



Organized Crime Drug Enforcement Task Forces

OCDETF Leased Vehicle Use Policy Guide

Executive Office for the
Organized Crime Drug Enforcement Task Forces

Table of Contents

1. Introduction	1
1.1. Purpose	1
1.2. Basic Principles	1
1.3. Scope	1
1.4. Policy Statement	1
2. Processes and Procedures	1
2.1. Operational Purpose	1
2.1.1. Official Reimbursements	1
2.1.2. Non-Allowable Reimbursements	1
2.1.3. Types of Vehicles	2
2.1.4. Reimbursement Amounts	2
2.2. Operating and Operator Requirements	2
2.2.1. Valid License Requirement	2
2.2.2. Operator Responsibility	2
2.3. State and Local Traffic Laws	2
2.3.1. Use of Safety Devices	3
2.3.2. Texting While Driving	3
2.3.3. Operation of a Vehicle Involving Illegal Substances, Drugs, or Alcohol	3
2.3.3.1. Illegal Substances	3
2.3.3.2. Alcohol Use	3
2.3.3.3. Prescription Medication	3
2.4. Passengers	3
2.5. Violations, Accidents, and Reporting	4
2.5.1. Unauthorized or Improper Use of Vehicles: Reporting Requirements	4

1. Introduction

1.1. Purpose

The purpose of the Organized Crime Drug Enforcement Task Forces (OCDETF) Leased Vehicle Use Policy Guide is to establish policy governing the operational use of leased vehicles in the OCDETF Strike Force/Strategic Initiative Operational Expense Program. In certain instances, State and Local officers participating in Co-located Strikes Force and/or Strategic Initiative investigations may be eligible to receive reimbursement for vehicle use relative to OCDETF participation. For the purposes of this policy, vehicles being reimbursed by OCDETF will be considered OCDETF leased vehicles.

1.2. Basic Principles

OCDETF leased vehicles must only be used for operational purposes and participants must have an operational need for a vehicle lease. State and Local officers who use OCDETF leased vehicles for nonofficial purposes may be individually liable for the costs of such use, any consequent damages to the vehicles, and any injuries or damages sustained by third parties.

No space in an OCDETF leased vehicle may be considered private space of any authorized operator or passenger of the vehicle. Items or materials from any lawful search of an OCDETF leased vehicle may be disclosed or used for any United States government authorized purpose.

1.3. Scope

The policies set forth in this Policy Guide apply to personnel leasing vehicles participating in OCDETF Co-located Strike Force and/or Strategic Initiative investigations.

1.4. Policy Statement

This document establishes policy governing the lease and use of vehicles in the OCDETF Strike Force/Strategic Initiative Operational Expense Program and discusses the applicable laws and external regulations that state and local law enforcement officers utilizing OCDETF leased vehicles must adhere to in order to continue to receive reimbursement for the use of the vehicles.

2. Processes and Procedures

2.1. Operational Purpose

OCDETF leased vehicles must only be used for operational purposes. Operational purposes are defined as uses that are in direct furtherance of OCDETF's mission, operations, and programs. Except in situations involving personal injury, imminent threats to life, or national security, and/or substantial property damage, any doubt about whether a proposed use is official must be resolved by consulting the appropriate supervisor and following the direction of that supervisor.

2.1.1. Official Reimbursements

Vehicle lease costs incurred pursuant to an OCDETF investigation or due to participation in an OCDETF Strategic Initiative by a State and Local program participant are the only costs reimbursed as part of the leased vehicle program, all other costs will be incurred by the state and local office.

2.1.2. Non-Allowable Reimbursements

Costs that are not eligible for OCDETF reimbursement include, but are not limited to:

- Fuel
- Repairs/Damages to vehicle

- Registration
- Maintenance
- Insurance
- Fees and Taxes

State or Local officers who use OCDETF vehicles for nonofficial purposes may be held individually liable for the costs and liabilities of such use.

2.1.3. Types of Vehicles

Reimbursement of leased vehicles must be standard trim level and reasonable type needed for the operation for which it will be used. For example, OCDETF will only reimburse standard trim level SUV when a standard SUV is all that is needed for operations by the state and local officers. Any perceived deviation from this “reasonable standard” will require a detailed justification before the OCDETF Executive Office (EXO) will approve.

2.1.4. Reimbursement Amounts

Through analysis of all leased vehicles in the OCDETF Strike Force/Strategic Initiative Operational Expense Program nationwide in recent years, OCDETF determined that the average monthly vehicle lease cost in the program is \$785. Allowing a potential fifteen percent (15%) variance to this average, OCDETF will now only reimburse vehicle lease costs up to \$900. All agreements and/or reimbursement requests received over the \$900 threshold will incur additional scrutiny by the OCDETF EXO and will require a detailed justification before possible approval.

2.2. Operating and Operator Requirements

2.2.1. Valid License Requirement

Any State and Local officer who operates an OCDETF leased vehicle under this policy must possess a valid state, District of Columbia, or territorial motor vehicle operator’s license qualifying them to operate the type of vehicle in question. An individual must not operate an OCDETF leased vehicle without such a license.

2.2.2. Operator Responsibility

When an OCDETF leased vehicle is under a State and Local officer’s control, the State and Local officer must park or store the vehicle in a manner that reasonably protects it from theft or damage and must lock it when unattended.

2.3. State and Local Traffic Laws

A State and Local officer operating an OCDETF leased vehicle is subject to state jurisdiction and must obey all motor vehicle traffic laws of the state and local jurisdiction in which the vehicle is being operated, except to the extent required to perform his or her official duties. A State and Local officer is personally responsible and accountable for any violations of traffic laws and must not be reimbursed for the costs of any attendant penalties.

State and Local officer’s must not misuse their emergency vehicle equipment (e.g., lights and sirens), credentials, titles, or other indicia of official positions in attempts to avoid or negotiate any citations or tickets (or consequent fines or penalties) resulting from violations of traffic rules and regulations while driving an OCDETF leased vehicle.

A State and Local officer operating an OCDETF leased vehicle must only use high-occupancy vehicle (HOV) lanes or other restricted highway lanes, such as express lanes if allowable by state or

local laws. Emergency vehicle equipment, nor credentials, may be used to travel HOV lanes outside of allowable hours.

2.3.1. Use of Safety Devices

State and Local officer's driving an OCDETF leased vehicle must use all safety devices with which the vehicle is equipped, including safety belts, and must follow all appropriate motor vehicle manufacturer safety guidelines, unless emergency circumstances dictate otherwise.

2.3.2. Texting While Driving

OCDETF prohibits texting (1) while driving an OCDETF leased vehicle, (2) while using a government-issued device and driving an OCDETF leased vehicle, or (3) while driving an OCDETF leased vehicle on official business.

In this context, "texting" means reading from, or entering data into, any hand-held or other electronic device, including for the purpose of short message service (SMS) texting, e-mailing, instant messaging, obtaining navigational information, or engaging in any other form of electronic data retrieval or electronic data communication. It does not, however, include glancing at a navigational device affixed to the vehicle, adjusting radio controls, or similar activities.

In this context, "driving" means operating a motor vehicle on an active roadway with the motor running, including while temporarily stationary because of traffic, a traffic light, a stop sign, or otherwise. It does not include operating a motor vehicle with or without the motor running once the vehicle has been pulled over to the side of, or off, an active roadway and has halted in a location where the driver and vehicle can remain safely stationary.

2.3.3. Operation of a Vehicle Involving Illegal Substances, Drugs, or Alcohol

2.3.3.1. Illegal Substances

An OCDETF leased vehicle must not be used by a State and Local officer with any illegal substance present in their body, whether or not the employee is under the influence of, or impaired by, such substance. Illegal substances include illegal drugs or legal drugs used in an illegal manner.

2.3.3.2. Alcohol Use

A State and Local officer must not operate an OCDETF leased vehicle:

- in violation of any applicable law or regulation governing operation of a motor vehicle by driving under the influence (DUI) of, or while impaired by, the consumption of alcohol;
- while consuming alcohol; or
- when open alcohol containers are present anywhere in the vehicle.

2.3.3.3. Prescription Medication

A State or Local officer must not operate an OCDETF leased vehicle after using legally prescribed medication if use of that medication does not comport with the limitations on driving imposed by the prescribing physician or if the State and Local officer knows, or has reason to know, that such use has impaired, or will impair, their ability to operate a motor vehicle safely.

2.4. Passengers

Generally, only authorized passengers may ride in OCDETF leased vehicles. OCDETF leased vehicle operators may take on unauthorized passengers in the following circumstances:

- When necessary to prevent loss of life or serious physical injury to any individual; or

- To transport ill or injured State and Local officer to a hospital or a health care facility.

2.5. Violations, Accidents, and Reporting

2.5.1. Unauthorized or Improper Use of Vehicles: Reporting Requirements

Citations and tickets not resulting in arrests and related to the operation of personally or OCDETF leased vehicles will not be reimbursed.