

## Vehicle Use

### 703.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure department vehicles are used appropriately. This policy provides guidelines for on-and off-duty use of department vehicles and shall not be construed to create or imply any contractual obligation by the City of Hyattsville to provide assigned take-home vehicles.

### 703.2 POLICY

The Hyattsville Police Department provides vehicles for department-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Department, requirements for tactical deployments and other considerations.

### 703.3 VEHICLE REPLACEMENT SCHEDULE

The vehicle replacement schedule will be revised as new vehicles are purchased and old vehicles are removed from the Police Departments inventory. When a new vehicle is added to the fleet, it will be assigned according to the Vehicle Replacement Schedule. This does not preclude the Chief of Police from assigning cars at the Chief's discretion.

The schedule will be maintained by the Fleet Manager.

### 703.4 USE OF VEHICLES

#### 703.4.1 OPERATORS LICENSE

Any member who operates a City owned or leased vehicle must have a valid driver's license, issued by the state for which they reside, for the class of vehicle being operated.

Any member whose license is suspended, revoked, or restricted, will immediately report the change in status to their supervisor and shall not operate a City vehicle during the period of suspension, revocation, or restriction.

A member who is expected to operate a City vehicle, in the course of their duties, who ceases to have a valid driver's license. or develops an unacceptable driving record, is subject to transfer, demotion or dismissal.

Any member who does not qualify for City insurance coverage, due to unacceptable driving record or for any other reason, is subject to job transfer, demotion or dismissal.

#### 703.4.2 OTHER USE OF VEHICLES

Members utilizing a vehicle for any purpose other than their normally assigned duties or normal vehicle assignment (e.g., transportation to training, community event) shall first notify the Shift Supervisor. A notation will be made on the shift assignment roster indicating the member's name and vehicle number.

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This subsection does not apply to those who are assigned to transport vehicles to and from the maintenance yard or car wash.

Officers may not use personal vehicles or other unauthorized vehicles when exercising law enforcement authority.

#### 703.4.3 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. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and the department's Fleet Manager, via electronic mail.

The interior of any vehicle that has been used to transport any person other than a member of this department 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.

All department 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.

#### 703.4.4 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, equipment charging). Officers 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. Any stored weapon must be locked in a gun vault, or alternatively must be secured by means of a locking device to a fixed object in the trunk, ensuring the weapon cannot be removed, should the trunk be broken into.

#### 703.4.5 MOBILE DATA COMPUTER

Members assigned to vehicles equipped with a Mobile Data Computer (MDC) shall log onto the MDC with the required information when going on-duty. If the vehicle is not equipped with a working MDC, the member shall notify the Communications Section. Use of the MDC is governed by the Mobile Data Computer Use Policy.

#### 703.4.6 VEHICLE LOCATION SYSTEM

Patrol and other vehicles, at the discretion of the Chief of Police, may be equipped with a system designed to track the vehicle's location. While the system may provide vehicle location and

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other information, members are not relieved of their responsibility to use required communication practices to report their location and status.

Members shall not make any unauthorized modifications to the system. At the start of each shift, communications shall verify that the system is on and report any malfunctions to the Patrol Services Division Commander, Administrative Services Division Commander, and the Fleet Manager.

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.

#### 703.4.7 KEYS

In total, there shall be a minimum of foursets of keys for every vehicle in the department's fleet.

The sets shall be configured as follows:

- (a) The department copy shall be maintained within the department's electronic key management system with the key and fob secured on a security peg.
- (b) The Department of Public Works' (DPW) copy shall be maintained within DPW's electronic key management system with the key and fob secured on a security peg.
- (c) There shall be no more than two sets designated as officer copies. One of these sets shall have the key and fob secured on a security peg. The other set shall have the key secured on a security peg and the fob on a detachable ring.

Any additional keys shall be maintained by the Office of the Chief.

Members are prohibited from duplicating keys, unless authorized to do so by the Chief of Police. The loss of a key shall be promptly reported, in writing, through the member's chain of command. A member that misplaces a key may be required to pay for replacement.

Chain of custody of keys shall be maintained via the electronic key management system at all times. Members are prohibited from handing off keys to another member.

If the electronic key management system is malfunctioning, keys are required to be returned to the Fleet Manager, or the Administrative Services Division Commander in the absence of the Fleet Manager, who shall maintain a paper log of the exchange(s). In addition, the Administrative Services Division Commander shall be notified immediately of the electronic key management system's status.

#### 703.4.8 AUTHORIZED PASSENGERS

Members operating department vehicles shall not permit persons other than City personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as passengers in the vehicle, except as stated in the Ride-Alongs Policy.

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#### 703.4.9 ALCOHOL AND MEDICATION

Members who have consumed an alcoholic beverage or any prescription medication, that may hinder or impair their ability to operate a police vehicle, are prohibited from operating any department vehicle.

Officers are prohibited from transporting alcoholic beverages in departmental vehicles.

#### 703.4.10 PARKING

Except when responding to an emergency or when urgent department-related business requires otherwise, members driving department vehicles should obey all parking regulations at all times.

Department vehicles should be parked in assigned stalls. Members shall not park privately owned vehicles in stalls assigned to department vehicles or in other areas of the parking lot that are not so designated unless authorized by a supervisor. Privately owned motorcycles shall be parked in designated areas.

Department vehicles shall not be parked, forward facing. Members shall back their department vehicles into assigned parking stalls or spots.

#### 703.4.11 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories without written permission from the Chief of Police.

#### 703.4.12 CIVILIAN MEMBER USE

Civilian members using marked emergency vehicles shall ensure that all weapons have been removed before going into service. Civilian members shall not operate the emergency lights or siren of any vehicle unless expressly authorized by a supervisor.

### **703.5 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES**

Department vehicles may be assigned to individual members at the discretion of the Chief of Police. 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 may be withdrawn at any time.

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

#### 703.5.1 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 department members at the discretion of the Chief of Police or the authorized designee.

#### 703.5.2 UNSCHEDULED TAKE-HOME USE

Circumstances may arise where department vehicles must be used by members to commute to and from a work assignment. Members may take home department vehicles only with prior approval of a supervisor and shall meet the following criteria:

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- (a) The circumstances are unplanned and were created by the needs of the Department.
- (b) Other reasonable transportation options are not available.
- (c) The member lives within a reasonable distance (generally not to exceed a 60-minute drive time) of the Hyattsville City limits.
- (d) Off-street parking will be available at the member's residence.
- (e) Vehicles will be locked when not attended.
- (f) All firearms, weapons and control devices will be removed from the interior of the vehicle and properly secured in the residence when the vehicle is not attended, unless the vehicle is parked in a locked garage.

#### 703.5.3 TAKE-HOME VEHICLES

Assignment of take-home vehicles shall be based on the location of the member's residence; the nature of the member's duties, job description and essential functions; and the member's employment or appointment status. Residence in the City of Hyattsville is a prime consideration for assignment of a take-home vehicle. Secondary consideration will be given to members who reside in Prince George's County, and third consideration will be given to members residing outside of Prince George's County, but within the state of Maryland.

Take-home vehicles are limited to 50 air miles. Members who live beyond the 50 air mile limit must park the vehicle in a location pre-approved by the Administrative Services Division Commander who shall be responsible for maintaining a list of approved locations. No vehicle shall be parked upon private property without written permission from the property owner, that shall be filed with the Office of the Chief of Police.

To qualify for the take-home program, members must have successfully completed entry-level training and the Field Training Program, and possess certification from the Maryland Police and Correctional Training Commission (MPCTC).

Any member who by nature of their assignment is subject to call out and meets requirements as outlined above, and who has been granted approval by the Chief of Police may be issued a take-home vehicle.

Members who have been found to have poor driving skills, or who have demonstrated poor judgment and or discretion in the operation of motor vehicles, or who are uninsurable and or have a poor driving record may be excluded from the program, at the discretion of the Chief of Police.

Members are cautioned that under federal and local tax rules, personal use of a City vehicle may create an income tax liability for the member. Questions regarding tax rules should be directed to the member's tax adviser.

#### 703.5.4 CRITERIA FOR USE

Criteria for use of take-home vehicles include the following:

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- (a) Vehicles shall only be used for work-related purposes and limited personal business while traveling to and from the City.
- (b) Vehicles may be used to transport the member to and from the member's primary residence for work-related purposes. Members who find it necessary to travel between the City and a place of residence, other than their primary residence, as reflected in City records, shall seek approval from the their respective Division Commander.
- (c) Vehicles will not be used when off-duty except:
  - 1. In circumstances when a member has been placed on call by the Chief of Police or Division Commanders and there is a high probability that the member will be called back to duty.
  - 2. When the member is performing a work-related function during what normally would be an off-duty period, including vehicle maintenance, secondary employment within city limits, or traveling to or from a work-related activity or function.
  - 3. When the member has received permission from the Chief of Police.
  - 4. When the vehicle is being used by the Chief of Police.
  - 5. When the vehicle is being used by on-call investigators.
  - 6. If the member's residence is within the City, as reflected in City records. These members are allowed to utilize department vehicles, while off-duty, for a range not to exceed 5 air miles from the city's municipal building.
- (d) While operating the vehicle, authorized members will carry and have accessible their duty firearms, handcuffs, a police radio and flashlight: and be prepared to perform any function they would be expected to perform while on-duty.
- (e) The two-way communications radio, MDC and global positioning satellite device, if equipped, must be on and set to an audible volume when the vehicle is in operation.
- (f) 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. During off-duty hours, members are prohibited from storing of their assigned weapon(s) or any personally owned weapon(s) in the vehicle. Long term or overnight storage of weapons in vehicles is prohibited.
  - 3. All department identification, portable radios and equipment should be secured.
- (g) If available, vehicles are to be parked off-street at the member's residence. On-street parking is only permitted for those members that do not have access to an off-street parking location at their residence, as long as the vehicle is parked a reasonable distance from the residence. If the vehicle is not secured inside a locked garage, all firearms and kinetic impact weapons shall be removed and properly secured in the residence (see the Firearms Policy regarding safe storage of firearms at home).

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- (h) Vehicles are to be secured at the department facility, when a member will be away (e.g., sick leave or vacation) for periods exceeding five days, unless otherwise authorized by the Division Commander.
- (i) Members who are on a suspended status and have had their police powers removed may not operate any police vehicle. In addition, they must surrender any assigned police vehicle to the suspending authority.

Take-home vehicles may be recalled. For procedures on recall, refer to the Hyattsville Police Department Procedure Manual: [700.1 TAKE-HOME VEHICLE RECALL PROCEDURE](#)

A member may be administratively removed from the take-home program. For procedures on administrative removal, refer to the Hyattsville Police Department Procedure Manual: [700.3 ADMINISTRATIVE REMOVAL PROCEDURES](#)

#### 703.5.5 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work outside of the jurisdiction of the Hyattsville Police Department or while off-duty, an officer 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).

Off-duty officers encountering minor incidents within the City may call for an on-duty officer, or at their discretion, handle the matter without assistance from an on-duty officer. In cases where immediate action is necessary, the off-duty officer will handle the situation, being sure to notify Communications.

Off-duty officers are expected to provide back-up, whenever necessary, to on-duty personnel in need of assistance.

Officers are expected to render public assistance when it is deemed prudent (e.g., to a stranded motorist).

Officers driving take-home vehicles shall be armed, appropriately attired and carry their department-issued identification. Officers should also ensure that department radio communication capabilities are maintained through a portable radio when outside of the vehicle.

Members are encouraged to carry clothing that identifies them as a police officer.

#### 703.5.6 MAINTENANCE

Members are responsible for the cleanliness (exterior and interior) and overall maintenance of vehicles. Cleaning and maintenance supplies for pool vehicles will be provided by the Department. Costs incurred for the cleaning of take-home vehicles will be the responsibility of the member. Failure to adhere to these requirements may result in discipline and loss of vehicle assignment. The following should be performed as outlined below:

- (a) Members shall make daily inspections of their take-home vehicles for service/maintenance requirements and damage.

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- (b) It is the member's responsibility to ensure that his/her take-home 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 Chief of Police. .
- (d) The Department shall be notified of problems with the vehicle and approve any major repairs before they are performed.
- (e) All weapons shall be removed from any vehicle left for maintenance.
- (f) Supervisors shall make, at a minimum, monthly inspections of take-home vehicles assigned to members under their command to ensure the vehicles are being maintained in accordance with this policy. The inspection shall be documented on the Vehicle Inspection Form. See attachment: [Vehicle Inspection Form \(Effective 08.30.2022\) \(003\).pdf](#)

#### **703.6 UNMARKED VEHICLES**

Pool unmarked vehicles are assigned to various divisions and their use is restricted to the respective division and the assigned member, unless otherwise approved by a supervisor.

#### **703.7 DAMAGE, ABUSE AND MISUSE**

When any department 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 department vehicle that was not caused by a traffic accident shall be immediately reported during the shift in which the damage was discovered, documented in memorandum format and forwarded to the Shift Supervisor. An administrative investigation should be initiated if any vehicle abuse or misuse is suspected by any supervisor.

#### **703.8 TOLL ROAD USAGE**

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

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

- (a) Members operating vehicles for any reason other than in response to an emergency shall pay the appropriate toll charge or utilize the appropriate toll way transponder. Members may submit a request for reimbursement for any toll fees incurred in the course of official business.
- (b) Members passing through a toll plaza or booth during a response to an emergency shall notify, in writing, the appropriate Division Commander within five working days explaining the circumstances.

#### **703.9 ATTIRE AND APPEARANCE**

When operating any department 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, attire and



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appearance, regardless of the activity, should be suitable to reflect positively upon the Department. The wearing of open toe or open heel shoes is strictly prohibited while operating any department vehicle while off-duty.

#### **703.10 CALEA STANDARDS**

41.3.1 / 72.4.3 / 73.5.14 / 81.2.4

## Attachments

**Vehicle Inspection Form  
(Effective 08.30.2022) (003).pdf**

**HYATTSVILLE POLICE DEPARTMENT**



**Vehicle Inspection Report**

VEH. NUMBER: \_\_\_\_\_ OPERATOR: \_\_\_\_\_ DATE: \_\_\_\_\_

YEAR: \_\_\_\_\_ MAKE: \_\_\_\_\_ MODEL: \_\_\_\_\_ MILEAGE: \_\_\_\_\_

TAG: \_\_\_\_\_ TAG EXPIRATION: \_\_\_\_\_ LAST PM: \_\_\_\_\_

VEHICLE	YES/NO/NA	VEHICLE (continued)	YES/NO/NA
1. FREE OF BODY DAMAGE		27. MDC / COMPUTER PRESENT MDC #:	
2. FREE OF GLASS DAMAGE		28. WORKING RADIOS (In-car & Portable)	
3. FREE OF DECAL or PAINT DAMAGE		29. WORKING SIREN & AIRHORN	
4. FRONT AND REAR TAG PRESENT		MOUNTED RADAR & 2 ANTENNA'S PRESENT	
5. EXTERIOR CLEAN		30. All Serial #s:	
6. ALL CENTER/HUB CAPS PRESENT		CALIBRATION RECORDS & TUNING FORKS	
7. TIRES HAVE APPROPRIATE TREAD		31. PRESENT	
PROPER TIRE PRESSURE		32. MEDICAL TRAUMA KIT PRESENT	
8. Front Left: Front Right:		33. PBT & TUBES PRESENT Serial #:	
Rear Left: Rear Right:		34. FLASHLIGHT (DEPT. ISSUED) PRESENT	
9. REARVIEW MIRROR PRESENT		Serial #:	
10. WORKING HEADLIGHTS (HIGH AND LOW)		35. REFLECTIVE VEST PRESENT	
11. WORKING TURN SIGNALS		36. VEHICLE PM REPORT PRESENT	
12. WORKING EMERGENCY HAZARDS		37. GAS CARD PRESENT Last four of Card #:	
13. WORKING TAILLIGHTS		38. INSURANCE CARD Exp:	
14. WORKING BRAKE LIGHTS		39. REGISTRATION CARD Exp:	
15. WORKING TAG LIGHTS		40. CHARGED FIRE EXTINGUISHER PRESENT	
16. WORKING PARKING LIGHTS		41. GUN VAULT & WORKING LOCK PRESENT	
17. WORKING REVERSE LIGHTS		42. INTERIOR CLEAN	
18. WORKING EMERGENCY LIGHTING		43. UNAUTHORIZED WEAPONS/EQUIPMENT PRESENT	
19. WORKING SPOTLIGHT		<b>CAMERA EQUIPMENT</b>	<b>YES/NO/NA</b>
20. PROPER MOTOR OIL LEVEL		44. IN CAR CAMERA & MICROPHONE	
21. PROPER COOLANT LEVEL		Serial #s:	
22. PROPER POWER STEERING FLUID LEVEL		45. IN CAR CAMERA UPLOADING TO SERVER	
23. PROPER TRANSMISSION FLUID LEVEL		46. IN CAR VIDEOS PENDING IN QUEUE	
24. SPARE TIRE / JACK / LUG WRENCH PRESENT		47. IN CAR CAMERA ACTIVATES W/ LIGHTS	
25. WORKING WIPER BLADES		48. BODY CAMERA Serial #:	
26. DASH WARNING LIGHTS OFF		49. BWC CONNECTS TO VEHICLE BLUETOOTH	
		50. BWC ACTIVATES ON VEHICLE SLIDE SWITCH 2	

**EXPLAIN ANY UNSATISFACTORY ITEMS:**

ITEM #	REMARKS

\_\_\_\_\_  
Officers Signature & ID#

\_\_\_\_\_  
Supervisors Signature & ID #

