



# OLR RESEARCH REPORT

May 17, 2011

2011-R-0219

## OFF-DUTY USE OF STATE POLICE VEHICLES

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You want to know whether the off-duty use of state police vehicles is authorized by law or union contract. You also want to know whose insurance policy covers the relative of a state police officer being transported in the vehicle while the officer is off duty—the officer's private insurance policy or the state's master policy?

### SUMMARY

The policy authorizing state police officers to use their assigned vehicle for off-duty use is included in the state police collective bargaining agreement (NP1), but the practice predates the agreement.

According to the Department of Administrative Services, the state's master liability insurance policy covers all state-owned vehicles being operated by an authorized driver, including those being operated by off-duty state police officers. The policy also covers occupants of the vehicles. It would therefore cover an officer's relative in the case you mention even if the officer was off duty when he or she was driving the vehicle. Coverage would be subject to the master policy's terms and conditions.

## **OFF-DUTY VEHICLE USE POLICY**

The Connecticut State Police assigns a vehicle to each state police officer, who may drive it while on or off duty with no mileage restrictions on in-state use. Each of the 12 state police barracks has a gas pump that the officer may use to fill up the vehicle at any time. He or she must keep at least a quarter tank of gas in the vehicle to be ready to respond immediately to emergencies.

The off-duty vehicle use policy is outlined in the Department of Public Safety (DPS) administrative and operations manual and the State Police union collective bargaining agreement. The 2007-2010 agreement states that:

During the life of this agreement, the employer shall continue to permit the use of assigned vehicles while off-duty subject to those rules, regulations, and orders promulgated by the Commissioner of Public Safety and existing prior to the signature date of the Agreement. . . . The Department will continue to provide the associated costs for vehicle maintenance consistent with past practice (Article 29, "Off-Duty Use of State Vehicles").

The off-duty vehicle use policy was originally included in the 1981-84 collective bargaining agreement. The practice predates the agreement, dating back to at least 1965, according to State Police officials, but they were unable to confirm when it began.

### ***Vehicle Use Restrictions***

In the wake of rising gas prices in April 2008, Governor Rell directed state agencies to identify ways to "eliminate unnecessary travel and inefficient use of state vehicles" and reduce fuel consumption. The DPS commissioner's response included barring off-duty state police officers from filling up their assigned vehicles at state police facilities. The union filed a grievance, contending that the ban restricted off-duty use of assigned vehicles in violation of the union contract. The arbitrator sustained the grievance. According to the arbitrator:

It is not for this arbitrator to address whether or not the State's response to the recent increase of gasoline prices was a good idea or even necessary. Rather, the focus herein must be on the limitations placed on the State's ability do so by the collective bargaining agreement in effect between the parties (State of Connecticut Police Union and State of Connecticut, Office of Labor Relations, Case 05-5047, CSPU No. 13-08).

The arbitrator concluded that the "unilateral implementation of the memorandum of May 7, 2008 [which contained the ban] placed a restriction on a Trooper's use of the cruiser that is not permitted [by the agreement]. . . ."

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