

# FREDERICK POLICE DEPARTMENT GENERAL ORDER

**Section 9:** Police Equipment and Vehicles  
**Topic:** POLICE VEHICLE OPERATION  
**Approved:** 08/29/19  
**Review:** Annually in April by Deputy Chief of Police  
**Supersedes:** G.O. 960 dated 01/01/01

**Order Number:** 960  
**Issued by:** Chief of Police

## **.01 PURPOSE:**

To establish procedures for the use of department vehicles in routine and emergency situations.

## **.02 CROSS REF:**

G.O. 120, "Communications Protocols"  
G.O. 210, "Traffic Law Enforcement"  
[G.O. 250, "Departmental Traffic Accidents"](#)  
[G.O. 312, "Deployment Response Priorities"](#)  
[G.O. 770, "Prisoner Transport"](#)  
[G.O. 965, "Vehicle Pursuits"](#)  
G.O. 978, "Mobile Data Computer System"  
[G.O. 1330, "Ride-Along Program"](#)  
Form OSB-009 Vehicle Usage Check Sheet

## **.03 DISCUSSION:**

Instructions in this General Order apply to all Department vehicles unless the context or specific language indicates limited applicability, such as for marked vehicles only. The nature of police work requires officers to operate police vehicle in both an emergency and non-emergency manner.

## **.04 POLICY:**

Under non-emergency conditions, Department personnel will obey all laws relating to the operation of vehicles in the same manner required of any other person. All personnel are responsible for ensuring that their assigned vehicles are in safe and operational condition. The use of Department vehicles will be limited to those operations that support the Department mission.

The Maryland Vehicle Law exempts, in specified manners, emergency vehicles with emergency lights and sirens activated from certain "rules of the road" when responding to an emergency call or fire alarm, or when pursuing a suspected or actual violator of the law. However, the law requires all officers engaged in an emergency response to drive with due regard for the safety of all persons and property.

It is the policy of the Frederick Police Department that all personnel operating police vehicles will do so in full compliance with the Maryland Vehicle Law.

## **.05 DEFINITIONS**

**EMERGENCY CALL:** a situation that includes a reasonable possibility of death or personal injury, as evidenced by the facts known at the time. Examples include, but are not limited to, the following calls when in progress or which have just occurred: officer in need of assistance, assault, rape, robbery, burglary, kidnapping, murder, shooting, stabbing, suicide, domestic dispute involving violence, personal injury accident, arson, or any call in which a weapon is present.

**EMERGENCY VEHICLE:** A department vehicle that has been registered as an emergency vehicle with the Motor Vehicle Administration. All Department vehicles with emergency lights or a siren

installed will be registered with the MVA as an emergency vehicle by the Department Fleet Maintenance Coordinator.

**.10 POLICE VEHICLE OPERATION:**

1. Vehicles will be driven at speeds that permit action whenever a situation is observed that requires a police response.
2. Vehicles should be driven in a manner that does not hinder the flow of traffic or pose unreasonable risks to anyone. In all situations, members will consider the conditions present and use reasonable judgment.
3. Vehicle operators will comply at all times and under all circumstances with the provisions of the Maryland Vehicle Law.
4. The driver of any Departmental vehicle will not operate Automated Information Systems, handheld equipment, or MDTs while the vehicle is in motion.
5. The driver of any Departmental vehicle will not utilize cellular phones without a hands free device while the vehicle is in motion.
6. In vehicles equipped with MDTs, department members will utilize MDTs appropriately without altering with settings related to AVL. AVL is designed with officer safety in mind in the event of a major incident or collision.
7. When operating a vehicle with specialized equipment (LPR, NOPTIC) officers will utilize this equipment as trained. Assignment of fleet vehicles with specialized equipment will be prioritized to members certified in the use of the equipment.

**.15 EMERGENCY OPERATION:**

1. When a vehicle is being operated in an emergency manner, the officer operating the vehicle will use both the emergency lights and siren. Section 21-106[c] of the Maryland Vehicle Law requires the use of audible signals when a police vehicle is being driven contrary to the rules of the road and the use of visual signals when a police vehicle is parked contrary to the rules of the road. The provisions of this section will not relieve the driver of a police vehicle from the duty to drive with due regard for the safety of all persons and property, nor will such provisions protect the driver from the consequences of a disregard for the safety of other persons and property.
2. Officers are authorized to operate a Department vehicle in an emergency manner when responding to an emergency call or when pursuing a suspected or actual violator of the law. Supervisors are authorized to override the decision of a vehicle operator and either require or prohibit such emergency operation.

**.20 STATE LAW EXEMPTIONS:**

1. In accordance with the Maryland Vehicle Law, Section 21-106, and the policy of this Department, when operating in an emergency manner, the driver of an emergency vehicle may:
  - A. Park or stand without regard to the other provisions of the rules of the road;
  - B. Pass a red or stop signal, a stop sign, or a yield sign, but only after slowing down as necessary for safety;

- C. Exceed any maximum speed limit, but only so long as the driver does not endanger life or property, and;
  - D. Disregard any traffic control device or regulation governing direction of movement or turning in a specified direction.
2. Such maneuvers are authorized only when they can be executed safely and with due regard for the safety of all persons and property.

**.24 NON-PURSUIT TRAFFIC STOPS:**

When making a non-pursuit traffic stop, emergency lights, as well as additional equipment such as siren, horn, headlights, hazardous warning lights, spotlights, and public address systems will be used when and as needed to ensure the safety of the officer and the public.

**.25 STATIONARY USE OF EMERGENCY EQUIPMENT:**

Unnecessary use of emergency equipment can compound traffic problems. Officers are authorized to operate emergency lights, hazardous warning lights, spotlights, and other emergency equipment at a minimum level necessary to ensure safety of the officer and the public under such conditions as stopping violators, parking contrary to legal requirements and assisting motorists.

**.28 DISCONTINUANCE OF EMERGENCY RESPONSE:**

Department personnel operating in an emergency manner must continuously evaluate their ability to control their vehicle, the condition of the road and other environmental factors, and the degree of the emergency. Emergency operation should be halted when the vehicle cannot be operated in such a manner without unreasonable danger to the safety of the officer, other citizens, or property. Emergency operation will also be halted when officers actually on the scene of an emergency call advise that additional emergency response is no longer necessary.

**.30 "EMERGENCY" ESCORTS:**

1. Officers are prohibited from emergency escorts of other vehicles except when performing the following:
  - A. Escorting for the purpose of preserving life.
  - B. Expediting the movement of supplies or personnel during a national, state, or local emergency.
2. Officers will obtain supervisory permission prior to commencing any emergency escort.
3. All reasonable alternatives, such as awaiting arrival of an ambulance or transporting supplies in the police vehicle, should be explored prior to providing an escort of a civilian vehicle.
4. During the escort, the civilian vehicle's headlights and hazard lights will be activated. The civilian will be advised to remain a safe distance behind the police vehicle, that a complete stop will be made at all red signals and stop signs, and that the vehicles will only proceed when safe to do so.

**.35 OTHER ESCORTS:**

1. The Frederick Police Department may be asked to provide escort services for dignitaries, public officials or other unusual circumstances. If such a request is made, it will be handled or coordinated through the Patrol Division.

2. Plans for civilian escort of oversized vehicles, etc. will be reviewed for adequacy by the Commander of the Patrol Division.
3. Funeral escorts will be handled with emergency lights and headlights activated and in compliance with Section 21-207 of the Maryland Vehicle Law.

**.40 TRANSPORTING CITIZENS:**

Citizens will not be transported in Department vehicles, other than "Take Home" or assigned vehicles operated by off-duty officers, unless necessary to accomplish a police purpose. When an exception to this rule is believed necessary, members will obtain approval from a supervisor or member of the Command Staff prior to transporting non-police personnel.

**.45 TRANSPORTING INJURED PERSONS:**

1. Department vehicles should not be used to transport injured persons to the hospital. Instead, an ambulance should be called. Exceptions may be made to this rule whenever the officer at the scene believes it necessary because of unusual or exigent circumstances.
2. Officers have discretion to transport persons requiring emergency evaluations to the hospital by department vehicle if no injury is present.

**.50 PROHIBITED USE:**

1. Department vehicles will not be used for the purpose of jump-starting, pushing, or towing a non-Department vehicle.
2. Department vehicles will not be used for personal use without explicit prior approval from a Supervisor. Assigned or take home vehicles will be operated in accordance with policy outlined in G.O. 955 Take-Home and Assigned Vehicles.

**.60 USE OF SEAT BELTS:**

1. Except as provided in the Maryland Vehicle Law, all Department employees, when operating or riding in a Department vehicle or any vehicle used to conduct Department business, will use all safety devices and restraint systems (seat belts) provided by the manufacturer. The lap belt and shoulder harness, as well as any other safety devices provided, will be used in accordance with the intended use and design of the manufacturer.
2. Operators of Department vehicles will ensure that all occupants of the vehicle are properly secured in a seat belt or child safety seat at all times while the vehicle is in motion, except as provided in the Maryland Vehicle Law.
3. The Department also realizes that exigent circumstances may cause a restraining device to become a hindrance to normal law enforcement functions. Officers may use common sense and decide to remove a restraining device during special situations in which the efficiency of operations outweighs the safety benefit; e.g., the release of the restraining device immediately before arrival at the scene of an emergency call.

**.70 INSPECTION OF VEHICLES:**

1. At the beginning of each tour of duty, members having an assignment that involves the use of a Department vehicle will make a thorough inspection of the vehicle and its equipment. Items that will be inspected or checked include the following:
  - A. Mechanical condition of vehicle including fluids, tires, wheels, and body;

- B. Emergency equipment;
  - C. Locking mechanisms;
  - D. Condition of other equipment (brakes, lights, radios, P.A. system, upholstery, spare tire, jack, etc.); and,
  - E. Presence of any contraband, evidence, or weapons.
2. Employees will ensure as much as possible that the vehicle to be used is in a condition which allows safe completion of a tour of duty.
  3. At the conclusion of each such tour of duty, members will complete a Vehicle Usage Check Sheet (Form OSB-009) and submit it via chain of command to the Fleet Maintenance Coordinator.

**.80 MAINTENANCE OF VEHICLES:**

1. Oil, coolant, and windshield washer solvent are made available in the garage of police HQ. Department members utilizing a vehicle will be responsible for checking and adding fluids as needed to the vehicle while in use.
2. All department members will be responsible for maintaining the cleanliness of vehicles exterior and interior. Vehicles will be left free of debris and clean.
3. Any damage or inoperative equipment will be reported to the fleet maintenance coordinator via the vehicle use check sheet. This will generate a Help Desk ticket for the issue to be corrected. In the event the damage or inoperative equipment creates a safety concern the vehicle will immediately be taken out of service and another vehicle will be used.
4. In the event a Department vehicle needs service as a result of a flat tire, mechanical failure, or accident, the vehicle operator will notify their supervisor, who will arrange for the service(s) needed. When possible, a Department vehicle will be driven to the City Department of Public Works or to another service location, as appropriate. Except under exigent circumstances, the Department of Public Works will respond and change flat tires at the location where the flat occurs.
5. Fleet vehicles will be fueled as soon as possible if the fuel level drops below one-half tank. Fueling of both marked and unmarked vehicles will be done at the City Department of Public Works' fueling facilities whenever possible, but commercial facilities may be used when the DPW facilities are unavailable. Department motorcycles will be fueled at the commercial facility selected by the Fleet Maintenance Coordinator. Receipts for fuel obtained at commercial facilities will be forwarded to the Fiscal Affairs Manager.
6. When fueling vehicles under normal conditions, all required information will be entered into the automated fueling system at the City Department of Public Works. When adding fluids or replacing vehicle parts, notification will be made to the fleet maintenance coordinator by email.

**.90 VEHICLE SECURITY:**

1. Except as provided in the Maryland Vehicle Law and other exigent circumstances, ignition keys will be removed from all Department vehicles when leaving the immediate vicinity of the vehicle. This protects not only the vehicle but also the equipment carried.

2. To prevent theft and vandalism of Department property, members will ensure that Department vehicles are locked, with windows closed, whenever not in the immediate presence of a Department employee. The windows of K9 vehicles may be left open, as appropriate, if a dog is to be left in the vehicle.