
Vehicle Use

1208.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of accountability to ensure office vehicles are used appropriately. This policy provides guidelines for on- and off-duty use of office vehicles and shall not be construed to create or imply any contractual obligation by the Montgomery County Sheriff's Office to provide assigned take-home vehicles.

1208.2 POLICY

The Montgomery County Sheriff's Office provides vehicles for office-related business and may assign patrol and unmarked vehicles based on a determination of operational efficiency, economic impact to the Office, requirements for tactical deployments and other considerations.

1208.3 USE OF VEHICLES

1208.3.1 OTHER USE OF VEHICLES

Deputies utilizing a vehicle for any purpose other than their normally assigned duties or normal vehicle assignment (e.g., transportation to training, court appearances, community event) shall first notify their Supervisor.

1208.3.2 INSPECTIONS

Deputies shall be responsible for inspecting the interior and exterior of any assigned vehicle before placing the vehicle into service and at the conclusion of their shifts. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

The interior of any vehicle that has been used to transport any person other than a Deputy of this office will be inspected prior to placing another person in the vehicle and again after the person is removed. This is to ensure that unauthorized or personal items have not been left in the vehicle.

When transporting any suspect, prisoner or arrestee, the transporting Deputy shall search all areas of the vehicle that are accessible by the person before and after that person is transported.

All office vehicles and the vehicle's contents are subject to inspection and/or search at any time by a supervisor without notice and without cause. No Deputy assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or its contents.

1208.3.3 SECURITY AND UNATTENDED VEHICLES

Unattended vehicles should be locked and secured at all times. No key should be left in the vehicle except when it is necessary that the vehicle be left running (e.g., continued activation of emergency lights, canine safety, equipment charging). Deputies who exit a vehicle rapidly in an emergency situation or to engage in a foot pursuit must carefully balance the need to exit the vehicle quickly with the need to secure the vehicle.

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Deputies shall ensure all weapons are secured while the vehicle is unattended.

1208.3.4 MDT

Deputies assigned to vehicles equipped with a Mobile Data Terminal (MDT) shall log onto the MDT with the required information when going on-duty. The Deputy shall then check on duty verbally with Dispatch.

1208.3.5 KEYS

Deputies approved to operate marked patrol vehicles should be issued a copy of the key as part of their initial equipment distribution. Deputies who are assigned a specific vehicle should be issued keys for that vehicle.

Deputies shall not duplicate keys. The loss of a key shall be promptly reported in writing through the member's chain of command. A deputy shall not retain any other vehicle key other than for the issued vehicle.

1208.3.6 AUTHORIZED PASSENGERS

Deputies operating office vehicles shall not permit persons other than county personnel or persons required to be conveyed in the performance of duty, or as otherwise authorized, to ride as passengers in the vehicle, except as stated in the Ride-Alongs Policy.

1208.3.7 ALCOHOL OR MEDICATION

Deputies who have alcohol or medication, which effects their physical or mental faculties remaining in their system are prohibited from operating any office vehicle unless it is required by the duty assignment (e.g., task force, undercover work). Regardless of assignment, Deputies may not violate state law regarding vehicle operation while impaired.

1208.3.8 PARKING

Except when responding to an emergency or when urgent office-related business requires otherwise, Deputies driving office vehicles should obey all parking regulations at all times.

Office vehicles should be parked in designated spaces. Deputies shall not park vehicles in other areas of a parking lot that are not so designated.

1208.3.9 ACCESSORIES AND/OR MODIFICATIONS

There shall be no modifications, additions or removal of any equipment or accessories without written permission from the Fleet Supervisor.

1208.4 INDIVIDUAL MEMBER ASSIGNMENT TO VEHICLES

Office vehicles may be assigned to individual Deputies at the discretion of the Sheriff. Vehicles may be assigned for on-duty and/or take-home use. Assigned vehicles may be changed at any time. Permission to take home a vehicle may be withdrawn at any time.

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The assignment of vehicles may be suspended when the Deputy is unable to perform his/her regular assignment.

1208.4.1 ON-DUTY USE

Vehicle assignments shall be based on the nature of the member's duties, job description and essential functions, and employment or appointment status. Vehicles may be reassigned or utilized by other office members at the discretion of the Sheriff or the authorized designee.

1208.4.2 ASSIGNED VEHICLES

Assignment of take-home vehicles shall be based on the location of the member's residence, the nature of the member's duties, job description and essential functions, and employment or appointment status. Members who reside outside the county may be required to secure the vehicle at a designated location or the Office at the discretion of the Sheriff.

Members are cautioned that under federal and local tax rules, personal use of a county vehicle may create an income tax liability for the member. Questions regarding tax rules should be directed to the member's tax adviser.

1208.4.3 ENFORCEMENT ACTIONS

When driving a take-home vehicle to and from work outside of the jurisdiction of the Montgomery County Sheriff's Office or while off-duty, a deputy shall not initiate enforcement actions.

Deputies may render public assistance when it is deemed prudent (e.g., to a stranded motorist).

Deputies driving take-home vehicles shall be armed, appropriately attired and carry their office-issued identification and badge. Deputies should also ensure that office radio communication capabilities are maintained.

1208.5 UNMARKED VEHICLES AND SPARE VEHICLES

Vehicles are assigned to various Divisions and their use is restricted to the respective Division and the assigned Deputy, unless otherwise approved by a supervisor.

1208.6 DAMAGE, ABUSE AND MISUSE

When any office vehicle is involved in a traffic crash or otherwise incurs damage, the involved Deputy shall promptly notify a supervisor. A traffic crash shall be investigated by the North Carolina State Highway Patrol or appropriate municipal agency. An incident report shall be filed by the shift supervisor with any pictures included of the damage. A copy of all reports will be forwarded to the Fleet Supervisor, along with an e mail notification of the crash.

Damage to any office vehicle that was not caused by a traffic crash shall be immediately reported during the shift in which the damage was discovered, documented in an incident report with a copy given to the Fleet Supervisor, along with an e-mail notification describing the damage.

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1208.7 TOLL ROAD USAGE

Law enforcement vehicles are not routinely exempt from incurring toll road charges.

To avoid unnecessary toll road charges, all Deputies operating office vehicles on a toll road shall adhere to the following:

- (a) Deputies operating office vehicles for any reason other than in response to an emergency shall pay the appropriate toll charge or utilize the appropriate toll way transponder. Deputies may submit a request for reimbursement from the county for any toll fees incurred in the course of official business.

1208.8 ATTIRE AND APPEARANCE

When operating any office vehicle while off-duty, Deputies will dress in a manner appropriate for their intended activity. Whenever in view of or in contact with the public, attire and appearance, regardless of the activity, should be suitable to reflect positively upon the Office.