

VEHICLE POLICY FOR THE EKURHULENI METROPOLITAN POLICE DEPARTMENT

Item A-CS (02-2010) CM 25 /02/2010	VEHICLE POLICY FOR THE EKURHULENI METROPOLITAN POLICE DEPARTMENT
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The following amendment was tabled in terms of section 11(6)(b) of the Council's Standing Orders:

*Amend the policy attached as **Annexure "A"** to the report as follows:*

- (i) *Clause 6.17 – Amend the reference to “**eighteen (12) months**” where it appears to read “**eighteen (18) months**”.*
- (ii) *Amend Clause 7.4 to read as follows:*

“7.4 In the event of an electronic or mechanical failure on any official vehicle, the responsible driver shall report such defect.”
- (iii) *Delete Clause 8 and re-number Clauses 9, 10, 11 & 12 accordingly.*

RESOLVED:

1. **That** the contents of the report regarding the Vehicle Policy for the Ekurhuleni Metropolitan Police Department (EMPD) **BE NOTED**.
2. That the Vehicle Policy for Ekurhuleni Metropolitan Police Department attached to the report as **Annexure "A"** **BE APPROVED**, subject thereto that the mentioned policy **BE AMENDED** as follows:
 - (i) Clause 6.17 – Amend the reference to “**eighteen (12) months**” where it appears to read “**eighteen (18) months**”.
 - (ii) Amend Clause 7.4 to read as follows:

“7.4 In the event of an electronic or mechanical failure on any official vehicle, the responsible driver shall report such defect.”
 - (iii) Delete Clause 8 and re-number Clauses 9, 10, 11 & 12 accordingly.
3. **That** the Vehicle Policy for the Ekurhuleni Metropolitan Police Department (EMPD) **BE IMPLEMENTED** one month after approval of the policy.
4. **That** the Vehicle Policy for the Ekurhuleni Metropolitan Police Department (EMPD) **BE WORKSHOPPED** with all Councillors.

1. DEPARTMENTAL DRIVERS AUTHORISATION

- 1.1 The supervisor must indicate to the relevant Director on a nomination list against which vehicle the officer must be assessed by the Academy.
- 1.2 The Director must, after approval of the list, submit the nomination list to the Academy and the Academy must arrange for suitable dates.
- 1.3 The assessment must contain the following, but will not be limited to:
 - Compliance to road rules
 - Adherence to speed limits
 - Observation
 - Stopping and following distance
 - Re-action to road users
 - Use of indicators
 - Parking
- 1.4 Upon completion of the assessment, the academy must forward a copy of the assessment to:
 - The relevant Director
 - The direct Supervisor
 - Human Resource Department, to place on personal file
 - Logistics section for record and vehicle control purposes
 - The Integrity and Standards Unit
- 1.5 Officers who comply with the assessment criteria will be issued with a departmental authorization and will be endorsed to drive that category council vehicle.
- 1.6 During the above mentioned process, any officer who, due to the nature and condition of his duty, is required to be in possession of a PrDP will be assisted and guided through the prescribed process.

Note: All drivers of vehicles must be in possession of valid licenses for the category of vehicle to be driven as prescribed in legislation.

2. PROCUREMENT & CONTROL OF OFFICIAL VEHICLES

It must be made clear that vehicles will be allocated and utilized as operational needs dictate. Vehicles will hence forth be allocated to precincts/divisions, and no longer to individuals. No individual should have a legitimate expectation as to the issuing of any vehicle.

- 2.1 Directors are responsible for informing the DCOP: LoMunTra of needs and requirements of the Divisions or Regions under their control, both in term of short term (immediate) and long term (budgetary) needs.
- 2.2 The DCOP: LoMunTra considers the needs and budget constraints and within these parameters, order vehicles best suited to the needs of the Department. The arrangements for assessment and training dates must not have a negative impact on specific operational service delivery of strategic plans.
- 2.3 Vehicles are allocated to the various sections as decided by the Chief of Police: Metropolitan Police Department (Chief of Police) the Deputy Chief of Police or their delegates.
- 2.4 The Directors of the different section take full responsibility for the effective utilization of the fleet entrusted to them.
- 2.5 The DCOP: LoMunTra will maintain a register of allocation of vehicles. Responsible Directors must sign the register on receipt of the vehicles. Any re-allocation must be approved in writing by the Chief of Police, one of the Deputy Chiefs of Police or delegates and a copy must be submitted to the DCOP: LoMunTra.
- 2.6 The Director may allocate the vehicles to a driver, subject to the following provisions:
 - 2.6.1 The driver of the official vehicle must be in possession of a valid and applicable drivers' license as well as departmental drivers' authorization permit.
 - 2.6.2 The DCOP: LoMunTra, Human Resources and Director of where the vehicle will be utilized must keep a record of all personnel issued with departmental drivers' authorization permit. The Director or his delegate must keep record of the driver(s) of each vehicle.
 - 2.6.3 The authorization permit for driving official vehicles may be revoked by the Chief of Police, Deputy Chief's of Police, any of the Directors, or their nominees for noncompliance with any stipulations of his policy.

3. UTILIZATION OF OFFICIAL VEHICLES

- 3.1 Official vehicles may only be used for official Metropolitan Police duties.
- 3.2 Vehicle keys must be removed from the vehicle whenever the vehicle is left without supervision.
- 3.3 The driver of an official vehicle must ensure that all items and equipment in or the vehicle is securely locked.
- 3.4 Passengers, who are non employees of the Ekurhuleni Metropolitan Police Department, are only allowed in an official vehicle in the execution of official Metropolitan Police duties or with the explicit permission of the Chief of Police or one of the Deputy Chiefs of Police.
- 3.5 Only vehicles authorised in writing by the Chief of Police or one of the Deputy Chiefs on recommendation from the relevant Director may be utilized to and from work. Officials must at all times adhere to this policy. An authorized vehicle includes **all** vehicles.
- 3.6 Official vehicles used to commute to and from work must be parked in safe, lock up facility as defined in vehicle storage guidelines of which authorization should be arranged by the relevant Director.
- 3.7 Only official equipment may be fixed to or transported in official vehicles. Items such as private groceries, private building material and private motor vehicle spares are a few examples of items not considered "official equipment". Common sense rule will apply to distinguish between private items and confiscated evidence items.
- 3.8 An official vehicle may not be damaged intentionally or negligently for any reason. Any damage must be reported as soon as possible but not later than the end of shift.
- 3.9 Damage observed on a vehicle but that was not reported, will be charged to the driver of the vehicle, as per log sheets, immediately prior or during the observation of the damage.
- 3.10 Official vehicles must be driven in a responsible manner and drivers must drive defensively and with due regard to other road users.

- 3.11 Official vehicles may only be driven when officially on duty. Officers must request the Control Centre to place him/her on duty before driving a vehicle in cases such as standby etc.
- 3.12 Unauthorized or abusive use of any official vehicles under any circumstances will result in disciplinary action.
- 3.13 Officers found guilty of an offence regarding damaging any official vehicles may be held responsible for the payment of damages to the official vehicle.
- 3.14 The driver of an official vehicle is responsible for ensuring that he or she displays a professional attitude to the public and comply with all traffic rules, which amongst others shall include the wearing of safety belt.
- 3.15 Radio/music volumes must be kept to a reasonable limit as not interfere with the official communication radio.
- 3.16 Copy of the inventory of each vehicle must be kept in the vehicle. Unless such items are removed for cleaning or repair purposes, removal of any equipment for the vehicle, including seat covers, mats, etc. is regarded as a transgression of this policy,
- 3.17 Official vehicles not in use, must be parked at the official parking of the unit it is allocated to and not be parked at any other facility of the City of Ekurhuleni.
- 3.18 Officers must be dressed in official uniform or approved functional dress-code when driving an official vehicle unless otherwise approved by CoP.
- 3.19 The shift supervisor must inspect the vehicles and confirm the inventory list of each vehicle before and after each shift. He/she must note that the vehicle is in good order in the OB.
- 3.20 **All** EMPD vehicles will be marked. All unmarked vehicles will only be authorized on application and approval of the CoP.

4. CUSTODY OF OFFICIAL VEHICLES

- 4.1 All vehicles must be issued with a log book and a copy of the inventory.
- 4.2 All vehicles must be issued with a normal key and each driver will be issued where applicable with an electronic key.

- 4.3 All vehicles must be inspected during the parade before and after each shift by the officer in charge of the shift. He must ensure the following:
- That the logbook is completed and up to date.
 - That the first parade form is completed.
 - That the vehicle is in good working order(licensed and roadworthy)
 - That the vehicle is not damaged and that the patrol tank is full.
 - That the vehicle does not exceed the prescribed usage (reference to fleet owned vehicles).
 - That excessive fuel is not consumed.
 - That the vehicle is kept tidy and in a clean condition.
 - That the vehicle has all the items as listed on the inventory list.
- 4.4 The Shift Supervisor must at the end of each shift ensure that the logbook is updated and that the vehicle is in a good, clean order.
- 4.5 The Unit Commander will inspect the vehicles for damage and the completeness of the log sheets for irregularities on a weekly basis.
- 4.6 The Unit Commander in charge must safeguard the driver register / OB and the responsible officer must supply copies of the register of all the vehicles under his/her control including the log sheets and the first parade forms on a monthly basis to the Head: Fleet Management.
- 4.7 The Supervisor must obtain a written report and the first parade form before change of shift from the responsible driver or co-driver in all cases where the vehicle is damaged or equipment is lost or damaged or any non compliance with this policy.
- 4.8 Members are not allowed to drive official vehicles that are not allocated to them. An entry into the OB Book of the Region/Section will not suffice.
- 4.10 The driver of an official vehicle must inspect the vehicle on a daily basis for defects. The inspection must follow the K53 principle. Focus must be directed towards the following:
- Steering Wheel
 - Windscreen and other windows for damage
 - Wipers
 - Tires (condition and pressure)
 - Lights
 - Engine (water, oil, break fluid)

- Loose items inside and on the floor
- Brakes
- Seatbelts
- Official equipment

5. REFUELLING AND FUEL CONSUMPTION

- 5.1 The driver of an official vehicle must request the attendant to fill the tank completely with correct fuel. Care must be taken not to over fill the tank.
- 5.2 When refuelling, the driver of an official vehicle is responsible for ensuring that all the details are entered into the petrol book and that the attendant signs the log sheet.
- 5.3 Removing fuel from an official vehicle is prohibited and is deemed an act of theft.
- 5.4 Vehicles must be driven as economically as possible.
- 5.5 Official vehicles must be refuelled before the end of each shift.
- 5.6 Vehicles which are not part of the official fleet of Council, or without a fleet number may not be fuelled at the official pumps. Such fuelling shall be deemed an act of theft.

6. ACCIDENTS AND INCIDENT INVOLVING OFFICIAL VEHICLES

In the case of an accident the responsible driver, co-driver or officer in charge must comply with the following:

- 6.1 Report the accident/incident to the Control Room.
- 6.2 Immediately:
- Request emergency services, if required.
 - Contact Supervisor, Integrity and Standards and Accident Investigation Unit.

NOTE: The officer involved can requested the Control Room to notify the above mentioned.

- 6.3 The official vehicle may not be moved unless authorized to do so by a member of the Accident Unit at the scene, or if the vehicle is causing such an obstruction that it necessitates such move, such vehicle **must** be clearly be marked.
- 6.4 The accident/incident scene must be secured by the Metro Police Officer (operational) from unauthorized and / or unnecessary intrusion (including officials)
NOTE: If the scene is not protected, physical evidence may be contaminated, destroyed, lost, or moved. Consider major preservation factors — avoid unnecessary walking over, touching, or moving items or introducing foreign items (such as cigarette butts).
- 6.5 The Accident Investigator will take command of the accident scene investigation.
- 6.6 Involved parties may not leave the scene (unless in case of an emergency or injury) until the accident investigators gives permission.
- 6.7 The accident —investigating officer must complete the AR form and hand it in at the Accident Bureau. Warning statement must be completed within 24 hours at the Accident Investigation Unit. The onus is on the driver to submit his statement.
- 6.8 The damage /loss report must be completed and handed to his/her supervisor and Logistical Section before the driver and supervisor complete their shift and leave their workstations.
- 6.9 LoMunTra will be responsible for arrangement for repairing the vehicle.
- 6.10 If the damage on a vehicle is so severe that it cannot be driven, arrangements must be made by the accident investigator at the scene to have the vehicle removed to safe place. All personal items must be removed from the vehicle.
- 6.11 Where a civilian is killed or seriously injured, the relevant operational commander and the Commander: Legal Support must be notified by the Accident Investigator. The Commander: Legal Support must, after visiting the scene, inform the ICD within 24 hours in terms of prescribed procedure.
- 6.12 It is contravention to the Vehicle Policy not to report any damage to vehicles.
- 6.13 If damages to the vehicle are observed, and the vehicle is immobile, it may only be driven / towed to the fleet Section of EMPD.
- 6.14 After an accident the Accident Investigation unit will submit an investigation report to the Commander: Logistics as well as the responsible Director/Commander within 24 hours of the first working day.

- 6.15 After receiving a complaint of gross negligence of a driver, the Accident Investigation Unit and Logistical Section will submit a joint report to THE RELEVANT Director for appropriate action.
- 6.16 In cases with serious injuries or serious damages, or serious injuries and damages a SAPS Docket for reckless and/or negligent driving will be opened by the Accident Investigation Unit at the relevant SAPS Station.
- 6.17 Establishment and Management of a Driver Permit Committee:
- A DRIVER PERMIT COMMITTEE must be established to function out of the EMPD Training Academy.
 - The DRIVER ASSESSMENT function is the responsibility of the EMPD Training Academy.
 - All Council employees allocated Council vehicles must be assessed before they are issued a council vehicle.
 - Upon the successful completion of the assessment, they will be issued with a PERMIT with a validation period of eighteen (18) months.
 - The permit must be renewed every eighteen (18) months with a full assessment; and/or,
 - After every accident if the Driver Permit Committee's findings recommend a suspension of the permit.
 - The permit must be for classes of vehicles according to the driver's licence and/or according to the specialised function, i.e. motor vehicle class for normal patrol vehicles, and motor vehicle class and Freeway for high speed patrol vehicles.
 - All officers must be assessed during their MPO Basic Training, but this does not entitle them to be issued with a council vehicle.
 - A DRIVER PERMIT COMMITTEE must make a recommendation to the CoP as to whether the driver should be re-evaluated or not, and or, whether the matter warrants further investigation as to any misconduct on the part of the driver.
- 6.18 The **process** that will be adopted will include the following:
- All **council accidents** must be dealt with in terms of Council policies. *(Reference must be made to and consideration must be given to parallel policies, example: The EMPD SOP on vehicles; the Accident bureau must develop or have a policy on how to attend to an accident scene and the procedures; The Loss Control Section and Integrity and Standards must have or develop policies on how investigators and the respective staff*

must conduct themselves; and the Driver Permit Committee must also develop policies and/or SOPs on how they are going to operate).

- The **Supervisor** must attend the accident scene and must confiscate the driver's Driver Permit.
- The Supervisor must hand the Driver Permit to the **investigating officer** within **twenty four (24) hours** of the accident and/or incident - no employee may drive any council vehicle without a valid Driver Permit.
- All council accidents must also be reported to the **EMPD Accident Bureau**, which must attend the accident, take measurements, draw a sketch plan, take the necessary photos, compile a report and submit this report to the investigating officer within **forty eight (48) hours** of the accident.
- All EMPD vehicles involved in accidents must be reported to and investigated by the **Integrity and Standards Unit**.
- All other Council departments' accidents must be reported and investigated by the **Loss Control Section** of the EMPD Security Unit.
- Investigators must complete their investigation within five (5) days:
 - The twenty four (24) hours docket inspection and a copy of the dockets must be presented to the Driver Permit Committee every Thursday at 09h00 for all accidents that occurred during the previous week.
- All the drivers who were involved in accidents, their respective supervisors, the Accident Investigator and the Investigating Officer must attend the Permit hearings in order for conclusive decisions to be reached.
- There must be formal **delegation** from Chief of Police to the Driver Permit Committee to make binding recommendations, implying that the recommendations do not have to go to the Chief of Police for his/her approval.
 - The committee's decisions can be submitted to the Chief of Police and the Portfolio Committee on a monthly basis.
 - The Chief of Police can have an appeal status.
 - Should any employee feel aggrieved by the Driver Permit Committee's recommendations, they utilise the Council's Grievance procedures.
- The recommendation(s) from the Driver Permit Committee must be submitted to the **Director Labour Relations** for noting and to ensure that the necessary disciplinary steps are taken in incidents wherein the Driver Permit Committee felt that the officer/employee was negligent or at fault.
- The assessment must be on both theory and practical (K53 learners test for theory and the K53 [plus extras] for the practical). *(Extras would be things like use of TeTra radio, eating a hamburger, speaking on cell phone, etc while driving).*

7. REPAIR AND MAINTENANCE OF OFFICIAL VEHICLES

Any repairs or maintenance of official vehicles shall be reported to the Supervisor and Logistical Section within 24 hours.

- 7.1 The driver of a motor vehicle must ensure that the supervisor is informed 1000km before the service is due. The Supervisor will arrange with fleet to have motor vehicle timeously serviced. The responsibility of ensuring that the motor vehicle is serviced remains with the driver.
- 7.2 On receiving a defective vehicle report the Logistical Section together with the responsible driver, co-driver or officer in charge, will inspect the vehicle and fill out the defective register and key register. The responsible driver, co-driver or officer in charge, will hand over the keys and defective report.
- 7.3 Operational personnel may under no circumstances approach any agencies or companies other than the Logistical Section to repair, maintain or tow any official vehicles.
- 7.4 In the event of an electronic or mechanical failure on any official vehicle, the responsible driver shall report such defect.
 - 7.4.1 The defective register must be completed and copies handed to the responsible manager and Logistical Section when the vehicle is booked in for repair.
 - 7.4.2 Arrangements must be made with the Logistical Section for repairing the vehicle. This aspect is normally facilitated by the Fleet Manager or Transport Officer to whom that responsibility has been delegated.

8. TRANSGRESSION

Any transgression of this policy will be seen in a serious light, as vehicles, equipment and machinery forms an indispensable part of our success. The attached policy is compulsory and no person to whom this content is relevant may deviate from it. People who transgress this policy will be charged and on conviction may lose the privilege to drive any council vehicle.

Members failing to adhere to the Standard Operating Procedure shall be charged with misconduct in terms of the Conditions of Service.

9. FASTENING OF SEATBELTS

When an EMPD officer is the driver or a passenger, in a vehicle he / she shall fasten his / her seatbelt, and ensure that anyone else in the vehicle also complies. No officer is exempt according to the Road Traffic Act.

Members failing to adhere to the policy shall be charged with misconduct in terms of the conditions of service.

10. INSURANCE AND RISK MANAGEMENT

- All accidents where there is damage, potential damage or injuries to EMM staff or third parties must be reported to the Insurance and Risk management Section as soon as possible after the accident, on the prescribed motor accident claim form, but in any instance within thirty days after the accident whether there is own damage (EMM vehicle) or not. This is required to ensure that EMM's insurers are at all times aware of potential liability claims from third parties. In many instances accidents are not reported in time or not reported at all which leads to none settlement of claims or inability to defend liability claims.
- No vehicle involved in an accident should be towed by a vehicle recovery company not authorised by EMPD. It should be noted that EMM's insurers will only pay reasonable costs towards towing of vehicles.
- Vehicles should under no circumstances be towed directly to panel beaters but should rather be towed to the nearest EMM workshop or EMPD yard. Panel beaters charge exorbitant storage fees if they are not appointed to do the repairs on a vehicle. No storage fees of any kind are paid by insurers and where storage fees do accumulate it will be for the account of the relevant department.
- Drivers who are involved in accidents more than once over a period of between 3 —6 months should undergo driver training and should be re-tested before being allowed to operate a council vehicle again. EMM's insurers will not pay claims if the insured (EMM), is aware of a risk and fails to take reasonable steps to address such a risk.
- All drivers should be instructed not to admit liability under any circumstances when involved in an accident with a third party.

The following should be noted with regards to insurance on EMM vehicles:

- EMM's insurers will not repair, replace or settle claims if the vehicle is driven without permission, if the vehicle is not roadworthy, is driven by a driver not properly licensed to do so or is used for purposed other than its intended for.
- It remains the responsibility of EMPD to ensure that vehicles written off should be removed from Councils assets register through the appropriate procedures.

11. AUDIT OF VEHICLES

- 11.1 On 31 May and 30 November verification on all the EMPD vehicles must be done to enable the Head of the Department to submit the accountability report. From the verification an electronic list which reflects the registration number as well as the make and model of each EMPD vehicle with a self explanatory detail list on all inventory items added to a vehicle must be submitted to the Director: Financial

Control by not later than 30 June and 31 December respectively (Part 30 Asset Management Policy and Procedures Manual).

- 11.2 Vehicle should be made available during normal office hours within three (3) days for verification, after a request (listing all the registration numbers of the vehicles) was submitted to Executive Director Public Safety. The place and time where the vehicles will be available for verification will be agreed upon by the relevant parties concerned.