

Rockville City Police Department

GENERAL ORDER



Subject PERSONAL PATROL VEHICLE PROGRAM		Procedure G.O. # 4-39
Authorizing Signature <i>Kevin V. Bell</i>	Effective 12-13-2013 Revised 09-22-2017 Revised 03-18-2021	Total Pages 9

I. POLICY

The Department's Personal Patrol Vehicle Program (PPV) serves the community members of the City by providing a higher degree of visibility and availability of personnel resources. Participation in the PPV program is a privilege extended to personnel conditioned on satisfactory performance, available vehicles, and budgetary limitations. To ensure accountability, uniformity and continuance of the privilege, participating officers agree to strictly adhere to the guidelines and procedures outlined in this General Order.

II. PURPOSE

The purpose of this General Order is to establish policy and procedures governing the Personal Patrol Vehicle Program (PPV) to include the privilege of using an assigned PPV by officers while commuting and off duty.

III. DEFINITIONS

- A. **Department Vehicle** – “Department Vehicle” refers to any motor vehicle owned by, leased to, or otherwise assigned for use by a member of the Rockville Police Department.
- B. **Authorized Facility** – Refers to a secure facility in the State of Maryland that is monitored 24 hours a day seven days a week, such as a fire or police station, and approved by the Chief of Police or designee to park an issued PPV.
- C. **Personal Patrol Vehicle (PPV)** – “Personal Patrol Vehicle” or “PPV” refers to any department vehicle that is assigned for any period of time to a department member.
- D. **Seniority** – “Seniority” for determining the order of issuance of a PPV for those qualified and in good standing, the following criteria will be used:
 - 1. Residence in the City Limits
 - 2. Rank

3. Date of promotion to current rank.
4. Length of full-time service with the department.
5. Initial date of hire by the department.
6. For the purposes of a tie breaker between an entry level officer and a lateral officer, preference will be given to the lateral officer.
7. For the purposes of a tie breaker between two officers attending either an entry level class or comparative compliance academy, overall grade point average will be used.

IV. PROCEDURE

A. Eligibility and Assignment

1. The PPV Program is a voluntary program open to all permanent sworn personnel (off probation) but contingent on approval, work performance, vehicle availability and the needs of the department. Officers requesting issuance of a PPV must submit a memorandum of interest through their chain of command to the Chief of Police.
2. Officers who are within 90 days of completing their probationary status and have demonstrated the ability to successfully perform all duties of a police officer without direct supervision may submit a memorandum of interest through their chain of command to the Chief of Police. If approved the probationary officer will be limited in their use of the PPV to official business only, such as to and from court, approved training, and other approved department related activity. No off duty use of the PPV will be allowed until the officer successfully completes their probationary period.
3. Eligible officers must reside within the State of Maryland and within 30 air miles from the City of Rockville limits to drive the vehicle to their residence.
 - a. Officers who reside outside the 30 air miles may park their PPV at an approved authorized facility as defined in III.B or at the residence of another police officer in Montgomery County.
 - i. Officers requesting to park at an authorized facility are responsible for obtaining written permission using the PPV Off-Site Parking Request Form.
4. Selection of officers to participate will be based on an eligibility list which is defined in III. D. As vehicles become available, the Chief of Police or his designee shall determine vehicle assignments for participation in the PPV Program.

5. Unmarked police vehicles will continue to be issued at the discretion of the Chief of Police. Personnel assigned an unmarked police vehicle do not automatically receive a marked unit upon returning to a marked vehicle assignment. These officers will be placed on the eligibility list according to seniority as defined in III. (D).
6. The Chief of Police has the discretion to modify eligibility on a case-by-case basis consistent with the best interest of the Department and City.

B. Use of PPV

1. Participating officers may use their PPV's while working and in the following circumstances:
 - a. Travel to and from their tour of duty.
 - b. Travel to or from court and other job-related hearings or conferences.
 - c. Overtime assignments and other departmental related activity.
 - d. Travel to and from authorized training assignments.
 - e. While conducting approved departmental business outside of Montgomery County.
 - f. While off-duty in Montgomery County.
 - g. Travel to and from approved secondary employment within Montgomery County. (Officers are prohibited from utilizing a PPV as a part of secondary employment).
 - h. Travel to and from an institution of higher learning with approval from the Chief of Police or designee.
 - i. The scope of unmarked vehicle usage in specialty assignments will be clearly delineated and may exceed the established parameters of this program.
 - j. Officers approved for to and from use outside of Montgomery County are permitted reasonable use to conduct personal business while traveling to and from court, their tour of duty or other authorized use so long as it is minimal and does not result in substantial deviation from the officer's route.
 - k. Due to the nature and scope of their duties, command staff (lieutenants and above) may have certain conditions of this policy modified at the discretion of the Chief of Police.

- i. Participating members shall respond to callbacks as may be deemed necessary.

V. ADMINISTRATION

- A. The daily administration of the PPV Program shall be the responsibility of the Chief of Police's designated Department Fleet Manager.
- B. Administration of the departmental fleet shall consist of, but is not limited to, the following:
 1. Maintaining all records pertaining to the PPV Program.
 2. Ensuring that PPV's are maintained properly and serviced in a timely manner. This will be accomplished through coordination with the City's fleet manager or maintenance supervisor.
 3. Prior to any vehicle being assigned as a PPV, the Department Fleet Manager will inventory all department-issued equipment within the vehicle with the Officer to whom the vehicle will be assigned. The Officer assigned a PPV will acknowledge the inventory with his/her signature, and at that point, the Officer will become responsible for the equipment.
 - a. Disposable items, such as first-aid supplies and road flares will not be part of the inventory. However, it is incumbent upon the officer to ensure there is always an appropriate supply of flares and first aid kit equipment.
 - b. As new equipment is provided, it will be added on to the inventory and acknowledged by the assigned officer.
 4. Prior to issuance the Department Fleet Manager and the assigned Officer shall inspect the PPV, for vehicle damage or obvious mechanical problems. The deficiencies will be noted and acknowledged by the signatures of both. Deficiencies having a direct effect on safe vehicle operation will be corrected prior to its issuance as a PPV.

VI. RULES AND REGULATIONS:

Participating officers shall be responsible for adhering to the program rules, regulations, and requirements, which consist of the following:

- A. Officers shall be personally responsible for the care and maintenance of the vehicle assigned to them. Scheduled "preventive maintenance" will be accomplished in a timely manner and while the officer is OFF-DUTY, whenever possible, without overtime or compensation. The officer is

expected to personally inspect the vehicle and add oil or other fluids as needed to maintain appropriate working levels.

- B. Any participating officer who is on scheduled leave away from their residence for more than ten (10) continuous scheduled workdays should understand that their PPV may be used as a spare if all other available vehicles become unavailable.
- C. Participating officers who are on sick leave or disability leave will not utilize their PPV's without authorization from the Chief of Police.
- D. If in the event of a shortage of available police vehicles for patrol occurs, officers utilizing PPV's may be notified to bring their vehicles to the police facility for patrol use. Failure to respond without good cause will be subject to administrative review and possible sanctions.
- E. Any officer utilizing another officer's PPV is responsible for its care, maintenance, and contents.
- F. Participating officers operating PPV's shall be considered ready for duty and must:
 - 1. Be armed with their department issued handgun or an approved off-duty weapon.
 - 2. At a minimum, have immediately available one pair of handcuffs, a flashlight, portable radio, shield, MPCTC card, department-issued police credentials, and ballistic vest.
 - 3. Officers will carry some type of attire to make them readily recognizable as police officers. This attire may consist of the issued armband, department approved baseball cap, windbreaker, or "hidden agenda" jacket.
- G. Officers and their passengers will be attired in a manner that promotes a positive image of the Department, and that does not create a safety hazard for the officer. Appropriate jeans, workout attire and sneakers are acceptable. Obscene, offensive and/or suggestive logo/words on clothing are not acceptable. Clothing should project a positive image of the officer and department.
- H. Officers are expected to assist disabled motorists and to provide back-up to on-duty personnel of any police department in need of assistance.
 - 1. Under the provisions of State Law governing limited statewide jurisdiction, officers are not permitted to enforce the traffic laws outside their jurisdiction.

2. However, by Mutual Aid Agreement, on-duty Rockville police officers may enforce serious traffic laws in the City of Gaithersburg, on Maryland National Capital Park & Planning Commission property(s) and in Montgomery County.
- I. The PPV will not be used to carry large or heavy loads where objects protrude from the trunk or windows, except when required by the officer's official duties.
 - J. Department authorized firearms will be stored in accordance with G.O. 4-2, Section VI.
 1. Portable radios and other non-secured departmental serialized equipment will be removed from the passenger section of the PPV and placed in the vehicles trunk, secured in the officer's station locker or inside the officer's residence when the vehicle is unattended for more than two (2) hours.
 2. The officers shall ensure that no unauthorized persons handle departmental weapons or equipment.
 - K. Unattended PPV's shall be locked at all times.
 - L. No unauthorized persons are permitted to operate the PPV, except in an emergency.
 - M. Officers are prohibited from utilizing the PPV when engaged in any type of political activity, to include transportation to/from political rallies, caucuses, promotional events, or political fundraisers.
 1. No bumper stickers, placards, banners, decals, or insignia will be affixed or attached to the PPV without the expressed written approval of the Chief of Police.
 2. Display of the American flag and/or police association emblems (F.O.P., I.A.C.P., Emerald Society, C.A.L.E.A., etc.) is/are permitted as long as it/they make no political statement, are not controversial and have received permission from their Bureau Commander to ensure it is professional in appearance and in line with department and community expectations.
 - N. Officers will not engage in any type of inappropriate behavior while utilizing a PPV.
 - O. Officers operating a PPV will neither possess nor purchase any type of alcoholic beverage in the vehicle, except as required in the official performance of his/her duties.

- P. Officers will not operate a PPV within six (6) hours after ingesting any alcohol, or any type of drug, medication or prescription which impairs his/her ability to operate a motor vehicle.
- Q. Officers will make no alterations, nor will they hard install any additional equipment in their PPV without approval from the Chief of Police or designee.
- R. Officers will not substitute any other vehicle, other than a designated spare when their assigned PPV is being repaired. Spare vehicles can be used as their PPV when the officer is scheduled to work the following day, but not over regular days off. Only when available and after consultation with the Department Fleet Manager, or their designee, can an unassigned vehicle be used on a temporary basis. An officer may use the other officers issued PPV with their permission.

VII. OPERATING PROCEDURES

Participating officers operating a PPV or will monitor the police radio frequency for the Montgomery County Police district in which they are located and react to incidents and calls for service as outlined in this General Order.

- A. The officer need not notify RCPD Communications or ECC unless he/she is responding to a call or has pertinent information for RCPD Communications or ECC.
- B. Officers will refrain from using the radio for other than official business and will use established radio procedures to denote that they are off duty when using the radio in that capacity.
- C. In the absence of good cause, participating officers in the City limits are required to respond to incidents or calls-for-service that come to their attention "on-view," via reports from community members, or in progress calls while monitoring the police radio that dictate an immediate response.
 - 1. Officers' off-duty and operating PPV's are required to respond to serious incidents involving threats to life or property when they are in close proximity to the call. Failure to respond to a call of this nature while off-duty may be considered neglect of duty.
 - 2. Officers utilizing PPV's may respond to calls of a less serious nature within the City limits at their discretion. However, officers will not engage in routine patrol when in off-duty status.
- D. Participating officers utilizing PPV's off-duty will handle and clear minor incidents encountered. When incidents of a more serious nature are encountered off-duty, the officer will request an on-duty unit to respond and if no on-duty unit is available, the off-duty officer is obligated to handle the incident in accordance with reporting procedures.

- E. Participating officers operating PPV's are responsible for the safety of their passengers. Officers will conduct a brief orientation on proper protocol as outlined in General Order # 5-9, RIDE-ALONG PROGRAM. Officers transporting passenger's off-duty must be cognizant of the risks involved.
- F. All officers operating PPV's and passengers will utilize seat belts.
- G. Any officer transporting an infant/car seat required child will use an approved child safety restraint seat in accordance with State laws. The child safety seat will be removed when not in use.

VIII. OVERTIME COMPENSATION

Officers responding to or handling incidents or calls-for-service in an off-duty status will be in a no-pay status for the first two hours of action per incident. After the first two hours officers will be paid their normal overtime rate for time worked.

IX. SANCTIONS

- A. The PPV Program is a benefit and responsibility. Its use is not a right. As such, administrative suspension from the program for periods commensurate with the offense/violation may occur.
- B. An officer may be suspended or terminated from the PPV Program at the discretion of the Chief of Police, for any violation of the Departmental Rules and Regulations that pertain to the PPV Program and in accordance with the Law Enforcement Officers Bill of Rights.
- C. Suspension or termination from the PPV Program shall be the prescribed action for any member's failure to comply with this general order. Minor violations of this order can result in suspension from the program for a maximum of two weeks. Minor violations may include, but are not limited to:
 - 1. Failure to perform preventive maintenance of the vehicle on time.
 - 2. Failure to maintain the vehicle in a clean and serviceable condition.
 - 3. Failure to comply with PPV inspection and reporting requirements.
- D. Moderate violations of this order can result in suspension from the program from two months to one year, and may include:
 - 1. Missing two scheduled preventive maintenance's in a row.

2. Consistently failing to comply with inspection and reporting requirements.
3. Unauthorized use of the PPV outside Montgomery County.