



Vehicle Operation

Section: 2.100
Effective Date: February 24, 2010
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2.100 Vehicle Operations

2.102.02 Vehicle use, authorization & operation

- A. All agency employees are responsible for the proper care, operation, and cleanliness of agency vehicles under their direct and/or indirect care.
- B. State vehicles shall not be used to conduct personal business, or to transport unauthorized personnel.
- C. UB is a smoke-free workplace. This extends to ALL UBPD vehicles.

2.102.04 Authorized Drivers

- A. Only authorized employees may operate agency vehicles. Vehicle use authorization is delegated from the Captain to Shift Supervisors.
- B. Every vehicle operator must possess a valid operator's license for the vehicle class to be driven.
 - 1. All agency employees may operate agency vehicles consistent with use restrictions.
 - 2. Persons with six or more points against their license are not permitted to drive state vehicles until the accumulated point total is reduced to less than four points in according to state fleet regulations.
- C. Civilian UB police personnel may operate agency vehicles consistent with their duties and responsibilities.

2.102.06 Restraint Devices

- A. All persons driving or riding in agency vehicles will wear seat belts/shoulder harnesses in compliance with provisions of the Transportation Articles.
- B. Employees will not take actions that will lessen the effectiveness of vehicle passenger restraint systems.

2.102.08 Vehicles to be Secured

Unattended agency vehicles will be appropriately secured.

2.102.10 Transport of Passengers

- A. In keeping with policy, escorts for faculty, staff and students formally begin when shuttle service ends at 11:00 pm and notwithstanding exigency, University Officers/Police will not decline an escort any time requested.

2.102.12 Agency not Responsible for Certain Loss

A. The agency is not responsible for damages to, or loss of, personal property by fire, theft, or collision due to the negligence of operators of agency vehicles.

2.102.14 Obedience to Vehicle Laws

A. Employees will operate agency vehicles responsibly, courteously, and in obedience to all regulations and traffic laws.

2.104 Vehicle equipment

2.104.02 General Equipment & Supplies

A. Marked agency vehicles used for patrol are:

1. Emergency vehicles and equipped with lights and sirens in accordance with the Transportation Articles;
2. Equipped with supplies that facilitate general or routine patrol services.

B. The unmarked agency vehicle is not an emergency vehicle and not to be used as such.

C. Standard equipment for all marked police vehicles should include:

1. First aid kit;
2. Fire extinguisher;
3. Spare tire and jack with tools;
4. Road flares;
5. Reflective traffic vest;
6. "Police Line" or "Caution" tape;
7. Traffic cones; and
8. Supply kit (containing blankets, tape, flex-cuffs, evidence bags, gloves, marking crayons, hazmat book, and other misc supplies)

2.104.04 Equipment Use

A. Equipment assigned in vehicles are to be inspected daily by UPO/MPO assigned to operate the vehicle that day. Assigned personnel are responsible for the items used and are responsible to ensure items are replenished.

2.104.06 Non-Transference of Equipment

A. Equipment assigned to a particular vehicle will not be changed, traded with, altered, or removed without permission from the shift supervisor/OIC.

2.106 Obedience to parking regulations

A. Agency vehicles will be parked in accordance with parking regulations during regular operations. Emergency or exigent circumstances allow for the temporary violation of parking regulations.

B. Agency vehicles parked in restricted areas will not be parked so as to unnecessarily interfere with traffic or impede emergency vehicle response during emergencies.

C. The agency will not be responsible for parking tickets or traffic violations received in violation of law or agency directives. Operators will be responsible for any parking, traffic violations/fines or storage charges as applicable.

2.108 Fleet vehicle operations

2.108.02 Vehicle Availability

- A. Agency owned vehicles do not have mileage limitations.
- B. Special use vehicles, such as bicycles, will be utilized only by personnel as authorized by training, certification, or assignment.
- C. Vehicles taken out of service because of maintenance related needs, high mileage, prior reservations for use, or other reasons will not be placed in service without the permission of the Lieutenant or Captain. Factors that must be considered when requesting a release of vehicles placed out of service include, but are not limited to:
 - 1. Verifying listed reasons for placing vehicles out of service by on-duty patrol squad supervisors; and
 - 2. Documenting vehicle inspections conducted by on-duty patrol supervisors or designates.

2.108.04 Vehicle Inspections

- A. Employees will thoroughly inspect vehicles prior to driving them, or, because of exigent circumstances, as soon as practical; deficiencies and/or damages discovered will be immediately reported.
- B. Shift supervisors/OIC's will ensure weekly vehicle condition reports are completed and forwarded to the Lieutenant then to the Captain.
- C. Vehicles will be inspected for:
 - 1. Cleanliness;
 - 2. Damage;
 - 3. Tire conditions;
 - 4. Oil level;
 - 5. Condition and status of assigned equipment and supplies; and
 - 6. Property left by others.
 - a. If contraband or weapons are recovered, recovering officers will obtain CC# and write an incident report.
 - b. Recovered personal property belonging to agency employees will be submitted to LOST AND FOUND for return in keeping with agency protocol – an e-mail notifying the owner may be in order.
 - c. Personal property belonging to citizens will be documented and submitted to the Lost and Found as recovered property and in keeping with agency protocols.
- D. Officers are responsible for restocking expendable vehicle supplies from on-hand reserve supplies.
- E. **Previously undocumented deficiencies discovered during vehicle inspections will constitute *prima facie* evidence that the immediate, prior operators are responsible for deficiencies and improper inspections and may be held responsible for the deficiencies.**

- F. At the end of all tours of duty, the officer will:
 - 1. Remove personal property;
 - 2. Ensure the interior of the vehicle is clean and trash free;
 - 3. Inspect the interior for articles left by others;
 - 4. Ensure that the vehicle is at least 3/4 fueled; and
 - 5. Secure the vehicle.
- G. Vehicles deemed unsafe or not road-worthy by employees will be immediately reported to supervisory personnel.
 - 1. Unsafe or non-road-worthy vehicles will be placed out of service with concurrence of supervisory personnel.
 - 2. Originals of Vehicle Condition Reports will be submitted to Lieutenant.

2.108.06 Vehicle Maintenance

- A. Vehicle Maintenance is the responsibility of the Lieutenant who coordinates the general maintenance, repairs, and modifications to agency vehicles.
 - 1. Routine maintenance schedules are furnished to the shift supervisor/OIC to have the vehicle transported to the facility performing the work.
 - 2. Inspectional information from daily activity sheets is consolidated into maintenance requests as needed.
 - 3. Shift supervisors/OIC's coordinates vehicle pick-up from and delivery to appropriate maintenance facilities.
 - 4. Officers picking up vehicles from maintenance facilities will, as practical, inspect the vehicles to ensure requested maintenance has been completed and return any copies of work receipts to the Lieutenant.
 - 5. Without first notifying the Lieutenant, officers will not accept custody of vehicles or sign for vehicle maintenance charges if they believe the maintenance is incomplete or incorrect.
- B. Day shift supervisors/OIC's are responsible for ensuring vehicles are washed on an as-needed basis.
 - 1. Vehicles will be washed in preparation for major special events.

2.108.08 Personal Equipment in Vehicles

- A. Officers are not allowed to use in agency vehicles:
 - 1. Non-issued earphones, electronic ear pieces, or headsets, excludes hearing aids;
 - 2. Televisions;
 - 3. Equipment, uniform items, or other articles or substances specifically prohibited by laws or directives.

2.110 Vehicle fueling procedures

2.110.02 Fueling Program Responsibilities

Immediate oversight and management of the agency's fueling program is the responsibility of the Captain.

2.110.04 Fueling Procedures

- A. Each of the agency's vehicles are issued a state fuel card.
 - 1. Agency employees are assigned a pin number to obtain fuel using the state gasoline card. State gasoline cards are located in each vehicle. Each operator is directed to obtain fuel from state fuel dispensing facilities. Each is responsible for the proper use, security, and use of these cards.
 - 2. Loss or theft of cards must be reported and immediately investigated.
- B. Employees operating agency vehicles are responsible for:
 - 1. Ensuring vehicles are returned from usage with at least 3/4 tank of fuel, or as near as possible as time permits;
 - 2. Ensuring vehicles are fueled with gasoline conforming with minimum octane ratings;
 - 3. Checking, and adding necessary oil from agency supplies;
 - 4. Documenting on their Daily Activity sheet & Log sheet in vehicle:
 - a. Vehicle numbers; and
 - b. Odometer readings (mileage).
 - c. Amount of gasoline purchased.
 - 5. Monthly, Physical Plant pays for gas purchases then submits a transmittal report for the agency to reimburse them for the payment made.

2.112 Response procedures

- A. Consistent with agency directives and Maryland TR 21-106, officers may use vehicle emergency equipment when:
 - 1. Warning persons of hazardous conditions;
 - 2. Signaling persons of a police presence;
 - 3. Directing the movement of persons, animals, or vehicles;
 - 4. Providing supplemental lighting;
 - 5. Effecting traffic stops;
 - 6. Pursuing violators or suspected violators of the law (see 2.116)
 - 7. Responding "priority" to emergency calls.
- B. All calls for service have response classifications as "routine" or "priority."
 - 1. Routine response to calls:
 - a. Is the response mode for all calls, unless otherwise ordered; and
 - b. Involves normal vehicle operations in compliance with all traffic laws.
 - 2. Priority response gives authorization, but not a mandate to use emergency lights and siren while responding in an agency vehicle. Routine response is included within this definition.
 - a. When facts known to the officer indicate that a priority response would be more appropriate. As such, the officer would advise Communications of their intent to respond priority.
 - b. Officers responding priority are granted certain privileges under the Transportation Articles and as such are responsible for compliance to them with respect to operation of emergency vehicles.
- C. Response classifications will be modified as incident dynamics dictate to ensure safety of citizens and officers.

1. Initial units arriving at incident scenes will notify Communications if changes are needed to response classifications.
2. Units receiving response cancellations **will not** respond to incident scenes.
3. Officers unable to notify Communications of their presence at emergency scenes will notify Communications when returning to service.
4. Officers needing assistance may request either priority or routine back-ups. Only calls of a "Signal 13" are automatically priority back-up requests.

2.112.02 Responding to Emergency Calls for Service

- A. When responding to an emergency call for service (dispatched or on view) describing incidents involving personal injury or the potential for personal injury, reported to be in- progress or having just occurred, or engaging in a vehicle pursuit based upon exigent circumstances, and upon activating the vehicle's EMERGENCY LIGHTS AND SIREN officers must adhere to the following:
1. Exceed the maximum speed limit, by no more than TEN MILES AN HOUR,
 2. Slow down and proceed with caution at red automatic signals, stop signs, yield signs, and before entering intersections to ensure safe passage of other vehicles and pedestrians. (TR21-106)
 3. Notify supervisor and communications IMMEDIATELY.
 4. UB Police Officers who are engaged as back-up units shall obey the procedures stated within this directive as relating to pursuits and/or emergency vehicle operation.

2.114 Escorts of non-emergency vehicles

- A. Priority escorts of non-emergency vehicles are prohibited unless first approved by the Captain of Police. In the event of medical emergencies, 911 will be notified and EMS assistance requested.
- B. Non-emergency escorts for parades, special events, over-sized loads, dignitaries, funerals, hazardous or unusual cargo, etc. may be provided with the approval of the Captain. Persons requesting such escorts must possess appropriate permits and/or authorization from the university.
- C. The Lieutenant is responsible for the planning and coordinating any requested escorts.
- D. Communications will be notified prior to the beginning of any escorts and at the end of escorts.

2.116 Vehicle pursuits

- A. Members of the department shall operate agency vehicles with the utmost care and caution, complying with all traffic laws, and **SHALL NOT BECOME ENGAGED IN HIGH-SPEED PURSUIT DRIVING, except under EXIGENT circumstances.**
- B. Exigent circumstances exist when a suspect uses a vehicle to elude apprehension, and;
1. Insufficient time exists to resort to other alternatives; and
 2. Violator has committed any violent arrestable offense resulting in or threatening death or serious physical injury; or
 3. The violator is driving in a manner which would indicate the driver is under the influence

of alcohol or drugs; or

4. Violator presents a clear threat to public safety
- C. Officers will not initiate or continue pursuits if they believe pursuits would unnecessarily endanger property, officers, violators, or innocent citizens.
- D. Police vehicles carrying civilian observers, detainees, or other non-agency personnel are prohibited from participating in pursuits unless failure to initiate pursuits would pose immediate risks of death or great bodily harm.

2.116.02 Pursuit Factors

- A. Participation in pursuits must be weighed against the mission of the agency. If efforts to enforce the law unnecessarily place at risk lives and property, then pursuits should either be canceled or not initiated.
- B. Justification for participating in pursuits must be limited to what reasonably appears to be the facts known or perceived by officers at the time they decide to pursue. Facts unknown to officers, no matter how compelling, cannot be considered at a later time in determining whether the pursuit was justified.
- C. Some, but not all of the factors to be considered by primary officers, secondary officers, and shift supervisors when deciding to initiate, continue, or terminate pursuits are:
1. Probable cause existing to believe crimes have been or are being committed;
 2. Type and seriousness of violations or crimes;
 3. Officers having jurisdictional authority to take action;
 4. Possibility of apprehensions;
 5. Locations;
 6. Pedestrian and vehicular traffic levels;
 7. Weather conditions;
 8. Conditions of police vehicles;
 9. Reasonable expectations that vehicles and/or drivers can be identified later.

2.116.04 Vehicle Use Restrictions

- A. Agency vehicles may be utilized in pursuits only if they have been designated as emergency vehicles consistent with the Transportation Articles and are equipped with emergency lights and sirens.
- B. Since the unmarked departmental vehicle does not meet the precise definition of an emergency vehicle (TR22-218 (b)(1)) it shall not be used as an emergency vehicle - - unless a situation presents a clear and articulable imminent threat to public safety

2.116.06 Primary Officer's Responsibility

When initiating a pursuit, primary officers will:

- A. Activate and use emergency lights and sirens throughout pursuits;
- B. Make notifications to communications relating to:
1. Unit or ID numbers;
 2. Pursuit is in progress;
 3. Location, direction of travel, and speed;

4. License number and description of suspect vehicle;
 5. Number & description of occupants; and
 6. Reasons for pursuit;
- C. Transmit pursuit progress updates while within radio range.

2.116.08 Secondary Officers' Responsibilities

Secondary officers involved in pursuits will:

- A. Activate and use emergency lights and siren throughout pursuits;
- B. Make notifications to communications relating to:
 1. Unit or ID numbers; and
 2. Their participation as secondary units;
- C. Assume positions of support to the rear of primary officers;
- D. Ensure on-duty command is notified of the pursuits;
- E. If requested, take over primary responsibilities for pursuit progress communications; and
- F. Assist with arrests if apprehensions are made.

2.116.10 Shift Supervisor's Responsibility

The shift supervisor/OIC will:

- A. Assume command of the pursuit;
- B. Not relinquish command until the pursuit is concluded, canceled, or until relieved by a superior;
- C. Monitor the pursuit for adherence to agency directives;
- D. Maintain control of the number of vehicles involved in the pursuit by considering:
 1. Type, nature, and severity of crimes;
 2. Number of personnel needed to safely affect arrests;
 3. Numbers of occupants in suspect vehicles;
 4. Possession and type of weapons;
 5. Requests by pursuit units for additional units; and
 6. Violence exhibited by suspects;
- E. Ensure notifications are made to other jurisdictions; and
- F. Determine the merits of pursuits as the individual ultimately responsible for the decision to continue or discontinue pursuits.
- G. When necessary, cancel or alter the conduct of the emergency response.
- H. Emergency responses shall be discontinued when:
 1. Risk to the officer and public is unnecessary
 2. Risk is inconsistent with the severity of the violation
 3. Street and environmental conditions are not conducive to rapid emergency response.

2.116.12 Communication's Responsibility

- A. When advised by UBPD officers of a pursuit or need to operate in an emergency manner shall:
 1. Clear ALL radio traffic and channels

2. Notify operator's supervisor
 3. Notify Captain
 4. Notify the Baltimore Police Communications Supervisor at 410-396-2284
 5. Assist operator with relaying radio traffic and keeping all responding units advised, and;
 6. Ensure all requested resources are properly and immediately dispatched to scene.
- B. Request assistance at the console as may be deemed necessary.
- C. Begin to compile a chronological list of events as they occur (easel & flip chart).

2.116.14 Other Agency Pursuit Into Jurisdiction

- A. Communications personnel will attempt to establish and coordinate communications between agencies when other agencies pursue suspect vehicles into this agency's jurisdiction.
- B. Officers will attempt to locate and assist.
- C. The actions of agency employees becoming involved in other agency pursuits into the jurisdiction of this agency will conform to related directives of this agency.

2.116.16 Abandonment or Cancellation of Pursuit

- A. Pursuit will be abandoned or canceled by pursuing officers or a superior when:
1. Weather, traffic, or roadway conditions make the pursuit unsafe;
 2. It becomes apparent that the immediacy of the apprehension is outweighed by a clear and present danger to the officer or others;
 3. The pursuit is actively assumed by another agency and University Police Officers continue along the pursuit route to assist in the identification of the vehicle or operator;
 4. The identity of the violator is known to pursuing officers and immediate apprehension is not necessary to ensure the safety of the general public; or
 5. Agency vehicles become involved in accidents.
 - a. If suspect vehicles continue to flee, pursuits may continue with supervisory or Command permission.
 - b. In this event, the vehicles involved in accidents will be checked by secondary units.
- B. Pursuing officers are considered to be no longer involved in the pursuit when:
1. Overheads and sirens have been turned off; and
 2. The operation of the vehicle is in compliance with the Transportation Articles as a non-emergency vehicle.
- C. If, after a superior issues an order to discontinue a pursuit and the pursuit is continued because of facts known to the pursuing officers but not able to be communicated to a supervisor, the officers involved must be able to subsequently justify the non-compliance with the order.

2.116.18 Post Pursuit Discipline

Officers will maintain post pursuit discipline once the stop is made. No other units will respond to the termination point unless requested by the pursuing officer or supervisor. The supervisor will clear any units that are not required at the scene.

2.116.20 Roadblocks & Forced Stopping

- A. Roadblocks or forced stopping may be authorized:
 - 1. Only by supervisory or command personnel after considering facts known to them at the time decisions are made;
 - 2. Only when no other means are available to stop pursued vehicles; and
 - 3. When the continuation of pursuits outweighs the potential hazards of utilizing roadblocks or forced stopping.
- B. Facts to be considered when requesting or authorizing roadblocks or forced stopping include, but are not limited to:
 - 1. Types of incidents;
 - 2. Presence of hostages;
 - 3. The likelihood of injuries resulting from roadblocks or forced stopping;
 - 4. Hazards to the public and agency personnel if the pursuit is continued; and
 - 5. Traffic conditions.
- C. Sworn agency personnel will be trained in the use of agency-authorized roadblocks and forced stopping techniques.
- D. **Cordon roadblocks** allow vehicles to be checked for proper identification. They permit non-suspect vehicles to continue. Cordon roadblocks could be utilized in hostage situations that do not involve pursuits.
- E. **Rolling roadblocks** utilize agency vehicles to surround and stop suspect vehicles by slowing to a halt or forcing suspect vehicles off the road. Rolling roadblocks are preferred in pursuit situations because fleeing vehicles are often able to find ways to avoid barrier roadblocks.
- F. **Barrier roadblocks** seal off roadways utilizing only police vehicles to stop or apprehend suspect vehicles. Barrier roadblocks are the choice of last resort because of a high potential of damage or personal injury. Barrier roadblocks will not be utilized if hostages are involved.

2.116.22 Administrative Analysis of Pursuits, Roadblocks and Forcible Stopping

- A. All pursuits, roadblocks and forcible stopping will be documented, reviewed, and analyzed annually.
- B. Reviews are made in order to:
 - 1. Determine if the pursuit, roadblock or forcible stopping was carried out within existing directives;
 - 2. Re-examine the pursuit, roadblock or forcible stopping directive in light of a specific incident;
 - 3. See the need for additional training, or to revise training for officers and supervisors; and
 - 4. Provide data necessary to establish and maintain a management information system for pursuit driving, roadblocks or forcible stopping,
- C. The Lieutenant will conduct an administrative review of each pursuit incident and prepare a written report.
- D. The Lieutenant will conduct a documented annual review of pursuit policies and reporting procedures.

2.116.24 Post-Pursuit Maintenance

- A. Supervisory personnel will inspect all agency vehicles involved in pursuits in order to determine road-worthiness and/or pursuit related maintenance needs.
- B. Vehicles requiring post-pursuit maintenance will be placed out of service. Replacement vehicles will be assigned depending on availability.

2.118 Legal intervention

2.118.02

Legal Intervention is defined as the deliberate action on the part of a member to strike or act as a roadblock against another vehicle or individual attempting to elude apprehension, with the intent to stop and apprehend the operator or other individuals.

- A. The use of a departmental vehicle to deliberately strike or act as a roadblock (Legal Intervention) is **strictly limited** to **exigent** circumstances and may ONLY be used when:
 - 1. The suspect vehicle is being operated in such a manner to pose an IMMEDIATE threat of death or serious physical injury to the officer or others **AND**
 - 2. Insufficient time exists to resort to other alternatives.
- B. Accidents resulting from the stationary placement of a departmental vehicle to protect an accident or crime scene **shall not** be considered Legal Intervention.
- C. Under **NO CIRCUMSTANCES** will an officer or anyone remain inside a departmental vehicle when used as a roadblock relative to the issue of Legal Intervention.