

	SFASU POLICE DEPARTMENT	
	Policy 7.14 Vehicle Operation	
	Effective Date: 04/29/19	Updated: 11/11/2020
	Approved: John Fields, Jr. Chief of Police	
	Reference: TBP 7.15, 7.20, 7.24 / IACLEA 8.3.1b & c, 8.3.5, 9.1.3, 9.1.4 a & b, 9.1.5a & b	

I. POLICY

All personnel operating department vehicles shall exercise due regard for the safety of all persons. Protection of life is the paramount goal of the department and no task, call, or incident justifies disregard of public safety. Further, the public expects its law-enforcement officers to demonstrate exemplary driving skills at all times. Personnel who operate department vehicles will comply with the safe driving procedures outlined in this policy with particular attention to responding to calls for service or engaging in pursuits. Emergency warning devices shall be used consistent with both legal requirements and the safety of the public and department personnel.

II. PURPOSE

The purpose of this policy is to establish procedures governing the operation of police vehicles.

III. DEFINITIONS

- A. **Emergency driving.** Driving in response to a life-threatening or other serious incident (based on available information) that requires emergency equipment. Emergency driving (emergency lights and siren activated) allows an officer to disregard certain traffic regulations as long as the officer drives with due regard for the safety of himself/herself and others.
- B. **Emergency equipment.** Emergency lights and a siren, whistle, or air horn designed to give intermittent signals automatically. All marked vehicles have distinctive, reflectorized decals for additional visibility. In this order, an authorized emergency vehicle is one that has this emergency equipment installed.
- C. **Normal or routine driving.** Driving that dictates vehicle speed consistent with the normal flow of traffic, obedience to vehicle laws and posted signs, and adherence to commonly understood "rules of the road."

IV. GENERAL PROCEDURES FOR ALL RESPONSES

A. General

1. All department vehicles shall be driven safely and in full compliance with all traffic laws and regulations. Department vehicles are conspicuous symbols of authority and each officer must set an example of good driving behavior and habits.
2. All department vehicles will be equipped with emergency equipment as determined by the Chief of Police (IACLEA 9.1.4a).
3. All patrol vehicles (except for the patrol pick-up) shall be equipped with a safety barrier separating officers from subjects who are being transported. All suspects shall be transported in the rear seat with the safety barrier secured and the suspect seat belted (IACLEA 8.3.1c).
4. The compartments of all department vehicles utilized regularly to transport detainees must be modified to minimize the potential of the detainee exiting the vehicle without the officer's assistance (IACLEA 8.3.5).
5. All department vehicles will contain and be replenished with supplies (fire extinguisher, first aid kit, jump box, AED, vehicle unlock device, personal protective equipment and hazmat container), that will consistently ensure operational readiness (IACLEA 9.1.4b).
6. All departmental vehicles (marked and unmarked) must be equipped with operational emergency lights and siren. In addition, marked units must have an operational PA system (IACLEA 9.1.5a & b).
7. Under certain emergencies as defined below, the Transportation Code authorizes officers to disregard traffic regulations. Both the operator and the department, however, are not released from civil liability for failure to use reasonable care in such operations (TBP 7.15).

B. Routine operation

1. In case of accident or damage to any department vehicle, the driver shall immediately request the on-duty supervisor to conduct an investigation.

2. Accidents involving members of this department may be investigated by the sheriff's department, DPS, or some other neighboring police agency.
3. Personnel involved in an accident shall write a memorandum detailing the circumstances.
4. Personnel shall report any found damage or other non-accident damage to their supervisor immediately and document the damage in an incident report.
5. Vehicles used in routine patrol service shall be conspicuously marked except those being used for covert patrol operations.
6. Unmarked vehicles that are provided with emergency lights and a siren may be used to stop vehicles.
7. Standard lighting equipment on marked vehicles includes hazardous warning lights, spotlights, and alley lights on patrol vehicles with a rooftop light bar.
 - a. Hazardous warning lights may be used at any time the department vehicle is parked where other moving vehicles may be endangered.
 - b. Alley lights and spotlights may be used when the vehicle is stationary or moving at speeds not to exceed 15 miles per hour. Alley lights shall not be used in a manner that will blind or interfere with the vision of operators approaching police vehicles.
8. Seatbelts and shoulder straps shall be worn by the driver and all passengers during vehicle operation. Prisoners shall be seat belted whenever possible (TBP 7.20).
 - a. Exception: When approaching an incident scene or a call where the officer believes that a rapid exit from the vehicle may be required, the officer may release his/her seat belt.
9. Young children transported in a police vehicle will be transported in the manner prescribed by the Transportation Code using infant/child car seats.

C. Inspection

1. Prior to each duty assignment, officers shall check their vehicles for cleanliness and operability. In addition, officers are required to confirm that all required equipment is available.

2. Officers shall also ensure that vehicles have adequate levels of oil, brake fluid, power steering fluid, and gas. Any deficiencies should be reported to the supervisor.
3. Officers shall check the safety features of the vehicle before assuming duty; specifically, lights, brakes, siren, horn, and steering.
4. Officers shall also check tires for tread wear and proper inflation.
5. Officers shall examine their vehicles for damage at the beginning and the end of their shifts. Officers shall report any damage immediately to the on-duty supervisor.
6. Officers shall search their vehicles for contraband or property discarded by prisoners or others at the beginning of each shift and prior to and after transporting detainees (IACLEA 8.3.1b).
7. Officers who discover a department vehicle in need of repairs shall immediately inform the on-duty supervisor.
8. No driver shall modify, remove, de-activate, or otherwise tamper with the vehicle safety belts, emission control device, or any part of the vehicle that affects its operation.
9. Officers are responsible for maintaining the cleanliness of the interior and exterior of their assigned vehicle. During periods of inclement weather when department vehicles cannot be washed regularly, the driver must ensure that headlight and taillight lenses are kept clean, insofar as circumstances permit.
10. Employees shall not operate any department vehicle that he or she believes is unsafe (TBP 7.24).

D. Driving rules

1. The driver shall carefully observe the surrounding conditions before turning or backing any vehicle.
2. A department vehicle shall not be left unattended with the engine running nor shall the vehicle be left unlocked when the officer has left it to handle other business.

3. The driver must recognize the variable factors of weather, road surface conditions, road contour, and traffic congestion, all of which directly affect the safe operation of any motor vehicle, and shall govern the operation of the vehicle accordingly.
4. Officers responding to certain crimes-in-progress may discontinue the use of the siren upon approaching the location of the occurrence. While this is allowed by Texas law and this policy, officers shall understand that to do so means that they are no longer operating in a manner that would warn other traffic and should remember that they still have a duty to drive with due regard for other motorists and pedestrians.
5. Emergency driving to the scene of a motor vehicle accident is permissible only when an emergency exists, when specific information indicates that conditions at the scene require an emergency response, or when directed to do so by a supervisor.
6. Upon approaching a controlled intersection or other location where there is possibility of collision, the emergency driver shall reduce the speed of the vehicle, stopping completely if necessary, before entering and traversing the intersection. When faced with a red traffic signal or stop sign, the officer shall slow his or her vehicle to ensure that the intersection is clear before proceeding.
7. Regardless of the seriousness of the situation to which the officer is responding, officers shall be held accountable for the manner in which he or she operates the vehicle.
8. At the scene of a crime, a motor vehicle crash, or other incident, a department vehicle shall be parked in such a manner so as not to create an obstacle or hazard to other traffic, unless necessary for the protection of an incident scene or injured persons. If a traffic hazard exists, the emergency lights and four-way flashing lights shall be used to warn other drivers approaching the location.
9. Operators of department vehicles must bear in mind that the traffic regulation requiring other vehicles to yield the right of way to any emergency vehicle does not relieve emergency vehicle operators from the duty to drive with due regard for the safety of all persons. Nor does this traffic regulation protect the driver from the consequences of arbitrary use of this right-of-way regulation.

V. PROCEDURES FOR EMERGENCY DRIVING

A. General

1. Section 546.005 of the Transportation Code states that the exemptions to driving laws granted to emergency vehicle operators "does not relieve the operator from the duty to drive with appropriate regard for the safety of all persons or the consequences of reckless disregard for the safety of others." Recognizing that protection of human life is paramount, responding officers must remember that their objective is to get to the location of the occurrence as soon as possible without danger to themselves or to others.

B. Response driving: Calls for service are classified as Normal (non-emergency) or Emergency driving. The terms are defined as follows:

1. Normal (non-emergency) driving responses is required for non-emergency calls and requires officer(s) to respond without delay, complying with all traffic regulations without using emergency warning devices.
2. Emergency Traffic responses are authorized for any emergency where the preservation of life is a consideration. Primary and support units responding to emergency calls shall proceed rapidly to locations by the most direct route using all emergency warning devices. Emergency driving may be authorized by a dispatcher, field supervisor, and/or patrol officer, subject to the considerations discussed below. Field supervisors shall closely monitor all emergency driving and shall respond if necessary.

NOTE: Field supervisors have the authority to upgrade or downgrade assigned driving responses.

C. Dispatcher assignments

1. The dispatcher shall assign emergency driving classification to any call that suggests the preservation of life is a consideration. (See B. 2, above.) Examples include a call that indicates a crime involving violence is in progress, or one where the suspect is armed, and any other requests alleging an implied or immediate threat to the safety of a person.
2. Examples of emergency driving circumstances (not all inclusive):
 - a. officer who needs urgent help;
 - b. burglary in progress;

- c. robbery in progress;
- d. serious-injury or fatal- accident;
- e. riot or large disturbance with fighting or injuries;
- f. apparent homicide;
- g. assault-in-progress;
- h. sex offense in progress;
- i. domestic dispute with an assault in progress, or where the assault has just occurred with a suspect still present; and
- j. in-progress suicide attempt.

D. Officer's response to call

1. Upon arrival at the scene of a call, the responding officer shall rapidly evaluate the situation and determine whether additional units are still needed or whether other units responding emergency traffic can be slowed or cancelled.
2. All units responding to robbery-in-progress and burglary-in-progress calls, before coming within hearing distance, shall discontinue the use of the siren and at that time fully comply with all traffic laws. Before coming within sight of the location, officers shall discontinue the use of the emergency warning lights. Officers are reminded that upon deactivation of a siren and flashing lights, their response ceases to be an emergency and they must comply with all posted speeds and traffic control devices.
3. In situations requiring a silent response, e.g., alarms and prowler calls, officers shall respond as rapidly as possible, obeying all traffic laws and signs.
4. Officer-initiated response.
 - a. When, in the opinion of the officer, an emergency is imminent or exists, or that activation of emergency warning devices is necessary to protect life or render the necessary enforcement, the department authorizes an emergency response.
 - b. Examples include the following:
 - i. any incident where the use of emergency lights constitutes a necessary warning for the safety of life (such as scenes of fires, accidents, or disasters);
 - ii. as a visual signal to attract the attention of motorists being stopped for traffic violations, or to warn motorists of imminent dangers;

- iii. dispatched to calls where the responding officer has previous knowledge that had the dispatcher known it, would have resulted in the call being dispatched as emergency traffic;
- iv. in response to an officer's emergency request for assistance; and
- v. police pursuits (see Policy 7.15).

E. Use of emergency warning devices in non-emergencies

1. Officers shall activate emergency equipment to notify drivers that they must stop, and to provide a safe environment for the driver, officer, and the public.
2. Officers may activate emergency equipment in non-emergencies when expediency is required to eliminate a potential hazard to the public or other officers, such as using emergency lights to protect disabled motorists or when department vehicles are used as protective barriers (IACLEA 9.1.3).