

SUBJECT:	VEHICLE OPERATIONS
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UTILITY VEHICLE

- A. A utility vehicle is a vehicle owned by the Bureau and assigned to a District/Section/Unit of the Bureau rather than to an individual employee. This includes vehicles commonly referred to as "undercover" vehicles.
- B. The Special Agent in Charge or Supervisor is responsible for proper use of the vehicle and its care and maintenance. A spare ignition/door key will be maintained in the District/Section/Unit office for each utility vehicle used.
- C. Records Required:

Each District/Section/Unit should keep a record of the date and who each utility vehicle is checked out to.
- D. Vehicle Inspection Report
 - 1. The Special Agent in Charge or Supervisor or designee will personally inspect each utility vehicle assigned to their District/Section/Unit once a month.
 - 2. A copy of the Vehicle Inspection Report, (SBI-82), should be maintained in the District/Section/Unit office and retained according to the Records Retention and Disposition Schedule.
- E. Gas Receipts/Repair Invoice
 - 1. Copies of all charges related to the vehicle will be submitted to the Logistics Support Section.
 - 2. Reimbursement for purchases paid in cash will be submitted by the Agent/Employee on his/her expense account accompanied by a receipt. The receipt will reflect a purchase order number if required. Copies of invoices paid in cash will be submitted to the Logistics Support Section.
 - 3. Copies of invoices with repairs requiring prior approval must reflect the date of approval and the name of the individual that gave approval.
- F. Transfer of Utility Vehicles

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A utility vehicle will not be permanently transferred from one District/Section/Unit to another without the approval of the appropriate Assistant Director. The Special Agent in Charge or Supervisor shall notify the Logistics Support Section of the transfer.

G. Loan of Utility Vehicle

A utility vehicle may be temporarily loaned to another District/Section/Unit, however the Special Agent in Charge/Supervisor lending the vehicle retains responsibility for the vehicle.

LIABILITY INSURANCE

- A. Liability coverage for Bureau-owned vehicles is with Travelers Insurance Companies.
- B. The liability insurance coverage is limited to a maximum of \$150,000 per claimant and \$5,000,000 per occurrence.
- C. Bureau employees whose duties require travel are encouraged to obtain additional insurance at their own expense.
- D. Non-Bureau employees legitimately operating a Bureau owned vehicle have the same coverage described in (B) above.
- E. The Bureau insurance policy provides coverage for non-Bureau vehicles, if the vehicle is being operated by a Bureau employee, the employee has legal control of the vehicle, and the employee is performing official duties.

RENTAL VEHICLES

- A. A commercial vehicle may be rented when necessary to accomplish out-of-state travel requirements if approved by the employee's Special Agent in Charge or Supervisor.
- B. Any vehicle rented for Bureau business must be approved by an Assistant Director.
- C. Bureau insurance does not cover rented vehicles. The contract the State has with rental car agencies includes supplemental insurance and it should not be necessary

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for any employee to purchase additional insurance. Vehicle Rental Vouchers for national rental agencies under State contract may be obtained from the Special Agent in Charge/Supervisor or designee. Vehicles rented under State contract limit the State's liability to damage to the rental vehicle. If employees renting vehicles want additional insurance they need to purchase it at their own expense.

OPERATORS: STATE-OWNED VEHICLES

- A. Operation of Bureau vehicles shall be limited to licensed Bureau employees.
- B. Exceptions:
 - 1. A licensed individual acting under the auspices of a Bureau employee may operate a Bureau-owned vehicle in order to accomplish Bureau business.
 - 2. A Bureau employee relinquishing the operation of a Bureau vehicle shall maintain as much control of the vehicle as feasible to ensure its safe and prudent use.

PASSENGERS IN STATE-OWNED VEHICLES

- A. It is permissible for the spouse and/or children of a Bureau employee to ride in a Bureau-owned vehicle when:
 - 1. Permission is granted by the employee's Special Agent in Charge or Supervisor;
 - 2. Ample space is available; and
 - 3. All travel is for official state business.
- B. Hitchhikers are not permitted to ride in state-owned vehicles.

CREDIT CARDS

- A. Each employee assigned a vehicle, either permanently or temporarily, will be furnished gas credit cards. Commercial credit cards will be used only when a state facility is not available or when the expense of travel to such a facility exceeds the probable savings. An electronic key is issued to each agent for use with the computerized gas pumps located at various facilities. These keys are registered

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through the Department of Transportation and are identified through the users Social Security Number. All lost or stolen credit cards and computer keys are to be reported ASAP to the Logistics Support Section.

- B. Each employee will ensure the correct signature and license number appears on the receipt. It must be legible and clearly state the nature of the purchase. The amount of gas must be clearly stated. The receipts will be submitted with the employee's Activity Summary.

REPAIRS

- A. Minor Repairs: Minor repairs such as tune-ups or brake adjustments, may be performed at state facilities, filling stations, or at a garage.
- B. Oil Change: Oil Changes may be performed without a Purchase Order by a vendor who bills the Bureau on a monthly basis. In addition the State Highway Patrol garage can perform oil changes and will bill the Bureau for services rendered without a PT#. It is important, however, that the customer receipt, with legible signature and license plate number be attached to the employee's Activity Summary so it may be forwarded to Logistics Support Section for reconciling monthly bills.
- C. Major Repairs: All repairs covered by the warranty should be performed at a local dealership. The employee will consult with his/her Special Agent in Charge or Supervisor who will seek approval from the appropriate Assistant Director before placing a car in a garage for major repairs. Service or work outside the warranty should receive an estimate prior to making the actual repairs and should be approved by the Special Agent in Charge or Supervisor and appropriate Assistant Director or designee. Repairs that are below \$50.00 can be paid via credit card or cash and claimed on an expense account by attaching the appropriate receipt.
- D. Tires: Bureau vehicle tires are to be obtained either through the State Highway Patrol Garage or through an approved vendor. Tires are to be purchased under state contract. The Logistics Support Section will provide a recommended vendor if one is not known by the District or Agent.

If tires are purchased through a vendor, prior approval must be given by the Special Agent in Charge or Supervisor and/or designee.

- E. Invoices: All purchases to include tires, vehicle repair/maintenance, safety

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equipment,
office
equipment,
etc., must have
an invoice
submitted to
Logistics
Support
Section. The
invoice must
have the agents
legible
signature and
appropriate
Purchase
Order number
written on the
invoice.

AGENT SAFETY CONSIDERATIONS

If using a state facility for either the purchase of gas or repair work could compromise the identity of an undercover Agent, the Special Agent in Charge may authorize a deviation to ensure the Agent's safety.

VEHICLE MODIFICATIONS

- A. Each Agent, who is assigned a vehicle (Non-Section), may make responsible additions to standard vehicle equipment provided:
 - 1. Prior written permission is obtained from the appropriate Assistant Director;
 - 2. The equipment has value in performance of official duties; and
 - 3. The equipment does not significantly alter or deface the appearance of the vehicle or cause undue attention to be attracted to the vehicle or present a spectacular or ridiculous appearance.
- B. The employee shall be responsible for any cost involved in restoration resulting

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from the installation of non-Bureau equipment or unauthorized installations.

RADIOS

- A. All radio equipment will be maintained at peak performance at all times. Radio repairs will be made by the Logistics Support Section. Regardless of apparent performance, all radios should be tuned once a year.
- B. Mounted radio equipment shall not be relocated without prior approval from the Logistics Support Section.
- C. All Agents' radio call numbers are assigned by the Logistics Support Section. Call numbers are to be used during all transmissions. The Bureau utilizes the Ten-Signal System which should be used in accordance with proper radio procedures.

ACCIDENTS

- A. For Bureau purposes an automobile accident is defined as follows: Any incident (including alleged) involving a vehicle leased, hired, or used by or on behalf of the Bureau.
- B. No statement shall be made assuming responsibility for damages. This responsibility will remain with the insurance company and legal advisors.
- C. Render all assistance possible to victims involved and summon additional help needed (e.g., ambulance, fire fighting equipment, or medical).
- D. Notify the law enforcement agency of competent jurisdiction.

ACCIDENT WITHOUT PERSONAL INJURY OR MINOR PROPERTY DAMAGE

- A. Agent/Employee Responsibilities:
 - 1. Report any accident to the Special Agent in Charge or Supervisor immediately.
 - 2. Obtain information needed for the Automobile Accident Report (SBI-106).
- B. Special Agent in Charge or Supervisor Responsibilities:
 - 1. Complete an Automobile Accident Report (SBI-106) and submit to the

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within 48 hours. If the Bureau employee is **at fault**, complete and mail "State of NC Motor Vehicle Loss Notice" to Travelers Insurance Company, P.O. Box 473501, Charlotte, North Carolina, 28247-3501.

2. Send copy of the Form SBI-106 and Motor Vehicle Loss Notice (if required) to the Department of Justice Safety Officer, the Supervisor of the Logistic Support Section, and Special Agent in Charge of Professional Standards. (*revised 07/11/03*)

ACCIDENT WITH PERSONAL INJURY OR MAJOR PROPERTY DAMAGE

- A. Follow steps A, and B, under Accidents Without Personal Injury.
- B. Special Agent in Charge/Supervisor or designee:
 1. Submit detailed investigative memorandum to the Logistics Support Section within 10 days with a copy to the appropriate Assistant Director, the Department of Justice Safety Officer and the Special Agent in Charge of Professional Standards. (*revised 07/11/03*)
 2. Notify the Traveler's Insurance Agency, Telephone 1-800-832-7839, and advise them that the insured is a Department of Justice, State of North Carolina owned vehicle. The policy number is TR-CAP-104T680-0

EMERGENCY RESPONSE

When operating a Bureau vehicle in response to a request for assistance, where timely arrival is necessary, all Bureau Agents engaged in an emergency response shall comply with the following requirements:

- A. The Bureau vehicle shall not be driven at a speed greater than fifteen miles per hour over the posted speed limit. If the vehicle exceeds the posted speed limit or otherwise violates the traffic laws, headlights, blue light, and siren will be utilized. If an Agent determines use of the siren is inappropriate for the response, the use of the siren shall be disregarded. The Agent shall notify the appropriate radio dispatcher of the emergency response, including description of the Bureau vehicle and intended travel route.
- B. The Bureau vehicle, with headlights, blue light and siren operating shall not be

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driven through a red light or stop sign unless:

1. The Agent has clear visibility of intersecting streets for at least one block and can see no approaching vehicles or other obstructions; and
2. The Agent brings the Bureau vehicle to a rolling stop by slowing to not more than ten miles per hour before entering a clear intersection; or
3. The Agent comes to a full stop if necessary to avoid traffic approaching on intersecting streets or other obstructions.

PURSUIT DRIVING

- A. When operating a Bureau vehicle to apprehend a fleeing suspect wanted for a violation of the law, all Bureau Agents engaged in pursuit driving shall comply with the following requirements:
 1. The Bureau vehicle shall have headlights, blue light, and siren operating.
 2. The Agent shall notify the appropriate radio dispatcher of the pursuit, including descriptions of the Bureau vehicle, suspect vehicle, location and direction of travel, and violation(s) involved.
 3. The Bureau vehicle shall not be driven at a speed greater than thirty miles per hour over the posted speed limit.
 4. The Bureau vehicle shall not be driven through a red light or stop sign unless:
 - a. The Agent has clear visibility of intersecting streets for at least one block and can see no approaching vehicles or other obstructions; and
 - b. The Agent brings the Bureau vehicle to a rolling stop by slowing to a speed of ten miles per hour before entering a clear intersection; or
 - c. The Agent comes to a full stop if necessary to avoid traffic approaching on intersecting streets or other obstructions.
 5. No more than two law enforcement vehicles shall be engaged in pursuit of a

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violation at any one time.

- a. All other Bureau vehicles following shall operate under Emergency Response requirements.
 - b. Any Special Agent in Charge shall have the authority to order a Bureau vehicle to replace another pursuit vehicle or to add additional pursuit vehicles.
 - c. When two local, county, or state marked patrol units, or any combination of two marked or unmarked patrol units of another law enforcement agency are involved in the pursuit, all Bureau vehicles shall discontinue pursuit and operate under Emergency Response requirements.
6. The Bureau vehicle shall not be driven the wrong way on a one-way street except in extreme emergency. Bureau vehicles shall not be driven in the opposite travel lane, except as necessary to avoid or pass other vehicles.
 7. The following pursuit tactics are prohibited under any circumstances:
 - a. Ramming;
 - b. Running roadblocks;
 - c. Stationary roadblocks.
 8. The pursuit shall be terminated when:
 - a. The Agents in pursuit consider it appropriate; or
 - b. The most senior Agent at the scene considers it appropriate; or
 - c. When the continuation of the pursuit would result in Agents violating any provisions of Bureau Policy and Procedure Manual and/or North Carolina General Statutes.
- B. Bureau Agents shall not engage in pursuit driving under the following circumstances and for the following violations:

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1. Violation(s) of traffic laws, unless the violation creates an immediate danger of death or serious bodily injury to the public if the violator is not immediately apprehended. (Example: A DWI violator clearly posing a danger of death or injury to others if not immediately stopped);
 2. Violation(s) which are misdemeanors and not life threatening;
 3. Non-violent felony violation(s) when the identity of the violator is known and are not life threatening;
 4. Any violation requiring pursuit in the following areas:
 - a. Central business districts;
 - b. Shopping Centers;
 - c. Main thoroughfare intersections during high traffic hours;
 - d. School or hospital areas during high traffic hours;
 - e. Any other area of high traffic density; or
 5. When non-law enforcement personnel are in the Bureau vehicle.
- C. All pursuit driving incidents shall be reported by memorandum to the appropriate Special Agent in Charge and Assistant Director with a copy designated to the Special Agent in Charge of Professional Standards. The Special Agent in Charge of Professional Standards will conduct an annual analysis of all incidents involving vehicle pursuits (if any) and document the review of incident(s) in writing to the Director.

SURVEILLANCE DRIVING

All Bureau Agents engaged in surveillance driving shall comply with the following requirements:

- A. The Bureau vehicle shall not be driven at a speed greater than fifteen miles per hour over the posted speed limit.
- B. The Bureau vehicle shall not be driven through a red light or stop sign unless:

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1. The Agent has clear visibility of intersecting streets for at least one block and can see no approaching vehicles or other obstructions; and
2. The Agent brings the Bureau vehicle to a rolling stop by slowing to not more than ten miles per hour before entering a clear intersection; or
3. The Agent comes to a full stop if necessary to avoid traffic approaching on intersecting streets or other obstructions.

GENERAL ASSISTANCE TO HIGHWAY USERS

- A. Agents may provide assistance to motorists when necessary and proper and when such assistance does not interfere with the progress of an investigation.
- B. Agents may assist in obtaining mechanical assistance or towing services provided the selection of the provider shall be either at the owner's request or as designated by the system employed by the radio dispatcher contacted. Agents may also transport stranded person(s) if the physical safety of the person(s) is a concern.
- C. If an Agent is the first to arrive at the scene of an emergency, the Agent should notify the proper law enforcement agency and should request the appropriate emergency response. Aid may be provided commensurate with the Agent's training.
- D. An Agent should report hazardous highway conditions, including, but not limited to obstructions, debris, malfunctioning traffic control devices, etc., to the proper jurisdiction. Minor hazards, such as small amounts of debris, may be cleared by an Agent if the Agent determines that such action can be done safely.

TRAFFIC STOPS

Any Agent who makes a vehicle stop based upon a motor vehicle violation pursuant Chapter 20 of the NC General Statutes, shall complete SBI Form 122. This completed form will be sent to the Traffic Stops Coordinator no later than ten (10) day after the traffic stop. Pursuant to GS 114-10(2a), if the Agent is the initial law enforcement officer who makes the stop and then turns the offender over to another law enforcement agency, the Agent will still be required to complete SBI Form 122.