


<p>Department of Public Safety and Correctional Services</p>  <p>Internal Investigative Unit Procedures</p>	<p>Procedure Number: A01.A.11.002.001/IIU.220.0001</p>
	<p>Title: Assignment, Use, and Care of Department Motor Vehicles</p>
	<p>Effective Date: July 1, 2007</p>
	<p>Authorized By: Douglas Cloman Number of Pages: 5</p>

.01 Purpose.

This document establishes procedures for assignment, use and care of Department of Public Safety and Correctional Services (Department) motor vehicles assigned to the Internal Investigative Unit (IIU).

.02 Scope.

This directive applies to IIU personnel assigned or using a Department motor vehicle.

.03 Policy.

- (1) IIU personnel assigned or using a Department motor vehicle shall operate the motor vehicle in a manner to ensure the safety of the public, Department employees, and authorized passengers.
- (2) IIU personnel assigned or using a Department motor vehicle shall comply with Department, Department of General Services, IIU procedures for use and care of the vehicle and the Transportation Article.

.04 Authority/Reference.

- A. Correctional Services Article, §10—701, Annotated Code of Maryland.
- B. Secretary’s Department Directive 04-2005 dated March 10, 2005.

.05 Definitions.

- A. In this document, the following terms have the meanings indicated.
- B. Terms Defined.
 - (1) “Director” means the Director of the Internal Investigative Unit.
 - (2) Inmate.
 - (a) “Inmate” means an individual under the care or supervision of the Department.

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- (b) “Inmate” includes, except where noted otherwise an individual:
 - (i) Referred to as a detainee held or supervised by the Department pending trial, release by a court commissioner, or the posting of bail; and
 - (ii) Detained by an investigator pending criminal charges, appearance before a court commissioner, or immediate disposition pending trial.
- (3) “Investigator” means a Department employee permanently assigned to, or on special assignment to assist, the IIU with the responsibilities specified under Correctional Services Article, §10-701(a)(3), Annotated Code of Maryland.
- (4) “Motor vehicle” has the meaning stated in the Transportation Article, §11-135, Annotated Code of Maryland.

.06 Responsibility/Procedure.

A. Use of a Department Motor Vehicle — General Provisions.

- (1) An investigator shall operate a Department motor vehicle:
 - (a) According to operational and administrative requirements and procedures established by the Department of General Services and the Director;
 - (b) In a manner that does not reflect negatively on the State, Department, or IIU; and
 - (c) According to requirements under the Transportation Article.
- (2) Only an authorized Department employee may operate a Department motor vehicle.
- (3) A Department employee operating a Department motor vehicle shall possess a valid driver’s license for the class of motor vehicle operated.
- (4) Use of a Department motor vehicle is a privilege and may be withdrawn by the Secretary, the Director, or a designee.
- (5) The Director shall assign Department motor vehicles based on availability.
- (6) An investigator may use a Department motor vehicle:
 - (a) To commute to and from a Department or IIU work assignment and the employee’s residence;
 - (b) While on-duty; and
 - (c) While off-duty.

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- (7) If a Department motor vehicle is equipped with a 2-way radio, the operator shall monitor the primary operating frequencies of the Department facilities in the areas travelled.
- (8) A passenger in a Department motor vehicle is limited to:
 - (a) A State employee;
 - (b) An inmate; or
 - (c) Another individual directly related to official State business.
- (9) A Department employee may not operate or be a passenger in a Department motor vehicle:
 - (a) After consuming an a alcoholic beverage;
 - (b) While consuming an alcoholic beverage;
 - (c) While smoking or using tobacco products; or
 - (d) When otherwise unfit to safely or legally operate a motor vehicle.
- (10) An employee may not use a Department motor vehicle:
 - (a) To carry oversized or heavy loads, unless the vehicle is specifically designed to carry oversized or heavy loads and using the motor vehicle is specifically for that purpose;
 - (b) While objects are protruding from the trunk or windows; or
 - (c) If the vehicle is designed to carry oversized or heavy loads, to transport personal possessions.
- (11) An employee parking or otherwise leaving a Department motor vehicle unattended shall:
 - (a) Secure the vehicle to prevent unauthorized entry or access to the vehicle or vehicle contents;
 - (b) Take reasonable precaution to prevent damage to or theft of the vehicle or vehicle contents; and
 - (c) Except for temporary storage provided for in firearms training, ensure that firearms are not stored in the vehicle.
- (12) If the privilege to use a Department motor vehicle is withdrawn, that action does not constitute disciplinary action.

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- (13) Except during a official covert operation or other approved special assignment, an IIU employee operating or a passenger in a Department motor vehicle shall comply with Department and IIU dress code requirements.
- (14) The operator of a Department motor vehicle is responsible for the appearance and conduct of passengers in the vehicle.

B. Use of a Department Motor Vehicle — Commute and Off-Duty.

- (1) While using a Department motor vehicle to commute to or from a work assignment and the employee's residence or off-duty, except while on approved leave, an investigator is considered to be available for duty.
- (2) Availability of a Department motor vehicle for commuting or off-duty travel shall not limit the availability of a Department motor vehicle for use by on-duty personnel.
- (3) Except when on approved leave, an off duty investigator operating or a passenger in a Department motor vehicle shall be properly attired and equipped to respond to a call for service.
- (4) Off-duty use of a Department motor vehicle for out of State travel shall be approved by the Director before leaving the State.
- (5) An employee may not use a Department motor vehicle while off-duty:
 - (a) While on sick leave or administrative leave;
 - (b) For overnight travel;
 - (c) For extended vacation; or
 - (d) For commuting to or from or conducting employment other than that with the State or Department.

C. Use of a Department Motor Vehicle — Care and Maintenance.

- (1) An employee is responsible for the care and maintenance of an assigned Department motor vehicle.
- (2) The employee assigned to the Department motor vehicle at the time maintenance is required is responsible for requesting the required maintenance.
 - (a) The employee shall review the vehicle roster to ensure that routine maintenance is performed at the appropriate service location.
 - (b) The employee assigned a Department motor vehicle shall complete a maintenance request form and forward the form to the service representative to schedule the requested maintenance and return a copy of the form to the employee making the request with the date and time of the scheduled service.

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- (c) The employee making the request for service shall ensure that the vehicle is presented for the requested service on the date and time scheduled.
 - (d) If the vehicle cannot be presented for the scheduled appointment, the employee making the request for service shall properly notify the service location and reschedule the service appointment.
- (3) A daily operation log shall be maintained for each Department motor vehicle.
- (a) An employee operating a Department motor vehicle shall properly complete the daily mileage record for the vehicle to document the use of the vehicle.
 - (b) The employee using or the assigned operator on the last day of the month shall finalize and submit, to the Director, or a designee, the monthly car report.

D. Use of a Department Motor Vehicle — Out of State Travel.

- (1) Except for the provisions under §D(2) of this document, an employee traveling out of State travel in a Department motor vehicle shall have the out of State travel approved by the Director, or a designee, before commencing the out of State travel.
- (2) Out of State travel where an employee commutes to or from the employee's out of State residence or incidental on-duty out of State travel that inadvertently crosses into and back from a contiguous state does not require prior approval by the Director, or a designee.

.07 Attachments.

There are no attachments to this procedure.

.08 History.

- A. This document replaces IIU Assignment, Use, and Care of Agency Assigned Vehicles dated November 9, 2001.
- B. This document supercedes any current IIU policy or procedure with which it may be in conflict.