



Town of Lexington

Police Department

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| Subject: Police Vehicle Operations | |
| Reference: 41.1.3; 41.3.1; 41.3.2; 41.3.3 | |
| Effective Date: 12-1-2011 | Review Date: Annually |
| By Order of: Mark J. Corr, Chief of Police | |

Policy & Procedure

41U

The Municipal Police Institute, Inc. (MPI) is a private, nonprofit charitable affiliate of the Massachusetts Chiefs of Police Association. MPI provides training and model policies and procedures for police agencies. This policy is an edited version of MPI Policy 4. XX "Police Vehicles."

GENERAL CONSIDERATIONS AND GUIDELINES

Police department vehicles are purchased and maintained for the purpose of delivering police services to the residents of the Town of Lexington. The Lexington Police Department is committed to maintaining agency vehicles to be safe, dependable and professional in appearance.

Vehicles will be maintained with equipment and stocked with supplies, so that employees may effectively carry out their responsibilities. Employees will keep vehicles clean to the best of their ability, fuel them up at the end of the shift, replenish or make note of any supplies which are low and report defects and damage in a timely manner.

It is the policy of the Lexington Police Department that:

1. Department vehicles shall only be used for police purposes, as determined by the Chief of Police and in accordance with Town policy;
2. All Police Department 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.

PROCEDURES

A. Definitions

1. **Police Mechanic:** is the fleet manager and shall be responsible for all maintenance equipping, stocking, and replacement of Department vehicles, under the direct supervision of the Day Shift Administrative Lieutenant. [41.1.3(c)]
2. **Patrol Vehicle:** A marked or unmarked four wheel sedan or utility vehicle intended for regular patrol duties by uniformed personnel.
3. **Specialty Vehicle:** A motor vehicle intended for a specific purpose, such as a mobile command post, tactical team van, animal control van, Motorcycle, etc.
4. **Unmarked Vehicle:** A sedan or utility vehicle without the visible paint, markings, and equipment, which would make it easily identifiable as a police vehicle.
5. **Administrative Vehicle:** A sedan or other vehicle used by administrative personnel.

B. Operation

1. Authorization
 - a. Only employees authorized to do so by a supervisor may operate Department vehicles.
 - b. Department vehicles may be issued to specific individuals by the Chief of Police. Personnel holding the following positions are issued administrative police vehicles: The Chief of Police; Captain of Administration, Captain of Operations, and the Detective Commander.
2. Licensing
 - a. Persons operating Department vehicles must possess a valid Massachusetts Driver's License.
 - b. An employee whose job responsibilities require the operation of a motor vehicle must notify the Chief of Police, or designee, of a license suspension or revocation immediately upon learning of such suspension or revocation.
 - c. No employee may operate a motor vehicle with a suspended or revoked license. If directed or instructed to operate a vehicle, the employee must notify a supervisor immediately.

3. User Responsibilities

- a. Prior to operating a Department vehicle, and at the beginning of a tour of duty, employees must inspect the vehicle to which they are assigned to ensure that equipment is operating properly, the vehicle is clean, stocked with adequate supplies, and all damage appropriately documented. The inspection shall be noted on the cruiser gas slip, which is located on the cruiser laptop. If a vehicle does not have a laptop or is otherwise out of service a paper gas slip must be completed.
 - i. 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.
 - ii. Operators shall identify and report any defective equipment, including headlights, directional and marker lights; auxiliary emergency lights, radios radar, gun racks, etc.
 - iii. Body fenders, bumpers, glass and tires shall be viewed for obvious signs of damage.
 - (a) Defective or damaged vehicles shall be reported to the shift commander and/or the Patrol Supervisor, who may inspect the reported deficiency and cause it to be reported to the Police Mechanic.
 - (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 demonstrates why [s]he was not responsible.
 - iv. Tires shall be inspected for damage and condition.
 - v. Supplies carried by the vehicle shall be checked and replaced or replenished as necessary. [41.3.2]
- b. Vehicles used to transport detainees shall be inspected before and after transport for contraband and weapons. See also policy **71A-Transporting Detainees**.
- c. Vehicles will be taken through the car wash, when necessary.

- d. Prior to returning a vehicle at the end of their shift, the operator must ensure that the vehicle is fueled with a minimum of a $\frac{3}{4}$ tank of gas and the interior is clean and free of trash.
4. Equipment and Supplies
- a. Patrol Vehicles
 - i. All marked and unmarked patrol vehicles shall be equipped with emergency lights and siren, and the supplies and equipment specified in Appendix 1 of this policy. [41.3.1] [41.3.2]
 - ii. Supplies for patrol vehicles are stored in the Mechanics Office and the garage. Entry to the Mechanic's office will be done with the prior knowledge of the Commanding Officer on-duty who has a key to the office. Officers will replenish supplies as used or otherwise as needed. [41.3.2]
 - b. Unmarked Vehicles
 - i. All 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.
 - ii. Detective vehicles may carry additional equipment at the discretion of the Detective Commander.
 - iii. Administrative vehicles shall carry equipment specified under this section. Additional equipment may be carried at the discretion of the employee assigned to the vehicle and with authorization of a supervisor.
 - c. Additional radios, long guns and racks, equipment vaults, Lojack receivers, auxiliary emergency lights, and/or push bumpers must be authorized by the Chief of Police or designee prior to being installed.
 - d. 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 or when authorized by the Chief of Police, Commanding Officer or Patrol Supervisor.

6. Seat Belts [41.3.3]
- a. The wearing of seat belts in Department vehicles is mandatory for sworn and non-sworn personnel.
 - b. Seatbelts are mandatory for all civilian passengers.
 - i. Children traveling, as passengers will use car seats appropriate for the child's age or weight whenever one is available.
 - ii. ***The seatbelt must never be bypassed by locking it behind the occupant or by the use of any bypass device.***

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 will not be used for pushing another vehicle.
8. Jump Starting Vehicles: Department vehicles will not be used to jump start other vehicles. Department vehicles may be jump started by the portable jump box, which is located in the garage.
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.
 - b. M.G.L. c. 89, §7B (Operation of Emergency Vehicles): 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.

10. Specialty vehicles: The following specialty vehicles are available to members of this department: [41.1.3]
 - a. Motorcycle
 - i. This vehicle is authorized for use by properly trained members of the motorcycle unit only. See also policy **41T-Police Motorcycles**.
 - ii. The motorcycle may be used for day-to-day police operations, traffic enforcement, NEMLEC call outs and any other duty designated by the Chief of Police.
 - iii. The Police Mechanic shall coordinate upkeep and maintenance.
 - iv. A list of equipment and supplies to be kept on the vehicle are listed in Appendix 1 of this policy.
 - b. Animal Control Parking Enforcement Vehicle
 - i. This vehicle is authorized for use by patrol personnel if deemed necessary but primarily by the Animal Control Officer or Parking Control Officer.
 - ii. The Animal Control Officer is responsible for stocking the vehicle with supplies and coordinating maintenance with the Police Mechanic.
 - iii. A list of equipment and supplies to be kept on the vehicle are listed in Appendix of this policy.
 - c. Incident Command Vehicle
 - i. This vehicle is authorized for use by sworn and non-sworn personnel when authorized by the Commanding Officer.
 - ii. The Police Mechanic is responsible for stocking the vehicle with supplies and coordinating maintenance.
 - iii. A list of equipment and supplies to be kept on the vehicle are listed in Appendix 1 of this policy.
 - d. Additional equipment may be carried at the discretion of the supervisor of the function to which the vehicle is assigned.

C. Maintenance

1. Regular Maintenance

- a. Regular scheduled maintenance, such as oil changes, state safety inspections and tire replacements will be coordinated by the Police Mechanic.
- b. In the event that a tire is discovered to be flat or damaged the Police Mechanic should change the tire. If not available, an authorized tow company should be contacted to change the tire. Officers may change tires themselves if safety is not an issue.

2. Mechanical and Auxiliary Equipment Problem

- a. Mechanical and equipment problems shall be reported to the Commanding Officer who will determine if the vehicle should be taken out of service. The Police Mechanic will be notified of the condition so that it may be resolved.
- b. If, in the discretion of the Commanding Officer, a condition exists that makes the vehicle unsafe, any vehicle taken out of service will be noted on the work sheets. The Captain of Administration and the Police Mechanic will be notified so that appropriate repairs/maintenance can be completed.

3. Towing: If a police vehicle becomes disabled and needs to be towed, the officer operating the vehicle shall immediately notify dispatch and the Commanding Officer. An authorized tow company will be notified to tow the police vehicle either to a repair location.

D. 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. If available, the Patrol Supervisor shall immediately go to the scene and make an investigation and report all particulars to the Commanding Officer forthwith.
- c. If not available, the Commanding Officer may be called upon to leave the station and handle the investigation. The Chief of Police will be notified if the incident involves serious damage, personal injury or an unusual circumstance. When possible, patrol officers should not investigate crashes involving other patrol officers or other police Department employees.

- d. The officer involved in the crash shall promptly submit an accident 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 Commanding Officer.
 - b. The Commanding Officer will notify the police department with jurisdiction and request assistance.
 - c. The accident may be investigated by the department with jurisdiction, if the damage amounts to the reporting requirements in Massachusetts.
 - d. The Commanding Officer, Patrol Supervisor or other personnel authorized by the Commanding Officer may respond to take photographs and otherwise render assistance and document the event.
- E. Disposal
 1. When a Department vehicle is to be disposed of through auction, trade in, release to an insurance company, or any other means, the Police Mechanic shall remove all loose supplies and equipment from the vehicle.
 2. The vehicle shall be stripped of all after market 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 decals.

¹ M.G.L. c 89, §7B.

APPENDIX 1

Patrol Vehicles – Standard Equipment

- Mobile two-way radio W/scanner & PA
- Siren
- Emergency lights
- Laptop
- Nextel (if equipped)
- Flashlight w/charger (if equipped)
- Radar
- Medical Bag w/AED
- Rifle in locking rack w/2 spare mags (if equipped)
- Less lethal in locking rack (if equipped)
- Stop sticks
- Lookout tool
- Flotation Throw Line (water rescue)
- Measuring stick
- Fire Extinguisher
- Police line tape
- Binoculars
- Animal snare
- Spare tire
- Blanket
- Road flares, 30 minute with wire stand

2. Unmarked Vehicles—Standard Equipment

- Mobile two-way radio W/scanner & PA
- Siren
- Emergency lights
- Flashlight w/charger
- First Aid Kit
- Flotation Throw Line (water rescue)
- Measuring stick
- Fire Extinguisher
- Spare tire
- Blanket
- Road flares, 30 minute with wire stand

Additional Equipment

- Laptop
- Crime scene kit
- Police line tape
- Body Armor
- Binoculars

3. Motorcycle—Standard Equipment

- Mobile two-way radio w/scanner & PA
- Siren
- Emergency lights
- First Aid Kit

4. Incident Command Vehicle--Mandatory Equipment

- Mobile two-way radio w/scanner & PA
- Siren
- Emergency lights
- First Aid Kit
- Lookout tool
- Flotation Throw Line (water rescue)
- Measuring stick
- Fire Extinguisher
- Police line tape
- Binoculars
- Spare tire
- Blanket
- Road flares, 30 minute with wire stand
- Incident Command Center Equipment

Additional Equipment

- Laptop
- Police line tape
- Ballistic helmet
- Body armor
- Gas Masks
- GPS locator system
- Portable Command Board w/case

5. Animal Control Vehicle—Standard Equipment

- Mobile two-way radio w/scanner & PA
- Siren
- Emergency lights
- First Aid Kit
- Fire Extinguisher
- Spare tire w/jack
- Blanket

Additional Equipment

- Animal snare
- Animal stretcher
- Small animal cage
- Heavy duty gloves