

	<h1>Garner Police Department</h1> <h2>Written Directive</h2>	
	<b>Chapter:</b> 800 - Operations	
	<b>Directive:</b> 810.01 - Emergency Vehicle Response	
<b>Authorized by:</b> Chief Brandon Zuidema		<b>Effective Date:</b> January 1, 2015
<b>CALEA Standards:</b> 41.2.1 (5 <sup>th</sup> Edition)		<b>Last Revision:</b> June 1, 2011

### 810.1.1 - Purpose

The purpose of this directive is to establish guidelines for emergency vehicle operation and the use of emergency vehicular warning devices.

### 810.1.2 - Policy

It is the policy of the Garner Police Department to ensure that all employees of the Department utilize emergency vehicular warning devices when appropriate to respond to emergencies. Employees will adhere to statutory restrictions on emergency vehicle operation and the use of emergency vehicular warning devices. Emergency vehicular warning devices and emergency vehicle operation procedures will be employed only under prescribed conditions and circumstances and in ways intended to minimize risk of accidents or injuries to police employees and the public.

### 810.1.3 - Definitions

- A. Emergency – A situation in which the presence of police authority is required to protect persons from possible death or serious bodily injury, or when there is good reason to believe that such a situation exists.
- B. Emergency Response – When a police vehicle is being driven by a police officer in response to an emergency call. Only police vehicles equipped as emergency vehicles are authorized for emergency response and are required to give appropriate warning by continuously using warning signals.
- C. Emergency Vehicle - A department vehicle equipped with appropriate warning signals being operated by a sworn employee of the Garner Police Department.
- D. Standard of Care - A police vehicle is exempt from the operation of traffic regulations and enjoys certain priority rights over other vehicles. However, this exemption does not permit the operator of an emergency vehicle to drive in reckless disregard of the safety of others, nor does it relieve the operator from the general duty of exercising due care.
- E. Warning signals – any authorized combination of a siren and blue, red, and white lights audible and visible under normal conditions from a distance not less than one thousand (1,000) feet.

### 810.1.4 - Statutory Implications in Emergency Response

- A. NCGS 20-145. When Speed Limit Not Applicable - Speed limitations set forth in Chapter 20 "shall not apply to vehicles when operated with due regard for safety under the direction of the police in the chase or apprehension of violators of the law or of persons charged with or suspected of any such violation. This exemption shall not, however, protect the driver of any such vehicle from the consequences of a reckless disregard for the safety of others."

- B. NCGS 20-156. Exceptions to the Right-of-Way Rule - "The driver of a vehicle upon the highway shall yield the right-of-way to police vehicles when the operators of said vehicles are giving a warning signal by appropriate light and by bell, siren, or exhaust whistle audible under normal conditions from a distance of not less than 1,000 feet. When appropriate warning signals are being given, as provided in this subsection, an emergency vehicle may proceed through an intersection or other place when the emergency vehicle is facing a stop sign, a yield sign, or a traffic light which is emitting a flashing strobe signal or a beam of steady or flashing red light. This provision shall not operate to relieve the driver of a police vehicle... from the duty to drive with due regard for the safety of all persons using the highway, nor shall it protect the driver of any such vehicle... from the consequences of any arbitrary exercise of such right-of-way."

#### **810.1.5 – Determining Response Modes to Calls for Assistance**

- A. The police officer receiving the call for service or assistance will have the responsibility of determining if an emergency response is warranted. Once on scene of the call for service or assistance, officers should advise other responding units whether continued emergency response is warranted.
- B. Supervisors are responsible for monitoring response modes for calls for service or assistance and shall have the authority to upgrade or downgrade response modes.

#### **810.1.6 – Use of Emergency Vehicular Warning Signals in Emergency Response Mode (41.2.1)**

- A. The following guidelines shall be adhered to by an employee operating an emergency vehicle in emergency response mode:
1. During an emergency response, the officer shall continuously use the warning signals that the vehicle is equipped with.
  2. During an emergency response, the vehicle's four-way flashers shall not be used while the vehicle is in motion.
  3. The spotlight/takedown lights are primarily utilized to facilitate building checks and stationary vehicle stops and shall at no time be directed at the windshield or vision of oncoming traffic.
- B. When responding in an emergency response mode, emergency warning signals may be deactivated at a distance from the scene (to be determined by the responding officer) so as not to alert suspects to law enforcement proximity.
1. When an officer chooses to discontinue the emergency response mode, all emergency warning signals shall be discontinued.
  2. When emergency warning signals are deactivated, the operator of the police vehicle will proceed to the scene in a safe manner.

#### **810.1.7 – Use of Emergency Vehicular Warning Signals while Conducting Vehicle Stops**

Visible and/or audible signals will be used to make adequate notice of the officer's intent to stop a vehicle and to provide a safe environment for the officer, the vehicle operator, and the public.

#### **810.1.8 – Discretionary Use of Emergency Vehicular Warning Signals**

- A. Emergency warning signals may be activated by officers to eliminate potential hazards to fellow officers or the public during traffic accidents, disabled motorist calls, funeral escorts, or other situations where the officer believes it is appropriate to use warning signals.

- B. Operators of emergency vehicles will deactivate emergency warning signals as soon as possible once they are no longer required or justified as outlined in this directive.