maintaining the official driver's license and driving records of members of their command authorized to use MPD vehicles.
 2. Ensuring related element records are made available for inspection by the MPD Office of Risk Management.
 3. Providing the Director, MPD Office of Risk Management, monthly, a reconciliation report concerning the outstanding notices of infraction issued to MPD vehicles indicating which NOIs are eligible for administrative dismissal and which will not be recommended for dismissal.
- D. The Director, MPD Office of Risk Management, is responsible for:
1. Notifying the District Office of Risk Management as required by this order.
 2. Maintaining copies of all PD Forms 10 (Traffic Accident Reports) forwarded to the District Office of Risk Management.
 3. Providing the Bureau Heads with copies of the monthly District Office of Risk Management Report listing the outstanding Notices of Infraction issued MPD vehicles.
 4. Conducting periodic audits of compliance with the procedures established by this order.
- E. The Fleet Coordinating Official is responsible for maintaining the fleet registry.
- F. The Chief of Police shall be responsible for:

1. Submitting to the Directors of the Department of Motor Vehicles (DMV), Department of Public Works (DPW), and District Office of Risk Management (DCORM) the name, work address, email address, and telephone number of the MPD Fleet Coordinating Official by January 2nd of each calendar year.
2. Immediately notifying DMV, DPW, and DCORM in writing whenever there is a change in the identity or work information of the Fleet Coordinating Official.

VI. RELATED PROVISIONS SUPERSEDED

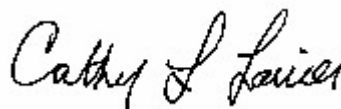
Where the provisions in this directive are in conflict with directives previously issued, the provisions in this directive shall prevail.

VII. CROSS REFERENCES


- A. GO-PER-201.29 (Police Officer Initial Training Program)
- B. General Order 301.1 (Vehicle Operation and Maintenance)
- C. General Order 303.2 (Notices of Infraction Procedures)
- D. GO-SPT-401.02 [Crash Review Board (CRB)].
- E. GO-SPT-401.03 (Traffic Crash Reports)
- F. SO-04-11 (Distracted Driving Safety Act of 2004)
- G. Distracted Driving Safety Act of 2004, effective March 30, 2004 (D.C. Law 15-124; D.C. Official Code § 50-1731.01 *et seq.*)

VIII. ATTACHMENT

Attachment A: Vehicle Operator's Acknowledgement Form



Cathy L. Lanier
Chief of Police

DATE:	 <p style="text-align: center;">METROPOLITAN POLICE DEPARTMENT WASHINGTON, DC</p> <p style="text-align: center;">Vehicle Operator's Acknowledgement Form</p>
VEHICLE OPERATOR'S NAME:	
ORGANIZATIONAL ELEMENT:	
GOVERNMENT EMAIL ADDRESS:	

DRIVER'S LICENSE STATE AND NUMBER:

State: _____ Number: _____

TELEPHONE NUMBER:

WORK: _____ **Other:** _____

I. Operation of a vehicle for government business

A. Performance of my duties on behalf of the Government of the District of Columbia requires my operating a government or authorized vehicle on government business. I acknowledge that it is my responsibility to operate any government or authorized vehicle in a safe manner and in full compliance with the law. This includes regular use of seat belts, strict adherence to speed limits, traffic lights and signs, compliance with parking restrictions, and strict adherence to prohibitions and requirements for the prevention of distracted driving.

B. I understand and agree that I am solely responsible for any notices of infraction received as a result of operating, or having custody of, a vehicle on District government business, including parking tickets, red-light camera tickets, and speeding tickets. I agree to answer any such notices of infraction within thirty (30) days of receipt. I agree to report any notices of infraction received as a result of operating, or having custody of, a vehicle on District government business, as well as any vehicular accidents to my designated supervisor or manager immediately. I agree to complete and submit the Motor Vehicle Accident Report Form to my designated supervisor or manager within forty-eight (48) hours of a vehicular accident.

C. I agree to maintain a valid driver's license sufficient to permit me to operate a vehicle lawfully on District government business. I agree to provide a copy of my driver's license to my designated supervisor or manager annually and otherwise at my agency's request. I further agree to notify my designated supervisor or manager of any change in the status of my driver's license by my next scheduled work day. If my driver's license was issued by a jurisdiction other than the District of Columbia, I agree to obtain verification of the status of my driver's license and my driving record from the issuing jurisdiction at my agency's request.

D. I understand and agree that I may not transport non-District government employees in a government or privately owned vehicle while on District government business unless such

transportation is permitted by agency policy and I have been expressly authorized in writing to do so by my agency. I further understand and agree that, unless my agency expressly provides otherwise in writing, driving to or from work is neither District government business nor within the scope of my employment.

II. Use of privately owned vehicles by District employees:

A. I understand and agree that I may use a privately owned vehicle for District government business, within the scope of my employment, only at the discretion of and with the approval of my designated supervisor or manager. I understand that I may request a mileage allowance at the rate established under applicable law and regulations for the expenses associated with authorized use of a privately owned vehicle for District government business. I understand and agree that if I am involved in an accident while acting within the scope of my employment in the course of my official duties, my liability for personal injury and property damage to third parties will be governed by the District of Columbia Employee Non-Liability Act, approved July 14, 1960 (74 Stat. 519; D.C. Official Code § 2-411 *et seq.*). I further understand and agree that if I am injured while carrying out District government business, I am limited to making a claim under the Disability Compensation Program established by the District of Columbia Government Comprehensive Merit Personnel Act, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-623.01 *et seq.*). I understand and agree that the District's liability for property damage to my personal vehicle sustained incident to its authorized use for District government business shall be limited to any settlement the District may make of a claim made under the Military Personnel and Civilian Employees Claim Act of 1964 (Act), approved August 31, 1964 (78 Stat. 767; 31 U.S.C. § 3721). I understand and agree that the District may, in its discretion, settle such a claim in accordance with the Act and any applicable rules, for an amount that does not exceed \$10,000. I understand and agree that I will not receive compensation for property damage to my personal vehicle resulting from my own negligent or wrongful conduct.

B. I agree that, if I am authorized to use a privately owned vehicle for government business, I shall identify and use only one vehicle for this purpose. I agree to maintain insurance coverage for this vehicle and for any non-District government employee I am authorized to transport and to report business use of this vehicle to the insurance carrier. I further agree to comply with all applicable registration, inspection and other requirements for the vehicle and to provide proof of compliance with these requirements, and of insurance coverage, to my designated supervisor or manager annually and otherwise at my agency's request. I agree to notify my designated supervisor or manager of any change in the status of automobile insurance coverage or other requirements within three (3) business days of receipt of notice of such change.

I understand that failure to comply with the requirements stated in this notice may result in disciplinary action against me, up to and including termination of employment.

VEHICLE OPERATOR'S SIGNATURE: _____