



## MAINE STATE POLICE GENERAL ORDER

**E-133**

**SUBJECT:** MAINE STATE POLICE MOTORCYCLE UNIT

**EFFECTIVE DATE:** 08.01.2020

**EXPIRATION DATE:** 08.01.2027

**RECENT HISTORY:** AMENDED (08.01.2020); NEW (01.01.2019)

**DISTRIBUTION CODE:** 2 (MAY BE PUBLICLY DISCLOSED)

**APPLICABILITY CODE:** S

**SIGNATURE OF COLONEL:**

A handwritten signature in black ink, appearing to read "W. B. R.", is written over a light blue rectangular background.

### I. PURPOSE

1. The purpose of this General Order is to establish the Maine State Police Motorcycle Unit.

### II. POLICY

1. The policy of the Maine State Police is to maintain a trained and well-equipped Motorcycle Unit ("Unit").

***NOTE: Participation in a Maine State Police specialty unit is contingent upon a unit member's satisfactory performance in his/her primary duty assignment. Participation in a specialty unit is a privilege, not a right, and by accepting an assignment to a specialty unit, a member of the Maine State Police waives any and***

***all future claim of right to any benefit conferred upon the member by virtue of his or her participation in the unit.***

### **III. DEFINITIONS**

1. For the purposes of this General Order, the terms included in this section are defined as follows, unless otherwise indicated in the order.
  - A. Colonel. "Colonel" means the Chief of the Maine State Police, or her or his designee.
  - B. Detail. "Detail" means an official matter to be carried out by or involve the Maine State Police Motorcycle Unit.
  - C. Maine State Police Motorcycle. "Maine State Police Motorcycle" means a motorcycle as defined at 29-A M.R.S. § 101(38) that is owned, operated, and maintained by the Maine State Police.
  - D. Special Services Lieutenant. "Special Services Lieutenant" means the Maine State Police Special Services Lieutenant, or her or his designee.
  - E. Unit Commander. "Unit Commander" means the Commander of the Maine State Police Motorcycle Unit, or, if the Unit Commander is unavailable, then either an Assistant Unit Commander or the Unit Commander's designee.
  - F. Unit Member. "Unit Member" means a sworn Maine State Police officer who is a member of the Maine State Police Motorcycle Unit.

### **IV. PROCEDURE**

1. UNIT DUTIES
  - A. The duties of the Maine State Police Motorcycle Unit are:
    1. To provide security and traffic control during motorcade escorts;
    2. To promote a positive relationship between law enforcement and the public through traffic safety education;
    3. To help to ensure the safety of the public at special events where large crowds are expected, such as, for example, parades, funerals, festivals, celebrations, and public gatherings;
    4. To help to ensure the safety of the public at places where a traditional mode of transportation (such as a cruiser) would not be effective, such as, as examples, at areas where traffic

- congestions is expected (such as at motor vehicle collision scenes), or at scenes of natural disasters, where road width might have been reduced due to the disasters;
5. To assist other law enforcement and public safety agencies for the purposes described in paragraphs 1 through 4, above;
  6. To promote and enhance recruitment efforts; and
  7. Any other duties deemed appropriate by the Colonel.

## 2. UNIT STRUCTURE

- A. The Unit shall consist of as many Unit Members as are authorized by the Colonel.
- B. From among current Unit Members the Colonel shall select a Unit Commander, who shall lead the Unit, and who shall report directly to the Special Services Lieutenant.
- C. As the Special Services Lieutenant deems necessary, Assistant Unit Commanders shall be selected from among current Unit Members by the Unit Commander and the Special Services Lieutenant, with the approval of the Colonel.

### 1. The Unit Commander shall:

- a. Provide administrative oversight over the Unit;
- b. Ensure that records are maintained regarding Unit operations, as well as Unit equipment inventory and maintenance;
- c. Ensure that all Unit Members are properly trained;
- d. Ensure training records are maintained for each Unit Member;
- e. Ensure that all equipment used by the Unit is safely maintained and is appropriate for Unit operations;
- f. Annually report on the Unit's training and operational activities to the Special Services Lieutenant;
- g. Coordinate the purchase of any equipment needed by the Unit;
- h. Issue and replace equipment used by the Unit, as deemed necessary by the Special Services Lieutenant;
- i. Be a licensed motorcycle inspection technician, or become one as soon as practicable; and
- j. Ensure that all Maine State Police Motorcycles meet or exceed Maine motorcycle inspection standards.

2. In the event the Unit Commander or an Assistant Unit Commander is not available to take part in a given detail, then the Unit Commander shall designate a Unit Member as a Member-in-Charge, who shall lead and be responsible for all facets of the detail.
  - a. Each detail must have a designated Member-in-Charge if the Unit Commander or an Assistant Unit Commander is not available.

### 3. UNIT MEMBERSHIP

#### A. SELECTION

1. When a vacancy in the Unit exists, the Special Services Lieutenant shall notify all sworn Maine State Police officers of the opening:
  - a. An officer interested in joining the Unit shall forward a written request through the officer's Commanding Officer to the Special Services Lieutenant.
    - (1) The officer's Commanding Officer shall forward with the written request a recommendation and a copy of the officer's performance evaluation for the most recent rating period;
  - b. To be eligible for membership on the Unit, a candidate must have a valid motorcycle endorsement on her or his motor vehicle operator's license.
  - c. A candidate shall be disqualified from consideration for membership with the Unit if he or she has contributed to the cause of three (3) or more motor vehicle collisions within a period of three (3) consecutive years.
2. Consideration in the final selection to the Unit shall be based on:
  - a. A candidate's time in service and related experience;

- (1) A candidate must have completed one (1) year of service after graduating from the Recruit Training Troop; however, exceptions to this requirement may be made and will be handled on a case-by-case basis for any candidate who was certified as a law enforcement officer and was or is currently certified in, or assigned to, a related law enforcement specialty;
  - b. Having met or exceeded expectations on the most recent performance evaluation;
  - c. A willingness to make a minimum commitment of three (3) years to the Unit;
  - d. The recommendation of the Commanding Officer of a candidate for Unit membership;
  - e. The geographic location of the candidate's residence;
  - f. The operational needs of the Maine State Police; and
  - g. The approval of the Special Services Major.
3. Each eligible interested officer must:
  - a. Successfully complete an oral board.
    - (1) Oral board members shall include, at a minimum, the Special Services Lieutenant, the Unit Commander, and at least one (1) Assistant Unit Commander;
  - b. Successfully complete a motorcycle-operation skills assessment test.
4. An officer selected to join the Unit shall be a probationary member of the Unit for one (1) year.
  - a. At the end of the period, the Unit Commander shall make a recommendation to the Special Services Lieutenant as to whether the officer should become a permanent member of the Unit.
  - b. The Special Services Lieutenant, under the direction of the Special Services Major, shall determine whether the officer will become a permanent member of the Unit based on the Unit Commander's recommendation and any other

information the Special Services Lieutenant thinks relevant to the determination.

5. UNIT EQUIPMENT

- A. Equipment, as determined by the Unit Commander following consultation with the Special Services Lieutenant, may be issued to each Unit Member, and may be kept in the members' custody.
- B. Each Unit Member must be cross-trained with all Unit equipment.
- C. All Unit equipment must be maintained in excellent working order and kept clean.
- D. Problems with issued equipment must be promptly reported to the Unit Commander or an Assistant Unit Commander.
- E. Maine State Police Motorcycles shall be stored inside and in a secure location.
- F. A Maine State Police Motorcycle that is found to be unsafe or defective must be immediately removed from service until the appropriate repairs are made.
- G. The responsibility to inspect the Maine State Police Motorcycle assigned to a Unit Member is that of that member, and he or she shall inspect the motorcycle for defects or malfunctioning equipment prior to each use.
  - 1. Any damage or defect to a Maine State Police Motorcycle is to be immediately reported to the Unit Commander by the Unit Member to whom the motorcycle is assigned.
- H. Maine State Police Motorcycles only are to be used for official business of the Maine State Police and in accordance with the purposes set forth in this policy.
  - 1. ***A Maine State Police Motorcycle shall not be used by anyone for personal, non-official purposes.***
- I. Only Unit Members shall operate Maine State Police Motorcycles.
  - 1. ***A Maine State Police Motorcycle shall not be operated with a passenger on it.***

6. UNIT TRAINING

*A. Training Generally*

1. The Unit Commander shall determine the scope and subject matter of Unit training.
2. The Unit Commander shall maintain a training file for each Unit Member.
3. Each year the Special Services Lieutenant, after consulting with the Unit Commander and the Operations Major, shall determine and set the total number of annual training hours the Unit is required to complete, and shall communicate that information to Unit Members, Maine State Police Commanding Officers, and the Maine State Police Command Staff.

*B. Training Attendance*

1. Each Unit Member shall attend, participate in, and satisfactorily meet the goals and learning objectives of all required Unit training.
2. For good cause, the Unit Commander may excuse a Unit Member from a Unit training session.

*C. Non-Maine State Police Training Records*

1. Each Unit Member shall ensure that a copy of attendance records from an outside training program (e.g., a NESPAC training program) are forwarded to the Maine State Police Training office.

7. INJURIES TO UNIT MEMBERS

- A. With respect to injuries to or medical work restrictions placed on a Unit Member, the Unit and Unit Members shall act in accordance with Maine State Police General Order E-108.

8. UNIT SAFETY

- A. Safety is the responsibility of all Unit Members.
- B. Any Unit Member who does not think her- or himself able to participate in or to complete a detail shall promptly notify, as applicable, the Unit Commander, an Assistant Unit Commander, or the Member-in-Charge.

- C. A Unit Member who becomes aware of an unsafe or potentially unsafe situation during a detail shall immediately notify, as applicable, the Unit Commander, an Assistant Unit Commander, or Trooper-in-Charge.
- D. Repeated unsafe acts by a Unit Member shall constitute cause for removal of that member from the Unit.
- E. A Unit Member who encounters a situation while operating a Maine State Police Motorcycle that requires a response shall take the appropriate action in accordance with her or his training and experience, if such action can be done safely and in accordance with this policy.
- F. *Maine State Police Motorcycles shall not be used as a primary pursuit vehicle.***
- G. *Maine State Police Motorcycles shall not be used during inclement weather.***
  - 1. The final determination of whether motorcycles are to be used during potentially or predicted inclement weather shall be made by the Unit Commander.
- H. A Unit Member whose Maine State Police Motorcycle is damaged in any way shall immediately report that damage the Unit Commander
  - 1. A Unit Member shall follow Maine State Police General Order E-104 when that member's motorcycle is involved in a motor vehicle collision.

## 9. UNIT ACTIVATION

- A. A Commissioned Officer of the Maine State Police may request activation of the Unit by contacting the Unit Commander.
- B. Any Unit Member who receives a request for the Unit's activation shall promptly notify the Unit Commander.
- C. Upon the receipt of a request for activation:
  - 1. The Unit Commander shall gather as much information as possible from the Commissioned Officer requesting the activation of the Unit, and then make the determination as to whether to activate the Unit to respond to the request.



2. The Special Services Lieutenant shall be notified – preferably, in writing – of all requests for activation of the Unit.
3. The final decision of whether the Unit will respond to the request for activation is that of the Special Services Lieutenant.

#### 10. DETAIL PROCEDURES

- A. The Unit Commander shall determine and assign the appropriate number of Unit Members to effectively and safely accomplish the objective of a detail.
- B. When selecting Unit Members for a detail, the Unit Commander shall consider individual motorcycle-operation skills, training, experience, ability, and geographic location.
- C. Any injury to a Unit Member must be reported immediately to the Unit Commander.
  1. The Unit Commander shall ensure that an employee's "First Report of Injury Form" and a supervisor's "First Report of Injury Form" are each completed immediately and forwarded to the Special Services Lieutenant.

#### 11. UNIT DEACTIVATION

- A. Following the conclusion of a detail, the Unit Commander shall assemble and meet with the Unit Members who participated in the detail, for debriefing purposes.

#### 12. REPORTS AND DOCUMENTATION

- A. The Special Services Lieutenant may require any such reports or documentation to be created or utilized by the Unit that, in the Special Services Lieutenant's judgment, are necessary to ensure the effective and responsible operation of the Unit.
- B. Such reports and documentation may include, but are not limited to:
  1. Standardized documents that may be used in determining whether Unit activation should occur in response to a request for Unit activation;
  2. Standardized documents that may be used to obtain information when a request Unit activation is made; and

3. Reports memorializing the operations of the Unit.

**NOTICE**

**THIS GENERAL ORDER IS FOR USE OF THE MAINE STATE POLICE AND NOT FOR ANY OTHER AGENCY. THE GENERAL ORDER IS NOT INTENDED TO BE RELIED UPON BY ANY OTHER INDIVIDUAL OR PRIVATE OR PUBLIC AGENCY. THE GENERAL ORDER EXPRESSLY DOES NOT CREATE, AND IS NOT INTENDED TO CREATE, A HIGHER LEGAL STANDARD OF SAFETY OR CARE IN AN EVIDENTIARY SENSE WITH RESPECT TO THIRD-PARTY CLAIMS. VIOLATIONS OF THIS ORDER ONLY MAY FORM THE BASIS FOR ADMINISTRATIVE SANCTIONS BY THE MAINE STATE POLICE.**