

Vehicle Use

703.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure office vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of office vehicles and shall not be construed to create or imply any contractual obligation by the County of St. Mary's to provide assigned take-home vehicles. Assignment and use of any vehicles assigned to the Sheriff's Office Fleet is at the discretion of the Sheriff or their designee. Those employees assigned a vehicle shall maintain the vehicle in good condition and in a state of operational readiness.

Employees who use vehicles assigned to the county pool will refer to the Transportation Policies and Procedures Manual for specific eligibility and rules of use.

703.2 POLICY

The St. Mary's County Sheriff's Office provides vehicles for office-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Office, requirements for tactical deployments and other considerations.

All agency personnel will obey all traffic laws when responding routinely or otherwise operating in a non-emergency or off-duty status and operate agency vehicles with due regard for safety. Employees will carefully observe surrounding conditions before turning or backing their vehicle. Whether the situation is routine or emergency, the operator's first concern is the safe operation of the vehicle and preserving operator and citizen safety. In emergency situations a quick response is necessary; however, the need for urgency must be balanced against the highest concern for safety.

703.3 USE OF VEHICLES

For procedures related to Use of Vehicles, see the St. Mary's County Sheriff's Office LE Procedures Manual: [Office-Vehicle Prohibitions](#)

703.3.1 INSPECTIONS

Members shall be responsible for inspecting the interior and exterior of any assigned vehicle before taking the vehicle into service and at the conclusion of their shifts. The inspection should include, but not limited to all lights, brakes, siren, horn, steering and tires. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate. No member shall operate any agency vehicle which is believed to be operationally unsafe.

The interior of any vehicle that has been used to transport any person other than a member of this office should be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

When transporting any suspect, prisoner or arrestee, the transporting member shall search all areas of the vehicle that are accessible by the person before and after that person is transported.

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All office vehicles are subject to inspection and/or search at any time by a supervisor without notice and without cause. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

703.3.2 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles should be locked and secured at all times. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety). Deputies who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

Members shall ensure all weapons are secured while the vehicle is unattended.

703.3.3 MOBILE DATA BROWSER

Members assigned to vehicles equipped with a Mobile Data Browser (MDB) shall log onto the MDB with the required information when going on-duty, off-duty, in-service off-duty and out of service off-duty. If the vehicle is not equipped with a working MDB, the member shall notify the Emergency Communications Center. Use of the MDB is governed by the Mobile Data Browser Use Policy.

703.3.4 VEHICLE LOCATION SYSTEM

Patrol and other vehicles, at the discretion of the Sheriff, may be equipped with a system designed to track the vehicle's location. While the system may provide vehicle location and other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

Members shall not tamper with or make any unauthorized modifications to the system. At the start of each shift, members shall verify that the system is on and report any malfunctions to their supervisor. If the member finds that the system is not functioning properly at any time during the shift, he/she should exchange the vehicle for one with a working system, if available, and arrange for repair.

System data may be accessed by supervisors at any time. However, access to historical data by personnel other than supervisors will require Division Commander approval.

All data captured by the system shall be retained in accordance with the established records retention schedule.

703.3.5 KEYS

Members approved to operate marked patrol vehicles should be issued a copy of the key as part of their initial equipment distribution. Members who are assigned a specific vehicle should be issued keys for that vehicle.

The loss of a key shall be promptly reported in writing through the member's chain of command.

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703.3.6 AUTHORIZED PASSENGERS

Members operating office vehicles shall not permit persons other than County personnel or persons required to be conveyed in the performance of duty, immediate family members, or as otherwise authorized, to ride as passengers in the vehicle, except as stated in the Ride-Along Policy.

All passengers except those noted above are required to complete the Release and Covenant Not to Sue (Ride-Along Form).

703.3.7 ALCOHOL

Members who have consumed alcohol are prohibited from operating any office vehicle unless it is required by the duty assignment (e.g., task force, undercover work). Regardless of assignment, members may not violate state law regarding vehicle operation while intoxicated.

703.3.8 PARKING

Except when responding to an emergency or when urgent office-related business requires otherwise, members driving office vehicles should always obey all parking regulations. At the scene of a crime, a motor vehicle collision, or other law enforcement incident, an agency vehicle shall be parked in such a manner to not create an obstacle or hazard to other traffic. Emergency lights shall be used to warn other drivers approaching the location.

703.3.9 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories without written permission from the Assistant Sheriff. The request shall be submitted through the chain of command to the Assistant Sheriff via Blue Team detail. If approved, a copy of the approval will be forwarded to the Fleet and Radio Communications Coordinator. This includes, but is not limited to:

- (a) Altering communications and lighting equipment;
- (b) Installing non-issued equipment in vehicles;
- (c) Placing of holes in vehicles and/or equipment; and
- (d) Placing non-issued material or objects on vehicles or equipment.

703.3.10 PROFESSIONAL STAFF MEMBER USE

In all but exigent circumstances professional staff members needing to utilize an agency vehicle shall be issued an unmarked vehicle. Any professional staff members using marked emergency vehicles shall ensure that all weapons have been removed before going into service. Professional Staff members shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

703.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES

Office vehicles may be assigned to individual members at the discretion of the Assistant Sheriff. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle, or use it off-duty, may be withdrawn at any time.

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The assignment of vehicles may be suspended when the member is unable to perform his/her regular assignment.

Upon assignment/re-assignment of vehicles, a vehicle inspection will be performed by a supervisor.

For procedures related to Individual Member Assignment to Vehicles, see the St. Mary's County Sheriff's Office LE Procedures Manual: [Assigned Vehicles](#)

703.4.1 ON-DUTY USE

Vehicle assignments shall be based on the nature of the member's duties, job description and essential functions, and employment or appointment status. Vehicles may be reassigned or utilized by other office members at the discretion of the Assistant Sheriff or the authorized designee. Agency vehicles may be authorized for use in the geographic boundaries of Charles and Calvert Counties for deputies who reside in either county. The deputy will only be authorized to drive the agency vehicle to and from work.

703.4.2 OFF-DUTY USE

- (a) While operating the vehicle, authorized members will carry and have accessible their agency approved primary and/or secondary firearms, agency identification, badge, and be prepared to perform any function they would be expected to perform while on-duty.
- (b) Off-Duty travel is permitted for members of an employee's immediate family. Other passengers may be permitted subject to advance approval from the Assistant Sheriff or designee. All passengers except immediate family and emergency transports are required to complete the Release and Covenant Not to Sue, (SMCSO Form # 129).
- (c) Members who operate agency vehicles are prohibited from making emergency responses while vehicles are occupied by non-official passengers. Passengers must first be deposited at some convenient and safe location before an emergency response is initiated.
- (d) Members operating an agency vehicle off-duty will monitor their agency radio and agency Mobile Data Browser (MDB). When taking enforcement action or working secondary employment assignment, they will notify ECC.
- (e) In serious cases, if immediate action is necessary, the off-duty deputy sheriff takes appropriate action and notifies the duty officer. The duty officer at their discretion may place the responding deputy in an "on-duty" status. In routine cases encountered while off-duty, the deputy sheriff calls for the assigned patrol deputy sheriff to handle the situation and remains on scene until the unit arrives and assists as needed.
- (f) Off-duty vehicle usage is deemed a privilege and is subject to suspension or revocation for abuse thereof. Removal of an employee's privilege to operate an agency vehicle while off-duty will not be construed to constitute a formal disciplinary action since this privilege is subject to suspension or revocation if the Assistant Sheriff or designee deems it in the best interest of the Sheriff's Office.

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- (g) The two-way communications radio, MDB and global positioning satellite device, if equipped, must be on and set to an audible volume when the vehicle is in operation.
- (h) Unattended vehicles are to be locked and secured at all times.
 - 1. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging).
 - 2. All weapons shall be secured while the vehicle is unattended.
 - 3. All office identification, portable radios and equipment should be secured.
- (i) Vehicles are to be parked off-street at the member's residence unless prior arrangements have been made with the Assistant Sheriff or the authorized designee. If the vehicle is not secured inside a locked garage, all firearms and kinetic impact weapons will be secured in an agency-approved locking device or removed and properly secured in the residence (see the Firearms Policy regarding safe storage of firearms at home).
- (j) Vehicles are to be secured at the member's residence or the appropriate office facility at the discretion of the Office when a member will be away (e.g., on vacation) for periods exceeding one week.
 - 1. If the vehicle remains at the residence of the member, the Office shall have access to the vehicle.
 - 2. If the member is unable to provide access to the vehicle, it shall be parked at the Office.
- (k) The member is responsible for the care and maintenance of the vehicle.
- (l) Off-duty use of the agency vehicle is prohibited if the deputy resides in Charles or Calvert Counties. Off-duty use is only authorized within the geographic boundaries of St. Mary's County.

703.4.3 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work outside of the jurisdiction of the St. Mary's County Sheriff's Office or while off-duty, a deputy shall not initiate enforcement actions except in those circumstances where a potential threat to life or serious property damage exists (see the Off-Duty Law Enforcement Actions and Law Enforcement Authority policies).

Deputies may render public assistance when it is deemed prudent (e.g., to a stranded motorist).

Deputies driving take-home vehicles shall be armed, appropriately attired, and carry their office issued identification and badge. Deputies should also ensure that office radio communication capabilities are maintained to the extent feasible.

703.4.4 MAINTENANCE

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of their assigned vehicles. Maintenance will be provided by the County Vehicle Maintenance Facility.

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Failure to adhere to these requirements may result in discipline and/or loss of vehicle assignment. The following should be performed as outlined below:

- (a) Members shall make daily inspections of their assigned vehicles for service/maintenance requirements and damage.
- (b) It is the member's responsibility to ensure that his/her assigned vehicle is maintained according to the established service and maintenance schedule.
- (c) All scheduled vehicle maintenance shall be performed as necessary at a facility approved by the vehicle maintenance supervisor.
- (d) The Office shall be notified of problems with the vehicle and approve any major repairs before they are performed.
- (e) When leaving the vehicle at the maintenance facility, the member will complete a vehicle service request form explaining the service or repair and leave it and the keys with vehicle maintenance personnel or, after hours and on weekends, the items can be placed in the drop box to the side of the front door for vehicle maintenance.
- (f) All weapons shall be removed from any vehicle left for maintenance.
- (g) Supervisors shall make, at a minimum, monthly inspections of vehicles assigned to members under their command to ensure the vehicles are being maintained in accordance with this policy.

703.5 DAMAGE, ABUSE AND MISUSE

When any office vehicle is involved in a traffic accident or otherwise incurs damage, the involved member shall promptly notify a supervisor. Any traffic accident report shall be filed with the agency having jurisdiction (see the Traffic Accidents Policy).

Damage to any office vehicle that was not caused by a traffic accident shall be immediately reported during the shift in which the damage was discovered, documented in Blue Team and forwarded to their supervisor. An administrative review should be initiated to determine if there has been any vehicle abuse or misuse.

If a vehicle is damaged or involved in an accident which meets the criteria outlined in LE Traffic Accident Procedures, an ACRS report and a Local Government Insurance Trust (LGIT) Vehicle Accident Report shall be completed. A signed copy of the LGIT report, including the driver's statement, and any witness statements must be submitted to the Fleet and Radio Communications Coordinator (FSC) within 48 hours of the damage/accident. Photographs of the damage must be electronically transmitted to the FSC within 48 hours.

703.6 TOLL ROAD USAGE

Law enforcement vehicles are not routinely exempt from incurring toll road charges.

To avoid unnecessary toll road charges, all members operating office vehicles on a toll road shall adhere to the following:

- (a) Members operating office vehicles for any reason other than in response to an emergency shall pay the appropriate toll charge or utilize the appropriate toll way

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transponder. Members may submit a request for reimbursement from the County for any toll fees incurred during official business.

- (b) Transporters issued to vehicles are used only for official use.

703.7 ATTIRE AND APPEARANCE

When operating any office vehicle while off-duty, members may dress in a manner appropriate for their intended activity. Whenever in view of or in contact with the public, regardless of the activity, attire and appearance should be suitable to reflect positively upon the Office. Shorts are permitted as long as the inseam is no shorter than seven (7) inches; however, tank tops, clothing which is frayed or damaged, or t-shirts with offensive wording are not authorized. Sandals or flip-flops are not permitted.

703.8 OPERATION OF ATV (EXCEPT UTILITY VEHICLE)

The ATV will be used in conjunction with various community programs such as the County Fair and National Night Out, as well as for patrol and special enforcement activities. The use of the ATV will be approved by the Sheriff, Assistant Sheriff, or SOD supervisor.

An ATV deputy sheriff must satisfactorily complete a certified ATV Safety Course before being authorized to operate an agency ATV.

For procedures related to Operation of ATV, see the St. Mary's County Sheriff's Office LE Procedures Manual: [ATV Procedures](#)

703.9 OPERATION OF OFFICE MOTORCYCLES

Office motorcycles are assigned to the Traffic Safety Unit. The primary use of the motorcycles will be for traffic control, speed enforcement, and community watch initiatives; however, the motorcycles may be used for other assignments as needed. Any assignment other than the primary duties will be with the approval of the Sheriff, Assistant Sheriff or the Special Operations Division Commander.

For procedures related to Operation of Office Motorcycles, see the St. Mary's County Sheriff's Office LE Procedures Manual: [Motorcycle Procedures](#)