



## HEADQUARTERS MEMORANDUM 10-01

File With: FC 423

Distribution: All

Date: 12-14-10

**Subject: EZ Pass Transponders Usage Policy**

*If a provision of a regulation, departmental directive, rule, or procedure conflicts with a provision of the contract, the contract prevails except where the contract provision conflicts with State law or the Police Collective Bargaining Law.*

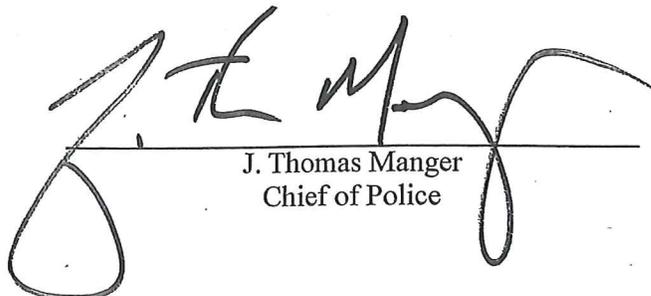
The County will equip its vehicles assigned to the police department with EZ Pass transponders. These transponders will be permanently affixed to all vehicles except designated covert vehicles and may not be removed, tampered with or altered unless necessary to secure the device or if authorized by the MSB administrative Lieutenant or designee.

Any vehicle traveling the Intercounty Connector will be assessed a toll via an automated toll system since the Maryland Transportation Authority will not utilize personnel to collect tolls. Any vehicle without an EZ Pass transponder or with one improperly used so it can not be detected by the automated system, will be assessed the toll as well as an administrative fee.

Designated covert vehicles are those unmarked vehicles assigned to the following units: Special Investigations Division, All Special Assignment Teams, Centralized Auto Theft, Firearms Unit, and the Fugitive Section. Employees operating designated covert vehicles must properly mount and use the transponder consistent with department provided training and guidelines when traveling toll roads and will store the device in the vehicle glove compartment, console or other secure place when not in use.

Employees assigned the use of a vehicle will ensure the assigned transponder is in the vehicle at the beginning and end of each tour of duty. Employees will, without unreasonable delay, notify their supervisor of any lost, stolen, damaged, or malfunctioning transponders. The appropriate report will be written with an NCIC entry initiated. The report will be forwarded to the respective bureau chief via the unit/district commander. The fleet manager will replace the missing transponder when the employee presents a copy of the incident report that is endorsed by the employee's unit/district commander or designee. Employee supervisors will notify the fleet coordinator who will notify the Maryland Transportation Authority EZ Pass Administrator.

Employees must use County transponders when in a County owned vehicle on or off duty within Montgomery County while traveling the ICC and its adjacent entrances and exits except in extenuating circumstances. Employees are authorized use outside of Montgomery County only while on official County business and with prior authorization by the MSB administrative Lieutenant or designee. Employees may be billed for actual costs incurred by the employer for use of the transponder which can be determined to be non-work related.



J. Thomas Manger  
Chief of Police