

# POLICE VEHICLES

POLICY & PROCEDURE NO. <b>4.32</b>	ISSUE DATE: 10/18/16
	EFFECTIVE DATE: 10/18/16
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: <b>41.1.3; 41.3.1; 41.3.2; 41.3.3</b>	REVISION DATE:

## I. GENERAL CONSIDERATIONS AND GUIDELINES

Police department vehicles are purchased and maintained for the purpose of delivering police services to this municipality. This department is committed to maintaining agency vehicles to be safe, dependable and professional in appearance. Vehicles should be maintained with equipment and stocked with supplies so that employees may effectively carry out their job functions. Employees are required to upkeep the vehicles by cleaning and fueling them, stocking supplies, and reporting defects and damage in a timely manner.

The security of public safety vehicles and equipment is an important issue, in light of intelligence exposing terrorist tactics using marked government vehicles for access to areas that would otherwise be restricted, or as delivery platforms for explosive devices. Marked public safety vehicles are trusted vehicles.

When police vehicles are retired from service, it is important that all equipment and markings that are unique to policing are removed to ensure that the vehicle does not appear to be an in-service law enforcement vehicle. Such vehicles may be misused by criminals or terrorists.

Vehicle accidents account for about one third of police fatalities each year. The wearing of seatbelts by employees and passengers can significantly improve survivability and reduce the severity of injuries in a crash. Seatbelts help operators maintain control of their vehicles during emergency driving and after a crash and are a critical component in the vehicles' occupant safety system.

## II. POLICY

It is the policy of this department that:

1. Department vehicles shall only be used for police purposes, as determined by the Chief of Police;
2. All agency vehicles shall be maintained in a clean, safe and dependable condition and,
3. Accidents involving agency vehicles shall be reported immediately to a supervisor, documented and investigated.

## III. DEFINITIONS

- A. *Fleet Manager*: An employee designated by the Chief of Police who is responsible for coordinating the equipping, stocking, maintenance and replacement of department vehicles.
- B. *Patrol Vehicle*: A marked or unmarked four wheel sedan or truck intended for regular patrol duties by uniformed personnel.
- C. *Specialty Vehicle*: A motor vehicle intended for a specific purpose, such as a mobile command post, tactical team van, animal control van, four wheel ATV, etc.
- D. *Unmarked Vehicle*: A sedan or truck without the visible paint, markings, and equipment which would make it easily identifiable as a police vehicle.

## IV. PROCEDURES

- A. ***Fleet Manager***: shall be responsible for coordinating the equipping, stocking, maintaining and replacing of department vehicles. [41.1.3(c)]

### ***B. Operation***

1. AUTHORIZATION
  - a. Department vehicles may be operated only by employees authorized to do so by a supervisor.
  - b. Department vehicles may be issued to specific individuals by the authority of the Chief of Police.
2. LICENSING:
  - a. Persons operating department vehicles must possess a valid Massachusetts Operator's License.

- b. An employee whose right to operate has been suspended or revoked must inform his/her supervisor immediately upon learning of such suspension or revocation.
- c. The employee must advise any supervisory employee that [s]he is not licensed if directed or instructed to operate a motor vehicle by such employee.

### 3. USER RESPONSIBILITIES

- a. Prior to operating a department vehicle, normally at the beginning of an employee's tour of duty, employees must inspect the vehicle to ensure that fluid levels are adequate and the equipment is operating properly, and they must check for cleanliness, adequate supplies, and damage. The inspection shall be noted on the Department Vehicle Inspection Sheet.
  - 1) In the case of an emergency, a vehicle inspection may be postponed until the emergency has passed, at which time an inspection shall be conducted.
  - 2) Department of Public Works (DPW) are responsible for adding fluids, such as motor oil, transmission fluid, coolant, windshield washer, and brake fluid and provide regular maintenance.
  - 3) Operators shall identify and report defective equipment, such as head, directional and marker lights; auxiliary emergency lights; and radios.
  - 4) Body fenders, bumpers, glass and tires shall be viewed for obvious signs of damage.
  - 5) Tires shall be inspected for damage and proper inflation.
  - 6) Supplies carried by the vehicle shall be checked and replaced or replenished as necessary. [41.3.2]
  - 7) Other equipment found to be inoperative or defective, such as radar, Lojack receivers, gun racks, scanners, etc., shall be reported when discovered.
    - a) Defective or damaged vehicles shall be reported the shift supervisor, who will inspect the reported deficiency and cause same to be reported to the fleet manager.
    - b) The supervisor shall initiate an investigation of any unexplained damage.
    - c) In the event that department property is found bearing evidence of damage which has not been previously reported, it will be considered prima facie evidence that the last person using the property or vehicle is responsible for said damage

until the officer comes forward and proves by a preponderance of the evidence that [s]he was not responsible.

8) Vehicles used to transport detainees shall be inspected for contraband and weapons.

b. Operators shall ensure that vehicles are washed regularly.

c. Prior to returning the vehicle, the operator shall ensure that the vehicle is fueled and the interior clean.

#### 4. EQUIPMENT AND SUPPLIES

##### a. Patrol Vehicles

1) All marked and unmarked patrol vehicles shall be equipped with emergency lights and a siren, and the supplies and equipment specified in Appendix 1 of this policy. [41.3.1; 41.3.2]

2) Supplies for patrol vehicles are stored in the Vehicle Supply Locker located in the department garage. Vehicle operators may replenish supplies as used or identified during vehicle inspections or contact the Fleet Manager.[41.3.2]

##### b. Patrol Wagon

1) The Patrol Wagon will be equipped with emergency lights, sirens and two way radio, interior camera observation only in the prisoner transport area, interior light in the prisoner transport area and safety strap holds in the prisoner transport area. (41.1.3d)

2) Under no circumstances will the Patrol Wagon be involved in motor vehicle pursuits. (41.1.3a, d)

3) Officers assigned to the Patrol Wagon shall check the vehicle for operational suitability, and search for weapons and contraband. Prior to each shift a vehicle inspection sheet will be filed with the OIC. **(70.1.2)**

4) Before placing a detainee in a police vehicle, the vehicle shall be searched to ensure that there are no articles present that can be used as weapons. This will also ensure that items (e.g., contraband, evidence, etc.) subsequently found can more easily be attributed to the detainee. **(70.1.2)**

5) Only prisoners of the same sex will be transported within the Patrol Wagon, unless authorized by the OIC.

6) At the completion of all detainee transport, the officer assigned to the vehicle will conduct a search of the area within the vehicle where the detainee was located for evidence and/or

contraband that may have been discarded by the detainee.  
**(70.1.2)**

- 7) In accordance with Mass. General Law, no juveniles will be transported in the Patrol Wagon . **(41.1.3a)**

c.

#### Unmarked Vehicles

- 1) All police department unmarked vehicles intended for use other than for normal patrol shall be equipped with the supplies and equipment specified in Appendix 1 of this policy.
- 2) Investigators' vehicles may carry additional equipment at the discretion of the investigative function supervisor.
- 3) Administrative vehicles shall carry equipment specified under this section. Except as specified below, additional equipment may be carried at the discretion of the employee assigned to the vehicle's use.

- d. Additional permanently mounted radios, firearms and racks, equipment vaults, Lojack receivers, auxiliary emergency lights, push bumpers, must be authorized by **the Chief of Police** prior to being installed.

- e. No body or paint modifications may be made without prior approval of **the Chief of Police**.

5. PASSENGERS: No person shall be permitted to be an occupant or ride as a passenger in a department vehicle, except when necessary in the performance of a police function, unless authorized by the Chief of Police

6. SEAT BELTS [41.3.3]

- a. The wearing of seat belts in department vehicles is **MANDATORY**. Seatbelts are mandatory for all civilian passengers.
  - 1) Children traveling as passengers must use car seats appropriate for the child's age or weight.
  - 2) Children may be transported without a car seat only if car seats are not available.

NOTE: To protect an occupant during a crash, the airbag control module may fire the seatbelt tensioners, which lock a seatbelt tightly in place around the wearer, fire the airbag, or both, depending upon the severity of the impact. If the seatbelt indicates that it is being worn, the airbag control module may make a decision to deploy only the seatbelt tensioner. If the seatbelt is not being worn, the occupant will not be protected.

#### 7. PUSHING VEHICLES:

Department vehicles shall not be used for pushing another vehicle  
Unless in an emergency situation.

#### 8. JUMP STARTING VEHICLES: Department vehicles may not be used to jump start vehicles other than department vehicles.

#### 9. ROUTINE OPERATION

- a. Employees shall operate department vehicles carefully, obeying all statutes, rules, regulations, ordinances and bylaws relating to the operation and parking of vehicles. Employees shall exercise due care and judgment.<sup>1</sup>
- b. In responding to an emergency, operators may drive in excess of applicable speed limits, provided that due caution is exercised under the circumstances for the safety of persons and property. Operators may drive through an intersection contrary to traffic signals and signs, provided that the vehicle is brought to a full stop and then proceeds with caution. See the department policy on ***Response to Calls***.<sup>2</sup>

### ***C. Specialty Vehicles [41.1.3]***

1. The following specialty vehicles are available to members of this department:
  - a. Animal Control Vehicle
    - 1) This vehicle is authorized for use by patrol personnel in an emergency but primarily by the Animal Control Officer. Operators must be licensed to operate a motor-vehicle.
    - 2) The vehicle may be used for animal control functions or other police functions in an emergency.
    - 3) The Animal Control Officer is responsible for stocking the vehicle with supplies and coordinating maintenance with the Fleet Manager.
    - 4) A list of equipment and supplies to be kept on the vehicle are listed in Appendix 1 of this policy.
  - b. Patrol Boat
    - 1) The patrol boat is authorized for use by sworn personnel trained in its use. Operators must hold a Boat Safety Course certificate issued by the Massachusetts Environmental Police or other state's equivalent, or by the Coast Guard Auxiliary.
    - 2) The boat shall be used primarily within the waterways of this jurisdiction but may be transported elsewhere for mutual aid.

- 3) **Assigned Marine Unit operators** shall coordinate upkeep and maintenance, and replenish supplies and equipment.
  - 4) A list of equipment and supplies to be kept on the vehicle is listed in Appendix 1 of this policy.
- c. Additional equipment may be carried at the discretion of the supervisor of the function to which the vehicle is assigned.

#### ***D. Maintenance***

##### 1. REGULAR MAINTENANCE

- a. Regular scheduled maintenance, such as oil changes, state safety inspections, tire replacements, etc., shall be coordinated by the Day Shift Commander.
- b. In the event that a tire is discovered to be flat or damaged, call the designated tow company.

##### 2. MECHANICAL AND AUXILIARY EQUIPMENT PROBLEMS

- a. Mechanical and equipment problems shall be reported to the shift supervisor who will determine if the vehicle should be taken out of service. The supervisor shall cause the Fleet Manager to be notified via email of the condition so that it may be resolved.
- b. If, in the discretion of the shift supervisor, a condition that makes the vehicle unsafe exists, the supervisor shall cause the vehicle to be taken out of service.

##### 3. TOWING: If a police vehicle becomes disabled and needs to be towed:

- a. If the vehicle is in the local area, the operator shall call communications who shall arrange for the vehicle to be towed.
- b. If the vehicle is outside of the local area, the operator shall notify the shift supervisor.

#### ***E. Accidents***

##### 1. GENERALLY

- a. Officers who are involved in an accident with a department vehicle, or when a vehicle is disabled and has been damaged, shall not move the vehicle except in an emergency.
- b. A supervisor shall immediately go to the scene and make an investigation and report all particulars to the Chief of Police forthwith.
- c. The officer involved shall promptly submit a written report in accordance with department regulations.

## 2. OUTSIDE OF THE JURISDICTION

- a. Officers who are involved in an accident with a department vehicle outside of the agency's jurisdiction shall immediately notify the shift supervisor.
- b. The shift supervisor may cause the State Police or police department of the jurisdiction to be notified.
- c. The accident may be investigated by the State Police or the police department of jurisdiction.
- d. At the discretion of the shift supervisor or a superior officer, the shift supervisor may respond to take photographs and otherwise render assistance.

### ***F. Disposal***

1. When a police department vehicle is to be disposed of through auction, trade in, possession by an insurance company, or other means, the Fleet Manager shall cause all loose supplies and equipment to be removed from the vehicle.
2. The vehicle shall be stripped of all retro-fitted equipment that is unique to public safety vehicles, such as two-way radios, emergency lights, prisoner cages, radio racks, MDT mounts, push bars, sirens and lettering etc.

<sup>1</sup> M.G.L. c 89, §7B.

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## **Appendix I**

### **Mandatory Equipment – All Patrol Vehicles**

- Mobile two-way radio
- Siren
- Emergency auxiliary lights
- First Aid Kit
- Fire Extinguisher
- Spare tire, jack, lug wrench (not required for motorcycle)

### **Optional Equipment**

- Public Address System
- Rifle in locking rack
- Shotgun in locking rack
- Radio scanner
- Mobile Data Computer
- Lojack receiver
- Police line tape

**Mandatory Equipment – All Unmarked Vehicles**

- Siren
- Emergency auxiliary lights
- Spare tire, jack, lug wrench (not required for motorcycle)

**Optional Equipment**

- Public Address System
- Rifle in locking rack
- Shotgun in locking rack
- Radio scanner
- Mobile Data Computer
- Lojack receiver

**Mandatory Equipment – Animal Control Vehicles**

- Emergency auxiliary lights
- Fire Extinguisher
- Spare tire, jack, lug wrench (not required for motorcycle)
- Small animal cages

**Mandatory Equipment – Patrol Boat**

- Mobile two-way radio
  - Siren
  - Emergency auxiliary lights
  - Public Address System
  - First Aid Kit
  - Fire Extinguisher
  - Towing rig
  - Blanket
  - Road flares, 30 minute with wire stand
  - Personal Flotation Vest (water rescue)
  - Flotation Throw Line or Life Ring (water rescue)
  - Binoculars
  - Hand held spot light
  - Boat hook
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