

# **OWATONNA POLICE DEPARTMENT MANUAL**

## **GENERAL ORDER: 218**

**EFFECTIVE DATE: March 5, 2008**

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### **SUBJECT: EMERGENCY OPERATION OF POLICE VEHICLES**

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#### **PURPOSE:**

To establish guidelines for the operation of Owatonna Police vehicles.

#### **PHILOSOPHY:**

Police vehicles are an invaluable tool for policing in the City of Owatonna. They provide a work space for officers and enable rapid response to emergency calls and other calls for service, as well as a tool for pursuit and apprehension of criminals and traffic violators. The presence of a police patrol vehicle provides reassurance to crime victims and law-abiding citizens. It provides a deterrent effect for law violators.

Operating a police vehicle is also one of the most consistently hazardous aspects of police work.

Under all circumstances, the police vehicle shall be operated in a way that reflects upon the competence and professionalism of the Owatonna Police Department and its staff.

#### **GENERAL GUIDELINES:**

Under all circumstances, Owatonna Police Department vehicles shall be operated in conformance with the state statutes and city ordinances. In most cases, this means the vehicle will be operated under the same laws and ordinances that apply to all drivers. The specific exceptions allowed by law for police vehicles are listed below:

##### Exceptions:

1. Operation as an Authorized Emergency Vehicle (M.S. 169.03)  
(M.S. 169.17)  
(M.S. 169.20)
2. Lighting Exemptions; Law Enforcement Vehicles (M.S. 169.541)
3. Seat Belt Use Exemptions (M.S. 169.686)

**I. Authorized Emergency Vehicle**

State statute exempts emergency vehicle operators from compliance with certain traffic regulations while they are operating as an emergency vehicle (displaying red lights and siren, unless otherwise permitted by law) in response to an emergency call or in pursuit of a suspected law violator.

The specific exemptions are:

- Speed
- Stop signs, stop signals
- One-way roadways
- Parking at emergency scenes

Minnesota Statute 169.03 authorizes law enforcement vehicles to proceed cautiously past stops signs or red signals after sounding an audible signal by siren *or* by displaying at least one lighted red light to the front.

Minnesota Statute 169.17 authorizes police vehicles to disregard speed limitations when responding to emergency calls when sounding an audible signal by siren *or* displaying at least one lighted red light to the front.

Minnesota Statute 169.20 requires drivers to yield the right-of-way to emergency vehicles when the emergency vehicle sounds an audible signal by siren *and* displays at least one lighted red light to the front.

This policy does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of persons using the street, nor does it protect the driver of an authorized emergency vehicle from the consequences of a reckless disregard of the safety of others.

**II. Lighting Exemptions**

Minnesota Statute 169.541 exempts licensed peace officers from the lighting requirements of statutes 169.48 and 169.65 when the officer reasonably believes that operating the vehicle without lights is necessary under the circumstances to investigate a criminal violation of state laws, rules, or orders or local laws, ordinances, or regulations, and if, the officer's conduct is consistent with the standards adopted by the P.O.S.T. board under the same statute.

P.O.S.T Standards:

A peace officer may not operate without lights:

- A. On inter-state highways.
- B. At speeds greater than what is reasonable under existing weather, road, and traffic conditions.

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- C. Faster than the posted speed limit.
- D. In situations where the peace officer is an active participant in pursuing a motor vehicle being operated in violation of MN Statute 609.487.
- E. Contrary to the elements of MN Statute 169.541.

### **III. Seat Belt Exemptions:**

MN Statute 169.686 requires that a properly adjusted and fastened seat belt, including both the shoulder and lap belt shall be worn by:

- The driver of a passenger vehicle.
- A passenger riding in the front seat of a passenger vehicle.
- A passenger riding in any seat of a passenger vehicle who is older than three but younger than 11 years of age.

The same statute lists seven exemptions to these requirements. The most pertinent to police vehicle operation include:

- A person driving a passenger vehicle in reverse.
- A person who is actually engaged in work that requires the person to alight from and reenter a passenger vehicle at frequent intervals and who, while engaged in that work, does not drive or travel in that vehicle at a speed exceeding 25 miles per hour.

### **IV. TRAFFIC PRE-EMPTION FOR EMERGENCY VEHICLES (EVP)**

#### **A. The use of the EVP system:**

1. First Responder Organizations in our area must take responsibility to train emergency vehicle drivers on the use of this system before they use this system within the City of Owatonna. An emergency vehicle operator who is not trained in the use of the EVP system shall follow the normal traffic signal light.
2. The use of the EVP system does not guarantee or grant right-of-way.
3. Emergency vehicle drivers must always proceed through all intersections in a safe and controlled manner.

**CANCELS & REPLACES GENERAL ORDER 218 – EMERGENCY OPERATION OF POLICE VEHICLES ISSUED 09/8/05**