

GENERAL ORDER



DISTRICT OF COLUMBIA

Title		
Use of Privately Owned Vehicles for Official Metropolitan Police Department Business		
Topic	Series	Number
PER	301	07
Effective Date		
September 13, 2010		
Replaces: GO-PER-301.7 (Vehicular Allowance), Effective Date October 27, 1980 Related to: Mayor's Order 2009-210 (Government and Personal Vehicle Operators Accountability Policy)		

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I. BACKGROUND

Members may request using their privately owned motor vehicles for official Metropolitan Police Department business and may be reimbursed for such use. The purpose of this order is to establish the procedures for members' use of privately owned vehicles.

II. POLICY

It is the policy of the Metropolitan Police Department to permit Commanding Officials to authorize the use of privately owned vehicles by members for official Metropolitan Police Department business for the efficient conduct of members' assigned duties and responsibilities. The use of privately owned vehicles shall comply with applicable District Government and Metropolitan Police Department orders and directives regarding authorization and accountability and applicable motor vehicle (traffic) laws and regulations.

III. DEFINITIONS

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

1. Member – Sworn or civilian Metropolitan Police Department (MPD) employee or MPD Reserve Corps member.
2. Official Business – Job task or activity that is directly related to a member's assigned duties and responsibilities.

IV. REGULATIONS

- A. Members must obtain advance written authorization from their Commanding Official in order to use their privately owned vehicles for official MPD business.
- B. All members authorized to use a privately owned vehicle for official MPD business shall execute a PD Form 102-A (Vehicle Operator's Acknowledgement Form) (Attachment A) annually.
- C. Members may obtain authorization to operate only a single privately owned vehicle for official MPD business. Commercial vehicles may not be authorized.
- D. All privately owned vehicles must meet the equipment requirements of the jurisdiction in which the vehicle is registered, including those for safety belts/harnesses.
- E. Members shall report the use of their privately owned vehicles for official MPD business to their motor vehicle insurance carrier as required by the terms of agreement of their insurance policy.
- F. Members who are authorized to use privately owned vehicles for official MPD business must provide advance proof of the possession of a valid driver's license, valid inspection/registration of the authorized vehicle, and current proper motor vehicle insurance.
- G. Members shall ensure that MPD driving authorization records contain current information at all times. The failure to report timely information may result in disciplinary action.
- H. Commanding Officials shall authorize members to use their privately owned vehicles only for job tasks or activities that are within the scope of the members' assigned duties and responsibilities.
- I. 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.
- J. Commanding Officials shall authorize members to use their privately owned vehicles on an annual basis and, when necessary, a per-trip basis. In both cases, the authorization shall be in advance and in writing.

- K. Members who use privately owned vehicles while conducting official MPD business shall have their driver's license and proof of vehicle registration and insurance in their personal possession at all times while operating the authorized vehicle.
- L. Members who operate privately owned vehicles while conducting official MPD business shall comply with applicable District Government and MPD orders and directives and 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).
- M. Members shall not transport non-District Government employees while operating privately owned vehicles for official MPD business unless transporting non-District government employees:
1. Is one (1) of the member's job responsibilities;
 2. Is specifically authorized in advance in writing by the member's Commanding Official; and
 3. The member possesses motor vehicle insurance coverage for these individual(s).
- N. 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 a privately owned vehicle for official MPD business in accordance with this order and other applicable directives.
- O. Crashes involving privately owned vehicles shall be handled in accordance with GO-SPT-401.03 (Traffic Crash Reports) and GO-SPT-401.02 [Crash Review Board (CRB)].
- P. Members authorized to operate their privately owned vehicles for official MPD business are covered by the District of Columbia Employee Non-Liability Act, approved July 14, 1960 (74 Stat. 519; D.C. Official Code § 2-411 *et seq.*), which generally provides that a District employee is not personally liable for property damage or personal injury to a third party resulting from a motor vehicle accident occurring while the employee is acting within the scope of his/her employment.
- Q. The District Government's liability for property damage to the member's personal vehicle 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). If a member makes a claim under this Act and the loss did not result from the employee's negligent or wrongful conduct, the D.C.

Office of Risk Management may, in its discretion and in accordance with the Act and any applicable rules, settle such a claim for an amount that does not exceed \$10,000.

- R. If a member is injured while carrying out official MPD business, the member shall be 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.*).
- S. Reimbursement for the use of a privately owned vehicle for official MPD business shall be limited to reimbursement for mileage at the applicable rate.

V. PROCEDURAL GUIDELINES

- A. By October 15 of each fiscal year, each Commanding Official shall prepare and submit to the Bureau Head a memorandum listing the names of members approved to use their privately owned vehicle for official MPD business.
 - 1. The memorandum shall list the name and CAD number of the member; unit to which the member is assigned; member's driver's license number and expiration date; motor vehicle insurance policy number, period of insurance, and name/title of the insurer for the authorized vehicle; state and date of expiration of the current motor vehicle registration; and make, model, and tag number of the authorized vehicle.
 - 2. A copy of each approved member's driver's license; proof of motor vehicle insurance (e.g., declaration page); proof of motor vehicle registration; and a signed copy of the PD Form 102-A (Vehicle Operator's Acknowledgement Form) shall be attached.
 - 3. Documents and information concerning newly assigned members shall be forwarded to the Bureau Head as appropriate.
- B. Commanding Officials, within one (1) business day, shall report to the Bureau Head:
 - 1. Any notification of any change in approved vehicle (e.g., newly purchased replacement vehicle) or information reported in the October 15 memorandum; and
 - 2. Any suspension/revocation of a member's authorization to operate a privately owned vehicle (e.g., due to expiration of motor vehicle registration).

- C. When operating, or having custody of, a privately owned vehicle in conducting official MPD business, members shall:
1. Document each use of the 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 crash, incident, Notice of Infraction, traffic citation (including District Notice of Infraction) or summons incurred during the use;
 2. Notify their Commanding Official through the chain-of-command:
 - a. Immediately, but no later than the next tour of duty, of any change in driver's license status, including suspension and revocation, and/or of any cancellation of the motor vehicle registration or insurance;
 - b. Prior to use, of any requested change in the specific vehicle authorized for MPD business (e.g., newly purchased replacement vehicle); and
 - c. Within three (3) business days, of any change in the status of motor vehicle insurance coverage, registration, or other requirement, not included in Part C.2.a above;
 3. Request mileage reimbursement on a monthly basis by:
 - a. Documenting, in full mile increments, the mileage accrued on a *Travel Expense Report* (Attachment B);
 - b. Applying the U.S. General Services Administration's (GSA) Privately Owned Vehicle Mileage Reimbursement Rates found at www.GSA.gov/mileage for calculating the requested reimbursement;
 - c. Signing the *Travel Expense Report*;
 - d. Submitting the *Travel Expense Report* to their supervisor for approval; and
 - e. Submitting the approved *Travel Expense Report* to the Public Safety and Justice Cluster, Accounts Payable Unit, within fifteen (15) days of the last day of the month in which the use was concluded; and
 4. 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, incident, or receipt of any traffic citation (including

District Notice of Infraction) or summons (other than an District Government NOI);

- 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. Notices of Infraction shall be executed and processed in compliance with General Order 303.2 (Notices of Infraction Procedures).
- D. Upon notification of a driver's license suspension or revocation, motor vehicle registration expiration, or motor vehicle insurance cancellation, the Commanding Official shall advise the involved member, in writing, with a copy to the Bureau Head, of the suspension of his/her authorization to use his/her privately owned vehicle for official MPD business until the situation is remedied.

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

- E. Commanding Officials shall immediately notify the Bureau Head of any incident, citation (including District Notice of Infraction) or summons, involving a member using a privately owned vehicle for official MPD business.
- F. In the case of a crash involving a privately owned vehicle being used for official MPD business, the:
 1. Bureau Head shall ensure the Director, MPD Office of Risk Management is notified immediately;
 2. 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; and
 3. Commanding Official shall ensure that an administrative investigation is initiated and conducted in compliance with MPD directives.

VI. ROLES AND RESPONSIBILITIES

- A. Supervisors are responsible for:

1. Reviewing and approving (signing) *Travel Expense Reports*; and
 2. Ensuring that the notifications required by this order are timely.
- B. Commanding Officials are responsible for:
1. Authorizing members of their command to use a privately owned vehicle for official MPD business in accordance with this order;
 2. Reporting to the Bureau Head current information for members authorized to use a privately owned vehicle for official MPD business;
 3. Ensuring that the validity of the driver's license of each authorized member is verified at least quarterly;
 4. Notifying, in writing, the member and Bureau Head whenever a member's authorization is revoked;
 5. Ensuring that the PD Forms 775, *Travel Expense Reports*, and other related reports and forms, are maintained in the element in compliance with MPD recordkeeping requirements;
 6. Ensuring PD Forms 11 (Request for Cancellation of NOI) are processed in accordance with General Order 303.2 (Notices of Infraction Procedures);
 7. Notifying the Bureau Head of any crash, incident, citation, or summons involving a privately owned vehicle on official MOPD business; and
 8. Ensuring that crashes are reported and investigated in compliance with MPD directives and the decisions of the Crash Review Board are implemented.
- C. Bureau Heads are responsible for:
1. Maintaining copies of the authorization memoranda and supporting documentation submitted by Commanding Officials;
 2. Notifying the Director, MPD Office of Risk Management, of crashes involving privately owned vehicles on official MPD business; and
 3. Ensuring related element records are made available for inspection by the MPD Office of Risk Management.
- D. The Director, MPD Office of Risk Management, is responsible for:

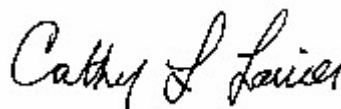
1. Notifying the District Government Office of Risk Management as required by this order;
2. Maintaining copies of the PD Forms 10 (Traffic Accident Reports) submitted to the District Office of Risk Management; and
3. Conducting periodic audits of compliance with the procedures established by this order.

VII. CROSS REFERENCES


- A. General Order 303.2 (Notices of Infraction Procedures)
- B. GO-SPT-401.02 [Crash Review Board (CRB)]
- C. GO-SPT-401.03 (Traffic Crash Reports)
- D. SO-04-11 (Distracted Driving Safety Act of 2004)
- E. 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.*)
- F. District of Columbia Employee Non-Liability Act, approved July 14, 1960 (74 Stat. 519; D.C. Official Code § 2-411 *et seq.*)
- 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.*)
- H. Military Personnel and Civilian Employees Claim Act of 1964 (Act), approved August 31, 1964 (78 Stat. 767; 31 U.S.C. § 3721)

VIII. ATTACHMENTS

- A. Attachment A: PD Form 102-A (*Vehicle Operator's Acknowledgement Form*)
- B. Attachment B: Public Safety & Justice Cluster, Accounts Payable Unit, *Travel Expense Report*



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: _____

**PUBLIC SAFETY & JUSTICE CLUSTER
 ACCOUNTS PAYABLE UNIT
 300 INDIANA AVE., NW, ROOM 4106
 WASHINGTON, D.C. 20001
 TRAVEL EXPENSE REPORT**

PLEASE ADHERE TO THE FOLLOWING REQUIREMENTS: (1) Complete within (15) Fifteen days of return and attach all receipts, (2) Complete signature block (s) and date document prior to submission to the Accounts Payable Division. (Revised 05/09)

NAME OF TRAVELER: _____

HOME ADDRESS: _____

CITY: _____ **STATE:** _____ **Zip Code:** _____

SSN#(_ _ - _ - _) : **TELEPHONE #:** _____

TRAVEL DESTINATION: _____

TRAVEL DATES: _____

<input type="checkbox"/> APPROPRIATED FUNDS OR <input type="checkbox"/> GRANT FUNDS : CASH ADVANCE: <u> </u> YES / NO <u> </u> <small>Circle (Yes) or (No)</small>
--

DEPARTURE DATE: _____ **RETURN DATE:** _____

DATES:	_____	_____	_____	_____	_____
HOTEL:	_____	_____	_____	_____	_____
MEALS:	_____	_____	_____	_____	_____
FUEL CHARGES:	_____	_____	_____	_____	_____
AIRFARE:	_____	_____	_____	_____	_____
TAXI FARE:	_____	_____	_____	_____	_____
CONF. REG FEE:	_____	_____	_____	_____	_____
MISC:	_____	_____	_____	_____	_____
TOTALS	_____	_____	_____	_____	_____

TRAVELER'S SIGNATURE SUPERVISOR'S SIGNATURE DATE