



## Lunenburg Police Department

<b>Policy Number:</b> <b>4.07</b>	<b>Subject:</b> <b>Police Vehicles</b>
<b>Issue Date:</b> <b>10/18/2021</b> <b>Revision Date(s):</b> <b>2/3/2022</b> <b>Effective Date:</b> <b>10/18/2021</b>	<b>Massachusetts Police Accreditation</b> <b>Standards Referenced:</b> <b>41.1.3 (c); 41.3.1; 41.3.2; 41.3.3</b>
<b>Issuing Authority:</b>  <i>Chief Thomas L. Gammel</i>	

### I. GENERAL CONSIDERATIONS AND GUIDELINES

Lunenburg Police Department vehicles are purchased and maintained for the purpose of delivering police services to this municipality. The 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 Department 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 Department 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 the Lunenburg Police Department that:

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

## III. DEFINITIONS

- A. Fleet Manager: An employee(s) 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 motor vehicle intended for regular patrol duties by uniformed personnel. [41.3.1]
- C. Specialty Vehicle: A motor vehicle intended for a specific purpose, such as a mobile command post, tactical team van, animal control van, UTV, etc.[41.1.3]
- D. Unmarked Vehicle: A motor vehicle 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 in accordance with their employment.
    - b. Department vehicles may be issued to specific individuals by the authority of the Chief of Police.
    - c. The following employees shall be issued a vehicle:
      - i. Lieutenant
      - ii. Detective(s)
      - iii. Traffic Officer(s)
      - iv. K9 Officer
      - v. School Resource Officer/Community Outreach Officer

## 2. Licensing:

- a. Employees or personnel authorized to operate Department vehicles must possess a valid Massachusetts Operator's License, and or the equivalent from the State they reside in.
- b. A license check will be conducted on Department employees on an annual basis.
- c. An employee who's right to operate has been suspended or revoked must inform his/her supervisor immediately upon learning of such suspension or revocation. The employee shall notify the Chief of Police and the Lieutenant of the suspension or revocation.
- d. 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 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.
  - 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 are responsible for adding windshield washer fluid when needed.
  - iii. Operators shall identify and report defective equipment, such as headlights, directional and marker lights; auxiliary emergency lights; and radios.
  - iv. Body fenders, bumpers, glass and tires shall be viewed for obvious signs of damage.
  - v. Tires shall be inspected for damage and proper inflation.
  - vi. Supplies carried by the vehicle shall be checked and replaced or replenished as necessary. [41.3.2]
  - vii. Other equipment found to be inoperative or defective, such as radar, gun racks, scanners, etc., shall be reported when discovered.
    - 1) 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(s).
    - 2) The supervisor shall initiate an investigation of any unexplained damage.
    - 3) 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.

- viii. 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 & Supplies:

- a. Patrol Vehicles
  - i. 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]
  - ii. Supplies for patrol vehicles are located in the Department garage. Vehicle operators may replenish supplies as used or identified during vehicle inspections. [41.3.2]
- b. Unmarked Vehicles
  - i. All 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.
  - ii. Investigators' vehicles may carry additional equipment at the discretion of the investigative function supervisor.
  - iii. 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.
- c. Additional permanently mounted radios, firearms and racks, equipment vaults, auxiliary emergency lights, push bumpers, must be authorized by the Chief prior to being installed.
- d. No body or paint modifications may be made without prior approval of the Chief.

#### 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, Lieutenant, and or Sergeant.

#### 6. Seat Belts [41.3.3]

- a. The operators of Department vehicles shall wear seatbelts.
- b. Seatbelts are mandatory for all civilian passengers.

- i. Children traveling as passengers must use car seats appropriate for the child's age or weight.
- ii. Children may be transported without a car seat only if car seats are not available.
- iii. 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 shall not be used for pushing another vehicle.

8. Jump Starting Vehicles:

Department vehicles may not be used to jump start vehicles other than department vehicles.

9. Routine Operation [41.2.1]

- 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. In accordance with G.L. 89 § 7B, when 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.

C. Specialty Vehicles [41.1.3]

1. The following specialty vehicles are available to members of this Department:

- a. Animal Control Vehicle
  - i. 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.
  - ii. The vehicle may be used for animal control functions or other police functions in an emergency.
  - iii. The Animal Control Officer is responsible for stocking the vehicle with supplies and coordinating maintenance with the Fleet Manager.

- iv. A list of equipment and supplies to be kept in the vehicle are listed in Appendix 1 of this policy.
- b. UTV
  - i. This vehicle is authorized for use by all Department personnel as needed. Operators must be trained in its operation prior to use.
  - ii. The vehicle may be used for police operations on or off road.
  - iii. The Fleet Manager(s) shall coordinate upkeep and maintenance.
- c. Patrol Boat
  - i. 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.
  - ii. The boat shall be used primarily within the waterways of this jurisdiction but may be transported elsewhere for mutual aid.
  - iii. The Fleet Manager shall coordinate upkeep and maintenance, and replenish supplies and equipment.
  - iv. A list of equipment and supplies to be kept on the vehicle is listed in Appendix 1 of this policy.
- d. Additional equipment may be carried at the discretion of the Fleet Manager(s).

#### D. Maintenance

##### 1. Regular Maintenance

- a. Regular scheduled maintenance, such as oil changes, state safety inspections, tire replacements, etc., shall be coordinated by the Fleet Manager(s).
- b. In the event that a tire is discovered to be flat or damaged, the operator assigned to the vehicle will change the tire. If the operator is unable to change the tire a tow will be arranged to bring the vehicle to Lunenburg Public Works Department for service.

##### 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 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. If the vehicle is taken out of service a notice will be on the white board in the break room and the OIC's office indicating the vehicle is "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. The state police or local police department in whose jurisdiction

the disabled vehicle is located shall be called to arrange for the towing of the vehicle.

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, notify the Department Accident Reconstruction Officer, 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 notify the appropriate jurisdiction of the accident. The officer shall then immediately notify the shift supervisor.
- b. The shift supervisor will notify the Lieutenant of the accident. If a shift supervisor is unavailable the officer shall notify the Lieutenant of the accident.
- c. The accident shall be investigated by the State Police or the police department of jurisdiction.
- d. At the discretion of the shift supervisor or at the direction of Lieutenant 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(s) 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, etc.

## **Appendix 1**

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

- Mobile two-way radio
- Mobil Data Terminal (MDT)
- Siren
- Emergency auxiliary lights
- Shotgun in locking rack, and/or Patrol Rifle in locking rack
- Ammo bag with loaded Rifle Magazine(s), shotgun rounds
- Less Than Lethal Shotgun (Patrol Supervisor)
- Ballistic Shield
- Tactical Bag with Ballistic Helmet and Level III Body Armor
- Medical Kit with Oxygen
- Narcan Kit
- Defibrillator
- Fire Extinguisher
- Radar Unit
- Scanner

### **Optional Equipment**

- Knox Box
- Dog/Animal Snare
- Lockout Kit
- Water Rescue Disk/Personal Flotation device
- Roadside flares/Electronic lighting warning device
- Traffic cones

### **Mandatory Equipment – Patrol Unmarked Vehicle**

- Mobile two-way radio
- Mobil Data Terminal (MDT)
- Siren
- Emergency auxiliary lights
- Shotgun in locking rack, and/or Patrol Rifle in locking rack.
- Ammo bag with loaded Rifle Magazine(s), shotgun rounds
- Ballistic Shield
- Medical Kit with Oxygen
- Narcan Kit



- Defibrillator
- Fire Extinguisher
- Radar Unit
- Scanner

#### Optional Equipment

- Knox Box
- Dog/Animal Snare
- Lockout Kit
- Water Rescue Disk/Personal Flotation device
- Roadside flares/Electronic lighting warning device
- Traffic cones

#### Mandatory Equipment-Unmarked Administrative Vehicle

- Mobile two-way radio
- Emergency auxiliary lights
- Medical Kit

#### Optional Equipment

- Shotgun in locking rack, and/or Patrol Rifle in locking rack
- Ammo bag with loaded Rifle Magazine(s), and shotgun rounds

#### Mandatory Equipment – Animal Control Vehicles

- Mobile two-way radio
- Emergency auxiliary lights
- First Aid Kit
- Fire Extinguisher
- Blanket
- Dog/Animal Snare
- Kennel
- Animal Stretcher
- Heavy duty gloves

#### Mandatory Equipment – Patrol Boat

- Public Address System with siren
- Emergency auxiliary lights
- Public Address System
- Medical Kit with Oxygen
- Fire Extinguisher

- Towing rig
- Blanket
- Personal Flotation Vest (water rescue)
- Flotation Throw Line or Life Ring (water rescue)
- Binoculars
- Boat hook

#### Mandatory Equipment-UTV

- Mobile two-way radio
- Siren
- Emergency auxiliary lights
- Medical kit with oxygen
- Fire extinguisher
- Flotation throw line (water rescue)