

# Operation and Care of Agency Vehicles

**Index Code: 1402**

**Effective Date: 11/30/04 (Revised 8/12/19)**

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## **I. Purpose**

The purpose of this directive is to provide guidelines for the operation, care, and servicing of vehicles owned, leased, or utilized by the Office of the Sheriff. A vehicle is defined as any machine used to transport people on land, water or in the air.

## **II. Policy**

It is the policy of the Office of the Sheriff to maintain and operate vehicles owned, leased, or utilized by the Office in a safe and efficient manner, and in conformance with applicable Maryland State and Federal laws. In addition, only personnel assigned to the Office, or maintenance personnel authorized to conduct vehicular repairs, are allowed to operate or service agency vehicles.

## **III. Operation of Agency Vehicles Operator Responsibilities**

The following procedures apply to all operators of agency vehicles during emergency and non-emergency response operating conditions. For the operation of vehicles during a vehicular pursuit, refer to Index Code 1607. Supervisors may amend these procedures on a case-by-case basis if exigent circumstances exist, and they accept the responsibility and liability that may arise from any outcome.

1. Operators of motor vehicles must have in their possession a valid operator's license issued by the governing agency.
2. Operators are required to operate agency vehicles in a safe, legal, and courteous manner at all times. When not engaged in an emergency response, operators of agency vehicles will observe all applicable laws.
3. When responding to calls for service that require the use of emergency equipment, generally a Delta Code 1 Response, operators of agency vehicles will utilize all available emergency equipment. In addition, operators will drive in a manner that is reasonable and prudent based on existing conditions, including but not limited to road and traffic conditions, maximum speed limits, weather, presence of pedestrians, performance capabilities of their vehicle, and the nature of the complaint based on known factors.
4. No one will drive, use, or park agency vehicles, on or off duty, so as to reflect unfavorably on the Office of the Sheriff.
5. Only authorized persons are allowed to ride in or on agency vehicles, unless in the performance of duty or otherwise directed by a supervisor. Authorized persons generally include those employed by the Office of the Sheriff, the Queen Anne's County Government, members of the deputy's immediate family, and persons authorized under the ride-along program. Operators are responsible for the behavior of all passengers.
6. Agency patrol vehicles are equipped with E-ZPass MD transponders assigned to the

vehicles. Transponders will not be transferred to another vehicle without the authorization of the Fleet Manager. The Fleet Manager will be notified prior to a vehicle and its transponder being used out of state.

7. If a vehicle is equipped with keyless entry/start key fob, vehicle operators are issued a key fob for the operation of that vehicle. The replacement cost for lost key fobs will be charged to the vehicle operator.
8. Agency vehicles may not be used to push or tow any other vehicle, except an approved trailer with properly installed hitch, or in an emergency situation.
9. Operators of radio-equipped vehicles will not transmit within fifty feet of known electronic blasting areas or electronically detonated devices. Explosives that are normally associated with causing serious injury or damage (i.e. dynamite, nitroglycerin, etc.) will not be transported in agency vehicles. Minor types of explosive devices, such as ammunition and fireworks, may be transported in the trunk if considered safe to do so and they are not suspected of detonating inadvertently.
10. All employees are prohibited from operating an agency vehicle while, or within 8 hours after, consuming alcoholic beverages or any medication that may impair the person's ability to operate a vehicle in a safe manner.
11. Due to the potential of causing serious damage to the mobile radio, as well as other electrical equipment, operators of agency vehicles are prohibited from assisting motorists with jump-starting their vehicles (providing "hot shots").
12. Operators of agency vehicles, and all passengers, will use seat belts and other available occupant safety devices while the vehicle is in motion. Supervisors may grant exceptions if exigent circumstances exist where operational efficiency outweighs the safety benefit.
13. To enhance safety while operating agency vehicles operators will not utilize cell phones, for talking, emailing, or text messaging, while driving except in situations where the use of a cell phone is necessary for the performance of their duty and it is not safe or practical to pull off the traveled portion of the roadway.
14. Unoccupied agency vehicles must be locked at all times, unless the vehicle is in close proximity to the operator and leaving it unlocked is necessary for the performance of duty (i.e. leaving it momentarily during a traffic stop, while directing traffic at the scene of a motor vehicle collision, etc.).
15. Unoccupied agency vehicles must have their engines turned off, unless leaving it turned on is necessary for the performance of duty (i.e. leaving it momentarily during a traffic stop, while directing traffic at the scene of a motor vehicle collision, etc.). However, vehicles containing a K9 dog may be left running if necessary to prevent the dog from suffering during adverse weather conditions and removing the dog from the vehicle is not safe or practical. When remaining stationary at Headquarters, an agency sub-station, the Drug Task Force building, or any other fixed location where practical, the dog will be removed from the vehicle and secured in a safe location.
16. **Deployment** of Agency specialty vehicles such as the Mine Resistant and Ambush Protected Vehicle (MRAP) and the Incident Response Unit Van (IRUV) **for critical incidents** must be approved by a member of the QASO command staff (1<sup>st</sup> Sergeant or above). An operator of the MRAP must possess a valid Class "B" motor vehicle operator's license and have been provided MRAP familiarization by trained personnel. An operator of the Humvee, IRUV and all-

terrain vehicles must have been provided specific vehicle familiarization prior to operating any of these specialty vehicles.

17. ~~The Duty Officer shall be notified prior~~ to the use of a specialty vehicle to move or remove a vehicle or property from a location during emergency conditions to assure the safe passage of emergency vehicles or government operations. If the vehicle or property owner is present, a Hold Harmless Agreement shall be completed, signed and dated by the vehicle/property owner acknowledging that the County will not be responsible for damages resulting from the removal. If a Hold Harmless Agreement is not available or impractical. A verbal agreement by the vehicle/property owner shall be obtained outlining that giving the conditions and equipment, there is a possibility for damage to occur to the vehicle/property being moved or removed. Unattended vehicles/property can be moved with specialty vehicles during emergency conditions after notifying the Duty Officer, SWAT Team Supervisor or command staff personnel. Due care will be used by the specialty vehicle operator to minimize the possibility of damaging the vehicle/property being moved. Any damage will be properly reported as dictated by the Duty Officer. Extreme care must be employed when using a cable winch to assure no bystanders can be struck by a broken or unhooked cable.
18. An operator of any Agency motorcycle must possess a valid Class "M" Maryland driver's license and have completed and passed an MPTC approved police motorcycle operator course.
18. The use of the Autogyro aircraft shall be supervised and managed by the Administrative Services Commander.
  - A) Each flight of the Autogyro must be pre-approved by the Administrative Services commander or his designee, the Sheriff or Chief Deputy.
  - B) Any operation of the Autogyro shall be by a properly FAA licensed operator. The safe operation of the Autogyro is the sole responsibility of the pilot.
  - C) All passengers and Tactical Flight Officers (TFOs) must be identified to the Administrative Services Commander or his designee, Sheriff or Chief Deputy and must be briefed on emergency procedures prior to the flight and documented on the Flight Log. All passengers and TFOs will wear proper safety equipment.
  - D) Operation of the Autogyro shall comply with FAA guidelines and the Autogyro Operating Handbook.
  - E) All mission flights will be documented in ICIS.
  - F) All flights shall be preceded by a group email notification to the Administrative Services Commander and his designees.
  - G) Appropriate and safe weather conditions must be present, forecasted and documented in the Aircraft Log prior to any flight to include (but not limited to) a 1,000' ceiling, three mile visibility and wind gust speeds below the maximum recommended levels for the Autogyro.
  - H) All necessary equipment required by the FAA shall be present on the aircraft during any flight. Radio equipment necessary for DES/QASO communications must be present for every flight.
  - I) Authorized pilots shall be responsible for care, maintenance and cleanliness of the aircraft and hanger area, maintaining the Aircraft Status Board and the Aircraft Log, assuring that the Administrative Services Commander has copies of all Aircraft Log

entries and maintenance documentation, pre and post flight inspections in accordance with the manufacturer's specifications and FAA regulations and decisions concerning flight safety.

J) A Conditional Inspection must be performed annually by the manufacturer's certified representative to include a test flight to identify possible deficiencies. An oil change service shall be performed every 50 hours of flight time.

K) The aircraft shall not be operated if any airworthiness deficiencies are detected until those deficiencies have been repaired and the aircraft has been test flown by a manufacturer's representative.

L) Firearms shall not be discharged from the aircraft at any time.

M) Proper/sufficient insurance for the operation of the Autogyro shall be in force prior to any operation of the aircraft. The Administrative Services commander shall maintain insurance documentation and shall coordinate coverage through Queen Anne's County.

19. Bicycle operators must have received, at a minimum, in-house familiarization training by a certified instructor. Operators shall ride within their own personal abilities to minimize potential injuries to themselves or others. Equipment safety checks shall be performed by all bike operators before and after each use. Operators shall ensure that the siren and lights are fully charged after each use.

20. The operator of any agency vehicle is responsible for the cleanliness of the vehicle and proper functioning of all equipment. All vehicles must be left ready for future use at the end of every patrol or deployment.

### **Supervisor Responsibilities**

1. Supervisors will monitor calls for service to help ensure that response codes are also consistent with driving conditions, including but not limited to road and traffic conditions, maximum speed limits, weather, presence of pedestrians, performance capabilities of their vehicle, and the nature of the complaint based on known factors. Supervisors have the authority to downgrade or upgrade response codes based on those conditions.

2. Supervisors will monitor vehicle performance, fuel consumption, speeds and idling times through random monitoring of in-motion data and immediately address and document any concerns or inconsistencies that arise from those reports or reported by any other means.

## **IV. Escorts**

### **A. Emergency Escorts**

Emergency escorts will only be provided in a life-threatening situation and no reasonable alternative exists. Supervisory approval must be obtained prior to an emergency escort. Supervisors may authorize an emergency escort under the following circumstances:

1. An ambulance is transporting a victim with life-threatening injuries to an emergency medical facility and is not familiar with the route, or has inoperable emergency lights and/or siren.

2. Emergency medical supplies, such as medicine, blood, or donated body parts are needed in a timely manner, and there is no viable alternative for transportation.

Deputies will not escort civilian vehicles in emergency situations. As an alternative they will call for medical assistance, or transport the victim in their patrol vehicle if no reasonable alternative exists.

### **B. Non-Emergency Escorts**

Escort arrangements for non-emergency escorts (i.e., funerals, hazardous materials shipments, highway construction equipment, military convoys, oversize vehicles, parades, etc.) are the responsibility of the Patrol Commander. The Office of the Sheriff will provide such services when requested if there is sufficient time to plan the escort, and when sufficient personnel are available. The supervisor in charge of coordinating the escort will notify other law enforcement agencies in the area if it is anticipated that the escort will have a negative impact on vehicular traffic.

### **C. VIP Escorts**

Escorts for prominent public officials, celebrities, persons in jeopardy, etc. may be granted only by a lieutenant or above. However, in the case of an emergency and a lieutenant or above is unavailable, the ranking sergeant will arrange the escort providing there is sufficient manpower available to handle the escort along with the normal calls for service in a safe manner.

## **V. EMS/Fire Department Personnel**

If a deputy is required to ride in an ambulance that is transporting a prisoner or uncooperative patient, personnel from the Department of Emergency Services or a fire department may drive the deputy's vehicle to the destination of the ambulance, providing no other deputy is available and the vehicle cannot safely be left at the scene. However, the vehicle may not be operated in an "emergency response" mode.

## **VI. Ride-Along-Program**

The Office of the Sheriff permits civilians to accompany deputies on patrol for valid educational and public relations purposes. Any individual desiring to accompany a deputy on patrol must be at least eighteen years of age, submit a written request stating the deputy's name (if there is a preference), the date and time desired, and the reason for the ride-along. The written request may be waived if the person requesting the ride-along is an employee of Queen Anne's County or an immediate member of a deputy's family.

Supervisory approval must be obtained prior to any person participating in the ride-along program. In addition, all persons participating must complete a Waiver and Release Form before being allowed to ride.

## **VII. Care and Servicing of Agency Vehicles**

### **A. Spare Vehicles**

Before using a spare vehicle, the operator must "sign out" the vehicle by indicating such on the Spare Vehicles Board. The operator of a spare vehicle is responsible for the cleanliness of its interior and exterior, and for any routine maintenance or repairs that are due. When its use is no longer needed, the spare vehicle will be returned to Headquarters and parked in one of the designated parking spaces.

The Fleet Manager will conduct quarterly inspections of all spare vehicles and arrange for any needed maintenance or repairs. The Fleet Manager will also obtain and review copies of quarterly inspection reports for all vehicles.

### **B. Personal Patrol Vehicles**

Personal Patrol Vehicles are those vehicles assigned to specific individuals. See Index Code 1403 (Personal Patrol Vehicle Program).

### **C. Speedometer Calibration**

Operators of vehicles used for patrol activities are responsible for checking the calibration of their respective vehicle speedometer within 90 days of the previous calibration check. The results of the calibration check must be documented on a Speedometer Calibration Log. The Speedometer Calibration Log must remain in the appropriate vehicle when not being used in court.

### **D. Pressurized Tire Repair Sealants**

The use of pressurized tire repair sealants is prohibited on vehicles owned, leased, or utilized by the Office of the Sheriff.

## **VIII. Vehicle Inspections**

### **A. Operator's Responsibilities**

#### **1. Mechanical Condition**

Before the beginning of each tour of duty, operators will carefully inspect their assigned vehicle to ensure that it is in a safe operable condition and properly equipped. The inspection must include, at a minimum, a check of the following items:

Gasoline, oil, coolant, battery, and tires.

Brakes, lights, windshield wipers, and horn.

Emergency lights and siren.

Safety equipment.

Defects and unreported damage.

#### **2. Report of Defect or Damage**

If any defect, damage, or loss of equipment is discovered, the operator will submit a written report of the incident. If the defect or damage is such that operation of the vehicle might cause further or greater damage, the vehicle will not be driven and arrangements will be made to have the vehicle taken to the County garage for the necessary repairs. However, if the defect or damage is associated with the mobile radio, or emergency equipment, the Fleet Manager will be contacted in lieu of the County garage. Any unreported defect, damage, or loss discovered after the vehicle was inspected and placed into service will be considered to have occurred during the deputy's tour of duty.

#### **3. Recovery of Contraband, Weapons, or Other Property**

Deputies will thoroughly search their assigned vehicle at the beginning and end of their tour of duty, and prior to and after transporting prisoners. All contraband, weapons, or other property seized from their vehicle will be processed in accordance with the

procedures outlined in Index Codes 1201 through 1204 (Property Management). An n incident report will be written detailing the location and type of property recovered.

#### **4. Damage/Defect While in Operation**

If damage or a mechanical defect occurs to an agency vehicle, or its installed emergency equipment, the operator will notify his/her immediate supervisor as soon as possible. If the damage or defect is such that further operation would be unsafe or might cause greater damage, the vehicle will not be moved and arrangements will be made to have the vehicle transported to the appropriate repair facility. The operator will document the incident by submitting a written report. Vehicle damage that does not affect the safe and efficient operation of the vehicle will be reported; however, the vehicle will be kept in service until scheduled for repairs.

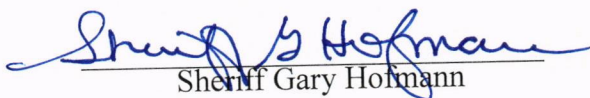
#### **C. Supervisor's Responsibilities**

Supervisors are responsible for conducting a quarterly inspection of their subordinates' vehicles and documenting the results to ensure compliance with all provisions of this index code and Index Code 140I. The results of each inspection will be documented on the approved Vehicle Inspection Report and submitted to the appropriate Division Commander via the chain of command. The Division Commander will provide copies to the Fleet Manager. The supervisor conducting the vehicle inspection will conduct a follow-up to ensure that any deficiencies were corrected in a timely manner.

**IX. CALEA References:** 41.2.1, 61.3.3a, 61.3.3b & 70.1.2.

**X. Proponent Unit:** Support Services

**XI. Cancellation:** This directive cancels Index Code 1402 dated 8/19/16.

  
Sheriff Gary Hofmann