



VIA TRANSIT POLICE DEPARTMENT

Standard Operating Procedures

Section 306 Vehicle Operations



Office with Primary Responsibility:	COP	Effective Date:	February 23, 2022
		Prior Revision Date:	May 29, 2020
Office(s) with Secondary Responsibilities:		Number of Pages:	5
Forms Referenced in Procedure:	None	Related Procedures:	ALL

.01 INTRODUCTION

- A. This procedure establishes guidelines for the use of VIA-owned vehicles.
- B. The use of VIA-owned vehicles by sworn and non-sworn members will be in accordance with the VIA Salaried Employee Manual and all administrative directives regarding the proper handling of issued equipment and prompt reporting of damage and/or accidents.

.02 POLICY

- A. The safety of our members and others is of paramount concern when operating or riding a VIA-owned vehicle.
- B. All members of the Department, sworn and non-sworn, when operating or riding in a VIA-owned vehicle shall wear the safety restraint devices provided in the VIA-owned vehicle.
- C. All authorized passengers in VIA-owned vehicles will be required to wear safety restraint devices.

.03 AUTHORIZED USE

- A. Members operate only those VIA-owned vehicles assigned to them and only for the accomplishment of assigned duties.
- B. Members transport only authorized persons in a VIA-owned vehicle.
 - 1. Authorized persons include on-duty members, prisoners, complainants, and witnesses.
 - 2. Approval to transport off-duty members or non-members must be received from a supervisor.
 - 3. Approval for any person(s) to ride as an observer must be arranged in advance in accordance with SOP Section 614, *Ride-Along Program*.
- C. Shift Supervisors ensure all units under their command maintain a daily record of the assignment and use of all VIA-owned vehicles assigned to their respective commands. Such record shall reflect:
 - 1. The member's name and unit of assignment;
 - 2. The vehicle number; and
 - 3. The date, day, and time of use.

.04 INSPECTIONS, REPAIRS, PREVENTIVE MAINTENANCE, AND VEHICLE CARE

- A. Prior to operating a VIA-owned vehicle, members inspect the vehicle for damage or mechanical impairment.
 - 1. Members discovering damage to any VIA-owned vehicle or equipment shall immediately notify their supervisor and submit an administrative report documenting the damage.



VIA TRANSIT POLICE DEPARTMENT

Standard Operating Procedures



Section 306 Vehicle Operations

2. Members discovering mechanical impairment, which may affect the safe operation of the vehicle, immediately report the condition to their immediate supervisor. The supervisor notifies the vehicle maintenance shop and addresses the issuance of a replacement vehicle, if available.
 3. Members encountering mechanical problems with their assigned vehicle which would not ordinarily impair the safe operation of the vehicle, immediately notify their supervisor. The supervisor determines whether the vehicle is immediately repaired or kept in service and the repair made later.
- B. Members remove the laptop computer, any personal items, evidence, etc., from vehicles placed in the repair shop if the repairs cause the vehicle to remain out of service beyond the end of the officer's tour of duty.
- C. Members do not alter, modify, deface, or change any part or accessory of any VIA-owned vehicle without proper authorization.
- D. Members shall ensure proper preventive maintenance is performed on their assigned vehicle on a regular basis or when notified by the vehicle repair shop.
- E. Members shall be responsible for the appearance and cleanliness of their assigned vehicle, both interior and exterior.

.05 PARKING AND CUSTODIAL RESPONSIBILITIES

- A. Members do not expose a VIA-owned vehicle to unreasonable hazards or abuse, except in exigent circumstances.
- B. Members park VIA-owned vehicles in accordance with departmental procedures, state laws, and city ordinances, except in exigent circumstances.
- C. Members receiving a parking ticket, toll violation notice, red-light camera ticket, or any other violation involving the vehicle shall:
1. Immediately submit a report detailing the reason(s) for the violation(s) and the nature of the business being conducted.
 2. Attach the violation notice to the report and forward through the chain of command to the Chief of Transit Police.
- G. The Chief of Transit Police makes a determination as to whether the violation was necessary for the member to complete his assigned duties.
1. If the member was performing his assigned duties, the Chief of Transit Police will represent the Department in the adjudication of the ticket or violation; or
 2. If the member was acting outside his assigned duties, the Chief of Transit Police will return the ticket or violation notice to the member for adjudication.

.06 OUT OF COUNTY TRAVEL

- A. Members requesting to operate a VIA-owned vehicle outside of Bexar County shall submit the appropriate Travel and Training request to their supervisor at least 2 weeks prior to the proposed travel.
- B. Members must retain original receipts for all travel expenses including, but not limited to, motor fuel charge receipts. Reimbursements are not made without the original receipts.
- C. Members receiving authorization for out of town travel will use a vehicle from their assigned unit.
- D. Members involved in a motor vehicle crash while operating a VIA-owned vehicle outside of Bexar County:



VIA TRANSIT POLICE DEPARTMENT

Standard Operating Procedures



Section 306 Vehicle Operations

1. Immediately report the crash to the appropriate law enforcement agency;
2. Advise the investigating officer VIA is self-insured;
3. Obtain the report number (case or assignment number) assigned to the report;
4. Record any and all pertinent details of the crash

.07 NON-EMERGENCY RESPONSE

- A. All departmental vehicles shall be driven safely and properly in full compliance with all traffic laws and regulations. Department vehicles are conspicuous symbols of authority on the streets and many people observe an officer's actions. The Officer's actions reflect on the VIA Metropolitan Transit Authority generally and specifically on the VIA Metropolitan Transit Police Department. Each officer must set an example of good driving behavior and habits.
- B. If delayed while in route to a non-emergency call, the Officer should notify the dispatcher.

.08 EMERGENCY RESPONSE

- A. The Department recognizes its responsibility to apprehend criminals and to respond in an expedient manner to requests for immediate assistance to save a life or to prevent a victim from sustaining serious injury.
- B. Officers, in the emergency operation of emergency vehicles, exercise due regard for the safety of all persons, constantly aware no assignment is too important, and no tasks are to be expedited with such emphasis that the basic principles of safety are jeopardized.
- C. Officers are held accountable for the consequences of reckless disregard for the safety of others and violations of this procedure.

.09 DISCUSSION ON EMERGENCY OPERATIONS:

- A. The VIA Transit Police Department requires its officers to exhibit a sense of prudent judgment derived from Departmental training, acquired knowledge, skills, and ability in the operation of all emergency vehicles.
- B. The sanctity of human life and individual liberties are immeasurable elements of modern society which vests police officers with the responsibility for the preservation and protection of its paramount values. In the pursuit of this responsibility, officers maintain the understanding that protection of property and apprehension of criminal offenders is subservient to the protection of life, including their own.
- C. VIA Transit Police Department Officers are authorized to operate their vehicles as emergency vehicles under emergency operations only in the approved manner outlined below.
- D. The VIA Transit Police Department has instituted a "No Chase" policy. Members of the VIA Transit Police Department are not allowed to initiate, enter or engage in any vehicle pursuit by this or any other jurisdiction's police department under any circumstances.

.10 ENVIRONMENTAL FACTORS

Officers operating emergency vehicles must exercise sound judgment, carefully consider the facts, and weigh the seriousness of the offense against the consequences of jeopardizing the safety of others by continually evaluating the following existing environmental factors:

1. Time of day and day of week;



VIA TRANSIT POLICE DEPARTMENT

Standard Operating Procedures



Section 306 Vehicle Operations

2. Lighting conditions;
3. Volume of traffic, both pedestrian and vehicular;
4. Type of roadway;
5. Condition of the roadway (i.e., dry, wet, paved, or gravel);
6. Weather conditions (i.e., clear, overcast, rain, or fog);
7. Condition of the emergency vehicle and fleeing vehicle;
8. Speeds of the emergency vehicle and fleeing vehicle;
9. Distance to be covered;
10. Types of traffic control signals or devices; and
11. School zones or areas where large crowds gather.

.11 EMERGENCY RESPONSE GUIDELINES

- A. Only emergency vehicles will be utilized for emergency operations.
- B. Officers will not drive emergency vehicles the wrong way on an expressway, an expressway exit or entrance ramp, a divided highway, or any other street or highway designated for one-way traffic.
- C. Officers will not transport prisoners, witnesses, suspects, complainants, or any person who is not a member of the Department who has not signed a liability waiver when driving emergency vehicles in emergency operations.

.12 RESPONDING TO EMERGENCY CALLS

- A. Authorization for Code-Two or Code-Three emergency response:
 1. Officers are authorized to make a Code-Two or Code-Three response only when assigned by the dispatcher or with verbal, on-air supervisory approval.
 2. The dispatcher shall verbally specify the response is Code-Two or Code-Three. The officer shall verbally acknowledge the response is Code-Two or Code-Three.
 3. If an officer on a Code-One response determines a need to increase to a Code-Two or Code-Three response, he may only do so with verbal on air approval from a supervisor.
 4. If information becomes available which changes the status of a response from Code-Two or Code-Three to Code-One, all officers assigned shall verbally acknowledge the change and immediately slow down to a Code-One response.
- B. Officers authorized to respond to Code-Two or Code-Three emergency calls may utilize emergency vehicles for emergency operations, provided:
 1. The emergency lights and siren are activated;
 2. The posted speed limit is not exceeded by more than ten (10) miles per hour on Code-Two calls;



VIA TRANSIT POLICE DEPARTMENT

Standard Operating Procedures



Section 306 Vehicle Operations

3. Officers will come to a complete stop at all traffic control devices which require a stop under normal driving conditions and in consideration to vehicular and pedestrian traffic (i.e., stop signs, red lights, and flashing red lights) and proceed when it can be done safely;
 4. Officers will reduce speed for vehicles and pedestrians at intersections marked by yield signs or yellow flashing lights and proceed when it can be done safely;
 5. Officers will reduce speed and proceed when it can be done safely when driving emergency vehicles into or through school zones during normal school hours or into areas where large crowds are known to congregate, such as city parks and outdoor public events; and
 6. Officers should notify the dispatcher of any delays while in route to an emergency call. (I.E. Heavy traffic, train blocking the roadway, etc.)
 7. Officers will exercise due regard for the safety of all persons.
- D. For an officer to respond to a Code-Two or Code-Three emergency call without using emergency lights or siren, as allowed by the Texas Transportation Code, Section 546.004, an officer must first receive verbal, on-air authorization from a supervisory officer.

.13 RESPONSE CODES DEFINED

- A. Code-One – Normal Response – Officers shall obey all traffic laws. Emergency lights and siren are not activated.
- B. Code-Two – Emergency response – Emergency lights and siren are activated. The posted speed limit is not exceeded by more than ten (10) miles per hour
- C. Code-Three – Emergency response – Emergency lights and siren are activated. Officers may exceed the speed restrictions of a code-two response ONLY if safe to do so.

.14 DAMAGE / ACCIDENTS

- A. All vehicle crashes involving a VIA-owned vehicle shall be immediately reported to the on-duty supervisor as per Section 200 Code of Conduct 4.10. Additionally:
 1. On-Scene crash investigations involving VIA-owned vehicles will be conducted by the appropriate jurisdictional law enforcement agency.
 2. The VIA Safety Department will also respond to the scene of a crash involving VIA-owned vehicles to investigate the crash for the purpose of internal review. This review is conducted by the Safety Department.
 3. The Transit Police Best Practices Program Coordinator shall conduct an annual analysis of all crashes involving department members operating a VIA-owned vehicle and make recommendations to the Chief of Transit Police on training or other measures which may reduce crashes. The Chief of Transit Police may also consider input provided by the Safety Department.
 4. All VIA Transit Police Department members shall be trained on the “Smith System” driving course within six months of employment.
- B. Any damage to a VIA-owned vehicle while assigned to an officer, regardless of how the damage occurred, shall be immediately reported to the on-duty supervisor.



VIA TRANSIT POLICE DEPARTMENT

Standard Operating Procedures



Section 306 Vehicle Operations

.15 LEAVING VEHICLE RUNNING PROHIBITED

- A. VIA-owned Transit Police vehicles must be turned off and secured when a Transit Police Officer is away from their assigned vehicle with the following exceptions:
1. K-9 Officers may leave their assigned VIA-owned vehicles running when their K-9 partners are secured inside the vehicle.
 2. Transit Police Officers may leave their assigned VIA-owned vehicles running while on traffic stops or calls for service where emergency lights must be left on for safety.
 3. Transit Police Officers may leave their assigned VIA-owned vehicles running when a prisoner or other person is secured inside the vehicle.