

10. DEPARTMENTAL VEHICLES

(November 2007)

I. POLICY

Authorized employees may operate Departmental vehicles. The Chief of Police delegates authorization for the use of vehicles to Commanders/Directors. All employees operating Departmental vehicles shall possess a valid driver's license, provisional license, or learner's permit issued by the jurisdiction of their permanent residence. The license shall be appropriate for the class of vehicle being operated. Unless prohibited by law, officers operating Departmental vehicles shall be armed with an authorized firearm.

II. CHECKLIST (N/A)

III. DEFINITIONS

Pool Vehicle: A Departmental vehicle not assigned to an individual employee under the provisions of the Personal Car Program

Surveillance Vehicle: A vehicle used for covert activity that is not recognizable as a police vehicle

IV. FORMS

- ❑ Commander's Information Report (PGC Form #1545)
- ❑ Compensation Request Form (PGC Form #2757)
- ❑ Incident Report (PGC Form #3529)
- ❑ Vehicle Inspection Sheet (PGC Form #396)

V. PROCEDURES

Employees shall operate Departmental vehicles responsibly and courteously. All applicable provisions of the Maryland Vehicle Law and Departmental directives shall be obeyed. Any supervisor who sees a vehicle being operated in a manner reflecting unfavorably on the Department or creating an unnecessary hazard may stop the vehicle and take steps to ensure compliance with the traffic law and Departmental directives.

If the operator cannot comply as directed, another employee shall drive the vehicle to a police facility. The supervisor shall complete a Commander's Information Report (CIR) and notify the operator's Commander/Director prior to the end of his or her tour of duty.

1. Equipment

Required

Employees shall ensure that Departmental vehicles contain a sufficient supply of report forms and all necessary equipment needed to perform their duties. Patrol vehicles shall be equipped with the following issued items maintained in working order:

- ❑ Camera and film– *Clothing and Supply Unit*
- ❑ Charged fire extinguisher – *Police Fleet Management*
- ❑ Coverall uniform – *Clothing and Supply Unit*
- ❑ Fingerprint kit – *Clothing and Supply Unit*
- ❑ First-aid kit – *Police Fleet Management*
- ❑ Flares – *District Stations*
- ❑ Flashlight – *Clothing and Supply Unit*
- ❑ Hazardous Materials Guidebook – *Community Policing Institute*

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- ❑ Police Identification Arm Band – *Clothing and Supply Unit*
- ❑ Police radio – *PSC*
- ❑ Raincoat – *Clothing and Supply Unit*
- ❑ Reflective vest – *Clothing and Supply Unit*
- ❑ Resuscitation kit (mouthpiece) – *Clothing and Supply Unit*
- ❑ Riot helmet – *Clothing and Supply Unit*
- ❑ Evidence collection kit – *Clothing and Supply Unit*
- ❑ Traffic accident diagram template – *Clothing and Supply Unit*
- ❑ Complaint Information Brochures – *District Stations*
- ❑ Personal Protective Equipment – *Community Policing Institute*

Employees needing to replenish supplies shall obtain them from the appropriate unit, district, or division. For equipment that is lost, damaged, or stolen, officers will comply with the procedures detailed in **VOLUME I, CHAPTER 22. INTERNAL INVESTIGATIVE PROCEDURES, section 13. Lost, Damaged, or Stolen Equipment.**

Optional

The following items may be kept in Departmental vehicles:

- ❑ Battery booster cables
- ❑ Frequency scanner

Prohibited

When operated on-duty, the following items are prohibited within any Departmental vehicle:

- ❑ Earphones, earpieces, or headsets not issued by the Department
- ❑ Televisions or portable video players

Employees shall not store or transport prohibited items or equipment in Departmental vehicles.

2. Vehicle Use Provisions

Duty Status

Employees may operate Departmental vehicles while in full duty status or while on administrative leave. Employees on light duty or whose police powers have been suspended shall not operate Departmental vehicles. Commanders/Directors shall determine whether or not employees who are not in full-duty status but are not suspended may operate any Departmental vehicles.

Prohibited Uses

- ❑ Carrying of excessive loads or objects that protrude from the vehicle, unless transporting property or evidence
- ❑ Using a drive-through lane at any business that uses them to dispense alcoholic beverages
- ❑ Operation by employees who have consumed alcoholic beverages
- ❑ Political campaigning, fund-raising, or electioneering
- ❑ Use at secondary employment unless the employee has an agreement with the Department to reimburse vehicle use costs; the employee may drive the vehicle to and from secondary employment and use it to transport prisoners
- ❑ Operation by any off-duty Departmental employee outside of Prince George's County unless authorized by the employee's Commander/Director

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On-duty Use Out of County

Employees may remove Departmental vehicles from the County for official business. This includes traveling in areas adjacent to the County border while on-duty, performing follow-up investigations, or attending assigned functions. Notification to PSC shall not be made unless deemed necessary for employee safety purposes. Authorization must be obtained from the appropriate Commander/Director for other on-duty use outside of the County.

If more than one employee is assigned to attend the same out-of-county function, they shall notify their supervisor in advance. The supervisor shall then arrange the use of the minimum number of vehicles for the function.

Off-duty Use

When operating Departmental vehicles off-duty, employees shall monitor the police radio channel serving the area in which they are traveling.

Off-duty employees responding to calls or handling incidents shall notify the dispatcher so that their activities can be coordinated with on-duty units.

Employees may respond to emergencies. If immediate action is necessary, the off-duty employee shall take the appropriate action. For routine incidents, the off-duty employee may request that an on-duty employee respond. The off-duty employee shall await the on-duty employee's arrival if necessary. The sector supervisor shall have the off-duty employee relieved as soon as operations permit.

Off-duty employees shall not take Departmental vehicles out of the County unless authorized by their Commander/Director.

Leave

When an employee will be away from the County for more than 30 days, his or her supervisor shall ensure that the employee's assigned vehicle is stored in a secure location. The appropriate Commander/Director may require the employee to leave the vehicle in a specific location or make it available for use by other employees.

Employees on disability leave or light duty shall not operate Departmental vehicles.

When an employee is on sick leave, disability leave, or light duty for more than seven working days, the Commander/Director may use the employee's issued vehicle for up to 30 calendar days. The vehicle should only be used after all available pool vehicles have been placed in service. If the employee has not returned to full duty at the end of 30 calendar days, the Commander/Director shall have the vehicle delivered to Police Fleet Management.

Retention beyond the periods specified above requires the approval of the affected Bureau Chief with concurrence of the appropriate Assistant Chief.

3. Operation

Use of Emergency Equipment

Employees are permitted to use emergency equipment:

- ❑ To signal police presence
- ❑ To direct movement of persons, animals, or vehicles
- ❑ To provide supplemental lighting
- ❑ To warn persons of danger
- ❑ While operating priority in response to an emergency or in pursuit of a violator/suspected violator

In these circumstances, employees are permitted to activate emergency lights, spotlights, hazard flashers, sirens, the public address system, or a combination of the above in accordance with the provisions established in the General Order Manual and the Maryland Traffic Law.

When handling incident scenes, employees may use hazard flashers alone or emergency lights flashing only to the rear if the safety of the employee or the public would not be jeopardized. This may be done to prevent rubbernecking by motorists or the drawing of a crowd.

Restraint Systems

Employees operating Departmental vehicles shall use the seatbelt/shoulder harness to comply with the vehicle law.

Child safety seats shall not be kept in the passenger compartment of Departmental vehicles being used on-duty unless the employee is transporting a child that requires the use of the seat. Rear-facing child safety seats shall not be placed in the front passenger seat of any Departmental vehicle having a passenger-side air bag.

Parking

During routine operations, employees shall obey all parking regulations.

During emergencies, Departmental vehicles shall not be parked in a manner that unnecessarily interferes with traffic or impedes the response of other emergency vehicles. If a Departmental vehicle is double-parked or parked in a restricted area, the vehicle's hazard flashers shall be activated.

Securing Vehicle & Equipment

Employees shall ensure that Departmental vehicles are locked and their contents secured whenever they are left unattended.

When the vehicle is left unattended for more than two hours, the employee shall lock his or her police radio in the charger, place it in the trunk, or remove it.

Red Light Camera Violations

Certain traffic laws may be disregarded pursuant to the provisions of Section 21-106 of the Maryland Vehicle Law when employees are responding priority to an emergency or in pursuit of a violator/suspected violator.

When Commanders/Directors receive a red light camera citation from the Office of Central Services, they shall forward it to the employee's supervisor for investigation.

If a Commander/Director determines that the violation was a result of a failure to obey a traffic control device, the employee shall have the option of paying the fine or contesting the matter in court. The Commander/Director shall impose

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appropriate disciplinary action. A first offense is treated as a Category 1 violation.

If the Commander/Director determines that the violation occurred during the proper use of police authority, he or she shall forward a memorandum containing facts that support his or her conclusion, along with a copy of the citation, through the chain of command to the Office of the Chief. The Office of the Chief shall notify the issuing jurisdiction that the citation should be voided.

4. Personal Car Program *(Police Fleet Management SOP)*

All officers are eligible to participate in the Personal Car Program. Initial issue of a Departmental vehicle is based on vehicle availability. Subsequent issues for loss of use due to accident or upgrade are likewise based on vehicle availability.

Whenever a participant in the Personal Car Program changes assignment (permanently or TDY) the appropriate Commander/Director shall contact Police Fleet Management to determine if a change of vehicle is appropriate.

The Chief of Police may authorize personal assignment of a Departmental vehicle to any employee. Only the Chief of Police may make exemptions to the provisions of the program. The Commander, NED may issue specific SOPs to govern the use of leased vehicles by his or her subordinates.

Participants shall not make any mechanical or electrical adjustments or add equipment to the vehicle unless authorized by Police Fleet Management. Participants shall sign for receipt of the provisions.

Participants in the Personal Car Program shall keep the interior and exterior of the

vehicle clean. They shall wash their assigned vehicles at personal expense. Participants shall ensure that all equipment is maintained in working order. Participants shall not:

- Hang any item on the rear view mirror or bracket
- Place any object on top of the dashboard while the vehicle is in motion
- Affix any object, clip, or holder to the front of the dashboard
- Hang or mount any radar device, camera, or other device within the area from the windshield to the seat back
- Mount or display toys, symbols, or pennants anywhere in or on the vehicle

These prohibitions are intended to keep the passenger compartment clear in case of air bag deployment. Some vehicles currently in service are exempt from these provisions, such as those equipped with shotgun racks.

Central Vehicle Fleet Maintenance personnel will contact Police Fleet Management when any violation regarding vehicle equipment is observed.

Non-employees may ride with off-duty employees. The County Risk Management Program insures them. Employees are responsible for the proper appearance and conduct of passengers.

Employees assigned to SOD, who are subject to call-out, are authorized to operate their assigned cruisers outside of Prince George's County. This authorization is limited to the following:

- Emergency Services Team (EST)
- Tactical Section (TAC)
- Collision Analysis Response Unit (CARU)
- Conflict Management Team (CMT)

Special Investigative Response Team (SIRT) employees subject to call-out are authorized to operate their assigned vehicles outside of Prince George's County.

Residence Outside of Prince George's County

Officers residing outside of the County may participate in the Personal Car Program. They shall not drive their issued vehicles outside of the County unless authorized to do so by their Commander/Director. The vehicle must be secured at an appropriate location within the County when the officer is not on-duty. Examples include a police or fire station (with the approval of the facility's commander) or at the home of an employee who resides in the County.

Officers who reside outside of Prince George's County are authorized to drive their assigned vehicles for work purposes (including overtime, court appearances, and secondary employment) while in Prince George's County. Officers who reside outside of Prince George's County shall not drive their issued vehicles for non-work purposes while off-duty without their Commander's/Director's approval.

Residence Outside of Prince George's County – Canine Handlers Assigned to SOD

Canine Handlers assigned to the Special Operations Division's Canine Section who reside outside of Prince George's County are authorized to use their assigned vehicles to drive to and from work (including overtime, court appearances, and secondary employment), provided that the canine handler's residence is within thirty aeronautical miles of the geographic center

of Prince George's County (Pennsylvania Avenue at the Beltway).

SOD Canine Handlers that reside outside of Prince George's County are prohibited from using their assigned vehicles outside of the County while off-duty, unless they are participating in a canine-related activity (e.g., veterinary appointments, canine training, canine competitions, etc.).

Exceptions to this directive shall only be granted by the Chief of Police.

Overtime

(Federal Fair Labor Standards Act (FLSA))
(Negotiated Labor Contract)

Participants in the Personal Car Program involved in incidents while off-duty do not receive overtime compensation for the first two hours. They may be compensated for work performed beyond two hours. Before the initial two hours have passed, participants shall contact an on-duty supervisor who shall, if operations permit, have the off-duty participant relieved. If operations require the participant to remain beyond two hours, the on-duty supervisor shall sign the participant's Compensation Request Form.

Officers who are not participants in the Personal Car Program may be compensated for all hours during which they are involved in off-duty incidents.

Officers working extra duty employment, whether participants in the Personal Car Program or not, are not eligible to earn overtime pay for incidents related to that employment.

Removal from the Program

Administrative removal from the Personal Car Program may occur when use of the vehicle could jeopardize the safety of the public or the vehicle. The decision to remove a participant from the program shall be made by a command officer the rank of captain or above.

5. Vehicle Maintenance *(Administrative Procedure 603)*

Employees shall verify proper engine fluid levels at least once a week, and more often for vehicles used for patrol.

Employees shall ensure that their assigned vehicles are scheduled to receive preventive maintenance as required by this section and the Office of Central Services. Preventive maintenance shall occur every three months or 3,000 miles, whichever comes first.

Employees are responsible for ensuring that their assigned vehicles receive maintenance. When a vehicle is left at the Central Vehicle Maintenance Facility for service, the operator shall clear the interior and trunk of all items that would interfere with the service. The police radio, loose equipment, firearms, and personal valuables shall be removed from the vehicle. All scheduled maintenance shall be performed while the employee is off-duty. On-duty repairs require supervisory notification and approval.

Preventive maintenance appointments should be scheduled when employees pick their vehicles up.

Employees shall not make any mechanical or electrical adjustments, or add equipment to the vehicle unless authorized by Police Fleet Management.

Employees shall not change the configuration of the lenses on the emergency light bar. The vehicle operator is responsible for the correct position of the lenses.

Employees with questions concerning the proper configuration should contact Police Fleet Management for guidance.

Violations of any of the provisions of this directive may result in removal from the Personal Car Program.

County Fueling System

Employees shall use their assigned personal identification number to access the County's automated fuel system. The system prompts a series of codes which employees must provide, in addition to the vehicles current mileage. The system tracks fuel used and miles traveled, so it is important that this information provided is accurate. Employees shall not divulge their personal identification number to others.

If an employee causes damage to fueling equipment, he or she shall immediately notify a supervisor.

Car Washes

If car wash machinery damages a Departmental vehicle, sworn employees shall document the circumstances and the extent of the damage on an Incident Report. Civilian employee operators shall request that an officer respond to the scene to complete and Incident Report.

Glass Breakage

Police Fleet Management does not authorize glass repair for Departmental vehicles. Employees shall obtain authorization at the Central Vehicle Maintenance Facility.

Carbon Monoxide Leaks in Vehicles

An employee complaining of illness due to fumes while operating a Departmental vehicle shall stop the vehicle as soon as possible and contact a supervisor. The supervisor shall:

- ❑ Comply with applicable portions of **VOLUME I, CHAPTER 15. EMPLOYEE INJURIES & ILLNESSES**
- ❑ Contact Police Fleet Management to arrange for carbon monoxide testing of the vehicle
- ❑ Deadline the vehicle

Police Fleet Management Responsibilities

Upon notification by a supervisor, Police Fleet Management personnel shall request that the County Health Department Division of Air-Quality Control test the vehicle for carbon monoxide leaks.

The Health Department will provide the results of the test to Police Fleet Management. If the test discloses unacceptable levels of carbon monoxide or noxious gasses, the vehicle shall be removed from service until repairs are completed. Only Police Fleet Management may authorize placing the vehicle back in service.

6. Civilian Operation

Use of Departmental vehicles by civilian employees is subject to the following restrictions:

- ❑ Employees assigned a take home vehicle shall only use it for commuting to and from work, or for official business

- ❑ Operation of marked vehicles is prohibited, except for official use by members of Police Fleet Management, civilian evidence technicians, and PSAs
- ❑ Only civilian evidence technicians may operate priority response
- ❑ Vehicles shall not be taken out of the County without prior approval from the employee's Commander/Director
- ❑ Employees operating vehicles with police radios shall familiarize themselves with proper radio procedures, and may use the police radio to report emergencies
- ❑ The employee shall comply with all applicable provisions regarding Departmental vehicle operation

7. Pool Vehicles

Pool vehicles are assigned to Districts/Divisions and are intended for use by:

- ❑ Participants in the Personal Car Program whose issued vehicles are not available or are inappropriate for use in a TDY assignment
- ❑ Employees who are not participants in the Personal Car Program

Commander's/Director's Duties

Commanders/Directors shall ensure that:

- ❑ Monthly inspections are performed on pool vehicles under their control
- ❑ Vehicles are washed as needed
- ❑ Preventative maintenance is done

Pool Vehicle Use

Prior to a tour of duty, employees operating pool vehicles shall:

- ❑ Check engine fluid levels

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- ❑ Inspect the exterior for body damage and tire condition
- ❑ Inspect the interior for recovered property, items of evidence, or personal property left by others
- ❑ Notify his or her supervisor of unreported damage

A Vehicle Inspection Sheet shall be used to document the inspection.

Identifiable personal property shall be returned to its owner. Unidentifiable personal property shall be submitted to the Staff NCO.

Recovered property or evidence shall be handled in accordance with the provisions contained in **VOLUME II, CHAPTER 41. PROPERTY & EVIDENCE.**

When returning the vehicle after a tour of duty, the employee shall:

- ❑ Ensure the vehicle is fueled
- ❑ Inspect the interior for items left by others
- ❑ Remove their issued and personal items
- ❑ Secure the vehicle

8. Special Use Vehicles

Directives governing special vehicles, such as those used by SOD, are maintained by the component responsible for the vehicles use and maintenance.

Surveillance Vehicles

Surveillance vehicles may be used during any police operation involving covert activity that may contribute to operational success.

The vehicles shall not be used for traffic stops, nor should criminal arrests be made via traffic stops with these vehicles.

Officers operating surveillance vehicles shall ensure that:

- ❑ Police uniforms or equipment in the vehicle are hidden from view
- ❑ Vehicles are not parked in reserved police parking spaces or other spaces used exclusively for Departmental vehicles

Departmental Vans

With supervisory approval, vans with police markings and Department insignia may be used for:

- ❑ Patrol
- ❑ Transporting prisoners or equipment unsuitable for transport in a car

Officers approved to operate Departmental vans shall inspect the vehicle to ensure that the interior and exterior are in a suitable condition for use. The officer shall:

- ❑ Check engine fluid levels
- ❑ Inspect the exterior for body damage and tire condition
- ❑ Inspect the van's detainee compartment for recovered property, items of evidence, or personal property left by others
- ❑ Ensure the lights and radio are operational
- ❑ Ensure the van's first-aid kit and fire extinguisher are immediately available
- ❑ Notify his or her supervisor of unreported damage

A Vehicle Inspection Sheet shall be used to document the inspection. Any deficiency

identified shall be reported to the Staff NCO.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- ❑ Commission on Accreditation for Law Enforcement Agencies, Standards 22.1.1, 22.2.1, 26.1.1, 41.3.2, 41.3.3

Governing Legislation:

- ❑ County Administrative Procedure #603
- ❑ County Administrative Procedure #610
- ❑ Fair Labor Standards Act (FLSA)

Reference:

- ❑ Bureau of Support Services, Police Fleet Management Section SOP
- ❑ Negotiated Labor Agreement Between FOP 89 and Prince George's County, Maryland