



# POLICY AND PROCEDURE

## MONTGOMERY COUNTY FIRE AND RESCUE SERVICE

28-01AM

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ASSIGNMENT / USE OF AUTHORIZED COMPLEMENT OF VEHICLES

### MONTGOMERY COUNTY FIRE AND RESCUE SERVICE POLICY ASSIGNMENT AND USE OF AUTHORIZED COMPLEMENT OF VEHICLES

Issued by: Montgomery County Fire and Rescue Service

Authority: Montgomery County Code Section 21-3

**Supersedes** – *Assignment and Use of F/R Support Vehicles, Policy 28-01*

Number 28-01AM

Effective Date: March 12, 2012

Section 1. **Purpose:** To establish a policy for the assignment and use of Montgomery County Fire and Rescue Service Authorized Complement vehicles.

Section 2. **Applicability.** This policy applies to all MCFRS personnel whose activities include the assignment or use, including but not limited to driving or operating, a County Authorized Complement vehicle, including a LFRD-Purchased Vehicle. Any Authorized Complement vehicle is subject to this policy.

In accordance with the Montgomery County Code, Section 21-26(b), any vehicle purchased with County tax funds must be titled to the County and must be assigned in accordance with the adopted Master Fire, Rescue, and Emergency Services Plan.

Section 3. **Definitions.**

- a. **Authorized Complement.** Refers to all vehicles classified as County-Purchased Vehicles, County-Tax Supported Vehicles, and Leased/Contract Vehicles (collectively "MCFRS Support Vehicles"), and LFRD-Purchased Vehicles that the Fire Chief has authorized for MCFRS use. MCFRS keeps an inventory list of all MCFRS Authorized Complement vehicles, and any additions to, or deletions from, this list must be approved by the Fire Chief.
- b. **County-Purchased Vehicle.** A vehicle titled to Montgomery County, whose acquisition and support costs, including vehicle insurance, fuel, maintenance, repairs and rehabilitation, are provided entirely by County tax funds.



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- c. **County-Tax Supported Vehicle.** A vehicle for which County tax funds pay:
1. the base vehicle acquisition costs; or,
  2. vehicle support costs, including vehicle insurance, fuel, maintenance, repairs, and rehabilitation, and the County estimates at the time the vehicle is acquired that these vehicle support costs only during the six year period the vehicle is anticipated to be in the Authorized Vehicle Complement, will equal 50% or more of the base vehicle acquisition cost amount.

For the purposes of the above definition, "base vehicle acquisition cost" means the dollar amount at the time of purchase that the LFRD or County paid for the standard vehicle and equipment *only*, with no customization or upgrades, as ordinarily sold in the marketplace.

- d. **Leased/Contract Vehicles.** A vehicle leased to MCFRS for a specific time period, upon loan terms or a contract.
- e. **Local Fire and Rescue Department (LFRD).** An individual fire or rescue corporation authorized under Montgomery County Code Sec. 21-5 to provide fire and rescue services.
- f. **LFRD-Purchased Vehicle.** A vehicle titled to an LFRD, whose acquisition and support costs, including vehicle insurance, fuel, maintenance, repairs and rehabilitation, are provided entirely with non-tax funds.
- g. **MCFRS.** Abbreviation for the Montgomery County Fire and Rescue Service.
- h. **MCFRS Support Vehicle.** A **County-Purchased Vehicle, County Tax-Supported Vehicle, or Leased/Contract Vehicle**, including those that are passenger or light-duty utility vehicles weighing less than 10,001 lbs Gross Vehicle Weight. These vehicles include command and staff vehicles.
- j. **Personnel.** All MCFRS personnel who may participate in the assignment or use of an **Authorized Complement** vehicle.

#### Section 4. Policy.

- a. The Fire Chief is authorized by Montgomery County Code Sec. 21-3 to establish



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policies for the appropriate assignment and use of an **Authorized Complement** vehicle. An **Authorized Complement** vehicle may be titled either to the County or to an **LFRD**. For purposes of this policy, "Assignment" includes but is not limited to activities related to the purchase of, distribution of, or accountability for a vehicle. For purposes of this policy, "Use" includes but is not limited to the operation or driving of a vehicle.

- b. **Personnel** who use an **MCFRS Authorized Complement** vehicle, including those who drive or operate the vehicle, must comply with all applicable federal, State, and local laws, regulations, and policies, including Maryland State Motor Vehicle laws, County and **MCFRS** regulations and policies, and any requirement to wear a seat belt.

#### Section 5. Procedures.

- a. **VEHICLE ASSIGNMENTS AND REPLACEMENT.** The Fire Chief is responsible for assigning all **MCFRS Support Vehicles**, and will replace those vehicles as funding is made available. The **LFRD Chief** is responsible for assigning an **LFRD-Purchased Vehicle**, and must notify the Fire Chief of the name(s) of the individual(s) to whom the vehicle(s) is assigned at the time the vehicle is assigned to an individual.
  - 1. A request for the assignment or reassignment of an **MCFRS Support Vehicle** must be made to the Fire Chief.
  - 2. An **MCFRS Support Vehicle** that is a **County-Purchased Vehicle** or a **County Tax-Supported Vehicle** must be titled to Montgomery County. Similarly, a **MCFRS Support Vehicle** that is a **Leased/Contract Vehicle** must be leased by, or contracted to, the County.
  - 3. An **LFRD** may obtain title to, or receive County funding for insurance, fuel, maintenance, repairs, or rehabilitation regarding, a vehicle purchased by an **LFRD** with "508" or "Amoss" Funds, only with prior approval by the Fire Chief.
  - 4. The **MCFRS Fleet Section** will evaluate the condition of an **MCFRS Support Vehicle** when considering whether to replace it.
  - 5. An **LFRD** must not purchase any vehicle for the **Authorized Complement** assignment or use, in addition to those vehicles already in the **Authorized**



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**Complement**, without the written approval of the Fire Chief. (See attached **Authorized Complement** Inventory Form).

- b. **AUTHORIZED COMPLEMENT VEHICLE USE.** Authorized Complement use by all **personnel** is subject to the conditions below.
1. Local official **MCFRS** business travel is authorized within Washington, D.C., Maryland, and Virginia, in a manner consistent with the types and distances of travel noted in County policy, including County Administrative Procedure #1.5.
  2. Non-local official **MCFRS** business travel for **personnel** acting as approved official representatives at meetings, conventions, conferences, or functions is authorized only if approved by the Fire Chief, in a manner consistent with the types and distances of travel noted in County policy, including Administrative Procedure #1.2
  3. Any travel, other than Local official **MCFRS** business travel described in b.1 above, must be approved by the Fire Chief.
  4. **Authorized Complement** vehicles must not be used for any reason other than official **MCFRS** business.
- c. **VEHICLE INSURANCE.** All **Authorized Complement** vehicles must be insured through the **MCFRS** insurance policy.
- d. **AUTHORIZED COMPLEMENT VEHICLE OPERATORS.**
1. **MCFRS** administrative **personnel** may use an **Authorized Complement** vehicle *only* in non-emergency response mode.
  2. **Personnel** who use an **Authorized Complement** vehicle must wear appropriate apparel that projects a favorable image of the fire and rescue service.
  3. In assigning and using any **Authorized Complement** vehicle, **personnel** are subject to, and must comply with and adhere to, all requirements in applicable federal, State, and local laws regulations, and policies, including, but not limited to:



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- A. Maryland Annotated Code, Transportation Article; and
  - B. **MCFRS Code of Ethics and On-Duty Personal Conduct Regulation**, No. 22-00AM.
4. **Personnel** must ensure that a **MCFRS Support Vehicle** is returned to the **MCFRS** Chief not later than the next business day following an individual's detention/arrest by a police officer while the individual was using the vehicle.
  5. **Personnel** must ensure that an **LFRD-Purchased Vehicle** is returned to the **LFRD** Chief not later than the next business day following an individual's detention/arrest by a police officer while that individual was using the vehicle.
  6. **Personnel** must *not* install or have installed any equipment in an **MCFRS Support Vehicle** without the prior written approval of the Fire Chief or designee.
  7. The cost to remove an individual's personal equipment from a **MCFRS Support Vehicle** will be at that individual's expense.
  8. No provision in this Policy may be interpreted to preclude the Fire Chief from authorizing the temporary use of a **MCFRS Support Vehicle** on a take-home basis, by **personnel** whose duties include emergency stand-by or call back status.

Section 6. **Responsibility.** All **MCFRS Personnel** must follow established procedures for the assignment and use of an **Authorized Complement** vehicle.

- a. The Fire Chief must review a request by authorized **personnel** to assign a vehicle to, or use or replace a vehicle that is on, the **Authorized Complement** vehicle list, and the Fire Chief may grant or deny the request in whole, or in part.
- b. The Fire Chief has the authority and responsibility to implement and enforce this policy, and other applicable federal, State, and local laws, regulations, and policies for the assignment and use of **Authorized Complement** vehicles.
- c. **MCFRS personnel** must follow Montgomery County Procurement Regulations when acquiring any **MCFRS Support Vehicle**.



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#### Section 7. Enforcement.

- a. Failure to follow this policy may subject **personnel** to an administrative review and/or disciplinary action by the Fire Chief in accordance with applicable federal, State, or local laws, regulations, policies, or collective bargaining agreements.
- b. The Fire Chief, for cause, may suspend or revoke vehicle assignment or use authorization or privileges related to an **Authorized Complement** vehicle, in accordance with applicable federal, State, or local laws, regulations, policies, or collective bargaining agreements.

Section 8. **Effective Date.** This policy is effective on March 12, 2012.

Approved:

Richard R. Bowers, Fire Chief  
Montgomery County Fire and Rescue Service

3/2/12  
Date

APPROVED AS TO FORM AND LEGALITY.

CHIEF OF COUNTY ATTORNEY

BY Richard H. McCall

DATE 2/22/12