

# EXECUTIVE ORDER



DISTRICT OF COLUMBIA

<b>Subject:</b> <b>Use of Government Vehicles</b>
<b>Number</b> <b>EO-17-027</b>
<b>Effective Date</b> <b>August 11, 2017</b>
<b>Related To:</b> GO-PER-100.22 (No Smoking Policy) GO-SPT-301.01 (Vehicle Operation and Maintenance) GO-OPS-301.04 (Motor Vehicle Take-Home Program) GO-OPS-301.05 (Off Duty Use of Government-Owned or Leased Motor Vehicles) SO-10-11 (Authorization and Accountability for Metropolitan Police Department Vehicles) Mayor's Order 2009-210 (Government and Personal Vehicle Operators Accountability Policy)
<b>Rescinds:</b> EO-17-026 (Use of Government Vehicles), Effective Date August 9, 2017

## I. PURPOSE

The purpose of this executive order is to announce new rules governing the use of government vehicles in accordance with Mayor's Memorandum 2017-002, "Use of Government Vehicles," effective date August 1, 2017, including, but not limited to, rules governing the on-duty use of government vehicles as well as the use of take-home and call-back vehicles by Metropolitan Police Department (MPD) members.

## II. DEFINITIONS

1. Government vehicles – motor vehicles owned, leased, or otherwise controlled by the District government, including federal government vehicles under the District government's control.
2. Members – sworn and civilian Department employees and Reserve Corps members.
3. Off-site work – includes, but is not limited to, travel to meetings, site visits, field work, and work performed by members who are assigned to operate a Department vehicle for the duration of their shift (e.g., members on patrol).

## III. REGULATIONS

- A. To the extent there are any conflicts with this executive order and current MPD policies and procedures, the provisions in this executive order shall prevail.

## B. General Use of Government Vehicles

1. Members may use government vehicles to carry out District government business. Except as otherwise provided in this order, government vehicles may be used **only** in the performance of a member's official duties and in furtherance of District government business.
2. Members **shall not** use government vehicles for personal activities, except when members are engaged in off-site work as defined in this order and the use of a government vehicle is needed for required rest periods, bathroom breaks, brief breaks for mandatory religious activities that occur during the off-site work period, the purchase of food for immediate personal consumption, and medical and other emergency situations that may arise. When a government vehicle is used for such purposes, members shall minimize the distance of travel from the off-site work location.
3. Members **shall not** use government vehicles to transport non-District government employees unless:
  - a. Members are transporting non-District government employees as part of their official duties (e.g., transporting an arrestee or witness, conducting an approved ride-along); or
  - b. The transportation is authorized by the Chief of Police or his or her designee.

## C. Take Home and Call Back Vehicles

1. Members authorized to use take-home or call-back vehicles in accordance with GO-OPS-301.04 (Motor Vehicle Take-Home Program) and GO-OPS-301.05 (Off Duty Use of Government-Owned or Leased Motor Vehicles) **shall not**:
  - a. Absent exigent circumstances, use the government vehicle for the transport of non-District employees or children unless the transportation meets the requirements of Part III.B.3 of this order.
  - b. Use their vehicle for personal activities, other than infrequent and *de minimis* (i.e., small, minor) stops consistent with the activities described in Part III.B.2 of this order.
    - (1) This *de minimis* exception **shall not** be used for scheduled medical appointments or other personal, non-work-related appointments.

- (2) Members who use a government vehicle to travel between their residence and workplace may use the government vehicle to respond to the family emergency.
  2. Members may use take-home or call-back vehicles for police-related outside employment in the District of Columbia. Members **shall not** use take-home or call-back vehicles for non-police-related outside employment in any jurisdiction.
  3. Members authorized to use take-home or call-back vehicles but who regularly need to make personal, non-work-related stops on their travel between their residence and workplace, should use a personal vehicle and not a government vehicle.
- D. Conduct While Driving a Government Vehicle
1. Members driving government vehicles shall:
    - a. Comport themselves with integrity at all such times.
    - b. Maintain a valid driver's license.
    - c. Abide by traffic and parking laws and regulations unless exigent law enforcement, public health, or public safety circumstances require violations of law.
      1. Violations of traffic and parking laws or regulations may result in fines or imprisonment, and if such penalties are incurred during the performance of, but not as an authorized part of, the member's official duties, they shall be imposed on the member personally and are his or her personal responsibility.
      2. If a traffic or parking citation is erroneously or unjustifiably issued to a government vehicle or a member, the member may seek to have the ticket dismissed; however, the member **shall not** ask to have a citation dismissed based on his or her position as an MPD member unless the performance of the member's duties is a legitimate basis for the requested dismissal.
    - d. Exercise reasonable care at all times towards the government vehicle and property and persons within and outside the vehicle.
    - e. **Not** be impaired by alcohol, illegal drugs, or prescription medication when operating a government vehicle.

2. Members who are driving government vehicles and their occupants shall:
  - a. Wear seat belts whenever the vehicle is in operation.
  - b. **Not** use tobacco products while in government vehicles.
3. Absent exigent circumstances, members **shall not** permit any other person to operate a government vehicle other than an individual authorized to operate the vehicle.

#### IV. CROSS REFERENCES

- A. GO-OPS-301.04 (Motor Vehicle Take-Home Program)
- B. GO-OPS-301.05 (Off Duty Use of Government-Owned or Leased Motor Vehicles)
- C. Mayor's Memorandum 2017-002, "Use of Government Vehicles," effective date August 1, 2017



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