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| Policy #**Vehicle Operations** (Routine and  Emergency Responses) | Related Policies: **Vehicle Pursuits** |
| *This policy is for internal use only and does not enlarge an employee’s civil liability in any way. The policy should not be construed as creating a higher duty of care, in an evidentiary sense, with respect to third-party civil claims against employees. A violation of this policy, if proven, can only form the basis for internal discipline and/or criminal charges.* |
| Applicable State Statutes: K.R.S. 189.940; K.R.S. 431.045; K.R.S. 189A.100 K.R.S. 189.910 K.R.S. 189.920 K.R.S.189.930 K.R.S. 189.950 |
| KACP Accreditation Standard 21.1 |
| Date Implemented: | Revision Date: May 1, 2025 |

1. **Purpose:** The purpose of this policy is to provide guidelines and directions for the establishment of responsibility for the safe operation of police vehicles during non-emergency operation and emergency (light and siren) operation, as well as to establish the responsibility and duties of participating officers and supervisors.
2. **Policy:** The department recognizes its responsibility to apprehend criminals and lawbreakers, but it also recognizes that higher responsibility to protect and foster the safety of all persons in the operation of police vehicles.

Officers should only engage in emergency operations (lights and sirens) when the totality of the circumstances outweighs the risk to the officer and the public. In initiating any emergency operation, the officer shall carefully consider the facts, the driving environment, the seriousness of the offense, the need for apprehension, and the safety of all persons.

***Officers will be held accountable for the consequences of reckless disregard for the safety of others, violations of this policy, and/or violations of the provisions of Kentucky state law.***

1. **Definitions:**
	1. ***Emergency response for emergency call***: A request for police service that presents an actual and immediate danger of death or serious physical injury. (Should be adapted for local terminology.)
	2. ***Emergency operation***: Driving an emergency vehicle while operating lights and sirens, and in accordance with state law, during a high-level emergency response (department coding as applicable) call or during pursuit of a fleeing vehicle.
	3. ***Marked police vehicle***: A police vehicle displaying the emblem and marking of the police department with emergency lights and audible warning devices.
	4. ***Unmarked police vehicle***: A police vehicle not displaying the emblem or marking of the police department, but is equipped with emergency lighting.
2. **General operation of agency vehicles:**

* + 1. All agency vehicles will be driven safely and properly in compliance with applicable laws and regulations. Agency vehicles are conspicuous symbols of authority on the streets and the actions of the drivers are observed by many. Agency personnel are expected to set an example of good driving behavior and habits.
		2. Operators of agency vehicles must bear in mind that traffic regulations requiring other vehicles to yield the right of way to any emergency vehicle (KRS 189.930) does not relieve the emergency vehicle operator from the duty to drive with due regard for the safety of all persons using the highways (KRS 189.940), nor shall they protect the other driver from the consequences of an arbitrary use of emergency equipment.
		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 operate the vehicle with due regard to these factors.

* 1. **Non-emergency operation:**

* + 1. Only authorized personnel should operate agency vehicles.
		2. Non-emergency operation, as defined by this agency, includes all vehicle operation except during emergency responses and pursuit situations.
		3. This includes the use of any vehicle for transportation purposes or general patrol driving.
		4. Non-emergency driving dictates vehicle speed consistent with the normal flow of traffic, obedience to vehicle laws, posted signs, adherence to commonly understood "rules of the road," and courtesy.
		5. Emergency lights and/or hazard warning lights shall be used anytime the police vehicle is parked where other moving vehicles may be endangered. Alley lights and spotlights may be used when the vehicle is stationary or moving and shall not interfere with the vision of operators of other approaching vehicles.
		6. Unmarked vehicles may be used to stop vehicles, provided they are equipped with emergency lights and sirens. The emergency lights shall be in operation at all times during a stop.
		7. Incidents that do not meet the authorization for emergency response criteria should be considered non-emergency runs, including but not limited to the following examples:
1. Burglar alarms
2. Hold up alarms (non-verified)
3. Non-injury collisions (no serious traffic hazards)
4. Report runs
5. Domestics (non-active and no weapons involved)
6. Trouble runs (non-life-threatening circumstances, incidents not involving weapons)
7. Thefts
8. Shopliftings (with no active confrontation)
	1. **Emergency operation:**

1. KRS 189.940 stipulates that officers can disregard certain traffic laws only when responding to an emergency or in actual pursuit, and at all times the officer has activated the vehicle emergency lights and siren. The officer is further required to operate the vehicle with due regard for the safety of other persons and/or property. Emergency operation without lights and sirens is strictly prohibited.
2. **Emergency operation to calls for service (non-pursuit):** Emergency operation for law enforcement calls for service are **authorized** when there is a request for police service that presents an actual and imminent danger of death or serious physical injury.
3. **When an officer approaching a scene discontinues the use of emergency lights and sirens, he/she must use caution and obey existing traffic laws.**
4. In the emergency operation of agency vehicles, it is important that officers weigh the seriousness of the situation (injury, offense, etc.) against the hazards to the health and welfare of other citizens generated by high speeds or maneuvers.
	* 1. Officers will, at all times, consider factors which may have a bearing on the emergency operation of their vehicle, including:
			1. Type of emergency run
			2. Nature of location (e.g., school zone, residential, business, etc.)
			3. Time of day and day of the week
			4. Lighting conditions
			5. Vehicular and pedestrian traffic
			6. Type of roadway
			7. Condition of the roadway (e.g., dry, wet, paved, gravel, icy)
			8. Weather conditions (e.g., clear, overcast, rain, fog)
			9. Condition of the emergency vehicle
			10. Officer’s driving ability
	1. **Restrictions:** The following restrictions will apply to the emergency

 operation of an agency vehicle:

1. Units with prisoners, witnesses, suspects, complainants, or other non-police personnel as passengers will not operate in emergency mode**. *(Exception: Emergency operation is authorized with supervisory approval in the event of a medical emergency.)***
2. ***When approaching a loading or unloading school bus, officers shall stop and wait until it is safe to continue*.**

* 1. **Responsibilities of the emergency response vehicle driver:**
1. Continually evaluate the seriousness of the situation against the hazards to the health and welfare of the citizens generated by the emergency operation.
2. Continually evaluate external factors that may have a bearing on the emergency operation of the vehicle.
3. Discontinue the emergency operation at any time hazardous circumstances or environmental factors present an unreasonable risk to public safety.
	1. **Responsibilities of the supervisor:**
4. Monitor the emergency response.
5. Control the number of authorized vehicles making the emergency run depending on the nature of the run and the number of officers needed for safety and a proper tactical response.
6. Continually evaluate the seriousness of the situation against the hazards to the health and welfare of the citizens generated by the emergency operation.
7. Continually evaluate external factors which may have a bearing on the emergency operation of the vehicle.
8. Order the discontinuation of the emergency operation at any time hazardous circumstances or environmental factors present an unreasonable risk to public safety.
	1. **Responsibilities of the communications center (if applicable):**
9. Ensure that the on-duty supervisor is aware of the emergency response call for service.
10. Ensure that all critical information is received from the officers involved and relayed to other units.
11. Keep the supervisor apprised of all relevant information that has and might impact the emergency response.
12. Clear the radio channel when officers arrive on the scene of high-risk incidents.
13. Continue monitoring the emergency response and provide any updated information received by the communications center.

**V. Reasons for discontinuation of emergency operation:**

Any officer responding in emergency operation (lights and sirens) shall terminate the emergency operation as soon as it is safe to do so and convert to non-emergency operation and notify communications and/or the supervisor of his point of discontinuation under any of the following conditions:

* + 1. When ordered by a supervisor or any other higher-ranking member of the department.
		2. When the officer believes the level of danger created by the emergency operation outweighs the necessity for emergency response.
		3. When the officer believes there is no longer an emergency to authorize the emergency operation.
		4. If mechanical problems develop in the emergency vehicle.
		5. If hazardous circumstances or environmental factors present an unreasonable risk to the public (e.g., ice storm).

**VI.** **Review process audit/inspection:**

1. Supervisory reviews of video camera recordings shall be done quarterly regarding emergency response driving of officers.
2. The ultimate purpose of these inspections is to ensure that emergency operation driving is being conducted consistently with agency policy/procedure and the provisions of Kentucky state law.
3. Specific examples of positive and negative issues, if observed, should be identified and addressed.
4. Identified deficiencies or areas of concern will result in a follow-up audit/inspection within one month of the discovery of the deficiency.

**VII. Training:**

Officers shall receive training on emergency response driving in accord with the Kentucky Revised Statutes.