



**CHEVY CHASE
VILLAGE
POLICE
DEPARTMENT**



Police Chief: John Fitzgerald

GENERAL ORDER: 5-8; OPERATION OF POLICE VEHICLES

DATE: 1/7/2015 Pages: 6 ◇ New ◇ Amended ◆ Rescinds 5-8

CALEA: 41.2.1, 41.3.3, 61.3.3-a-b, 70.4.1, 70.4.2, 81.2.4-a-e, 81.2.13

I. POLICY

It is the policy of the Chevy Chase Village Police Department that all personnel will operate emergency vehicles with due regard for the safety of themselves and the public. Whether the situation is routine or emergency, the operator's first concern is the safe operation of the vehicle and preserving operator and citizen safety. In emergency situations, a fast response is necessary; however, the need for urgency must always be balanced against the highest concern for vehicle operator and citizen safety. Officers will respond to calls consistent with the response code assigned to the incident by the Emergency Communications Center (ECC) or a supervisor. (CALEA 41.2.1)

II. PURPOSE

The purpose of this General Order is to establish procedures for the operation of police vehicles, both under emergency conditions and normal patrol.

III. DEFINITIONS

A. Routine Response

Response in obedience to all traffic laws.

B. Priority Response

Expedited response to a call for service using emergency lights and siren.

C. Emergency Vehicle

As contained in the Annotated Code of Maryland, subsection 21-106 of the Transportation Article:

(a) *Circumstances for which privileges granted.*— Subject to the conditions stated in this section, the driver of an emergency vehicle registered in any state may exercise the privileges set forth in this section while:

- (1) Responding to an emergency call;
- (2) Pursuing a violator or suspected violator of the law; or

(3) Responding to, but not while returning from, a fire alarm.

(b) *Enumeration of privileges.*—Under the circumstances stated in subsection (a) of this section, the driver of an emergency vehicle may:

- (1) Park or stand without regard to the other provisions of this title;
- (2) Pass a red or stop signal, a stop sign, or a yield sign, but only after slowing down as necessary for safety;
- (3) Exceed any maximum speed limit, but only so long as the driver does not endanger life or property; and
- (4) Disregard any traffic control device or regulation governing direction of movement or turning in a specified direction.

(c) *Use of audible and visual signals required.*—

- (1) The privileges set forth in this section apply only while the emergency vehicle is using audible and visual signals that meet the requirements of § 22-218 of this article, except that an emergency vehicle operated as a police vehicle need not be equipped with or display the visual signals.
- (2) The driver of an emergency vehicle may not use flashing lights or a bell, siren, or exhaust whistle while returning from an emergency call or fire alarm, except that fire apparatus carrying standing firemen may use flashing lights that are visible only to the rear.

(d) *Driver not relieved from duty of care.*—This section does not relieve the driver of an emergency vehicle from the duty to drive with due regard for the safety of all persons.

(An. Code 1957, art. 661/2, § 11-106; 1977, ch. 14, § 2; 1982, ch. 815.)

D. MARNIS

Mutual Aid Radio Network Interface System; a radio patching link between units of two or more agencies through their radio systems.

E. PMARS

Police Mutual Aid Radio System; a radio system providing direct agency-to-agency communications.

IV. RESPONSE TO CALLS

A. Routine

1. Routine - A "Routine" response will be designated for most calls for service that do not require an expedited response, unless information is available to either ECC personnel or field officers that a quicker response is necessary to prevent loss of life or serious injury, and to apprehend suspects.
2. Unless advised by ECC or a supervisor otherwise, officers will respond to all calls for service "ROUTINE."
3. Officers responding Routine shall obey all laws and Department regulations.
4. The emergency equipment of a police vehicle responding Routine will not be activated for the purpose of responding to the call.

This does not apply to an officer who activates his/her vehicle's emergency equipment to make a traffic stop, or to assist a disabled motorist, or for another legitimate reason, while en route to the Routine call.

5. If ECC or an officer receives additional information indicating the Routine situation has escalated into one requiring an expedited (Priority) response, the information will be provided to the responding officers and the response code will be upgraded.
6. Similarly, if an officer is responding to an incident with a Routine response and has information, based on his/her knowledge of crime problems in a beat, suspects seen in the area, or familiarity with the suspect's modus operandi, etc., the officer may request a supervisor to upgrade the response code. (CALEA 81.2.4-a)
7. In order to avoid redundancy and waste "air-time", supervisors will continuously moni-

tor the calls assigned to officers so that they can direct operations, modify response codes, if necessary, and make decisions concerning tactics and deployment.

8. Officers not assigned to the Routine call should closely monitor the call as it is dispatched to determine if the nature of the call would warrant additional officers as back-up units (i.e., alarms, domestic disputes, disorderly conduct, 9-1-1 disconnect, etc.) (CALEA 81.2.4-e. 81.2.13)
9. Officers responding as back-up units will not exceed the original Routine response, unless:
 - a. ECC or a supervisor upgrades the response to Priority,
 - b. A higher response code is requested by an officer on the scene, or
 - c. The officer does not respond to a check of his/her welfare and the supervisor authorizes a Priority response.

B. Priority

1. A "Priority" response will be designated for situations that require a quick, emergency response to the scene of an incident.
2. When officers respond to a Priority call, they are authorized to activate their police vehicle's **emergency lights and siren** to warn other users of the road of their approach.
3. When responding Priority, officers will drive with due care and caution and will not drive their vehicle at a speed that hinders the vehicle's safe operation.
4. Because this is a situation requiring an emergency response by police (and possibly Fire/Rescue), responding officers will use the safest and most expeditious route to the scene.
5. If a call is dispatched Priority and an officer feels that such a response code is not justified under the circumstances, he/she will make ECC aware that they are responding Routine so that other responding officers can be advised. (CALEA 81.2.4-a)
6. Likewise, supervisors have the option of reducing a response code if they feel that the Priority is not justified.
7. A Priority response will be designated for the following situations:

- a. Signal 13 - Officer in trouble, needs immediate help,
- b. 0100 - Murder in progress or just occurred,
- c. 0200 - Rape in progress or just occurred,
- d. 0300 - Robbery in progress or just occurred,
- e. 0400 - Aggravated assault in progress or just occurred,
- f. 0500 - Burglary in progress,
- g. 0900 - Arson in progress,
- h. 2413 - Fight in progress (depending on number involved, weapons, location, etc.),
- i. 2600 - Suicide attempt in progress,
- j. 2725 - Felony fugitive/escape, when there is likelihood of apprehension,
- k. 2726 - Kidnapping in progress or just occurred,
- l. 2951 - Family fight in progress if battery/weapons are involved,
- m. 5400 - Personal injury traffic collisions (exception - Fire/Rescue personnel or other police agencies on the scene and the situation does not warrant an emergency response, at which time, the response code will be reduced), and
- n. Any other situation where additional information is available to ECC personnel or officers that an emergency response would prevent loss of life or serious injury.

V. POLICE VEHICLES

- A. Vehicles used for patrol are conspicuously marked and are readily identified as law enforcement vehicles.
- B. Chevy Chase Village marked police vehicles include:
 - 1. Exterior overhead mounted red and blue emergency lights;
 - 2. The 9-1-1 emergency telephone number located on the rear quarter panels;

- 3. The vehicle number on the front and rear bumpers;
- 4. The word "Police" and "Chevy Chase Village" clearly marked on the side doors and on the rear tailgate;
- 5. Green and black reflective striping down both sides;
- 6. A siren mounted in front of or inside the front grill;
- 7. A mobile radio transceiver.

- C. The Department does not have vehicles designated solely as transport vehicles. Every patrol vehicle can be used to transport a prisoner. Some of the patrol vehicles, however, are equipped with security cages. These vehicles will be used for the transportation of prisoners when needed for additional security of officers or prisoners. Rear compartments have been modified to minimize opportunities for exit without the aid of the transporting officer. (CALEA 70.4.1, 70.4.2)

VI. GENERAL OPERATING PROCEDURES

- A. *Department vehicles are to be used for official Chevy Chase Village business. Any deviation from this requires a supervisor's authorization.*
- B. Officers on routine patrol, responding Routine to an assigned call, or otherwise operating in a non-emergency or off duty status, will obey all traffic laws.
- C. When operating an emergency vehicle or on an emergency call, the primary concern of the operator of the vehicle must be the safety of other motorists, pedestrians and fellow officers. Although officers are given a qualified privilege by state law from observing traffic regulations while operating an emergency vehicle, they are not relieved of the responsibility of driving with due regard for the safety of all persons. Officers are not protected from the consequences of failing to exercise reasonable care under these circumstances despite the operation of emergency equipment. (Refer to Section 21-106 of the Maryland Transportation Articles.)

D. Safety Equipment

- 1. All employees of the Department will use seat belts at all times when operating or riding in Village motor vehicles. Officers will ensure that all passengers in the vehicle have buckled their

seat belts prior to the vehicle being moved. (CALEA 41.3.3)

2. Prior to driving a Village vehicle, employees will check the operation of all safety equipment (lights, seat belts, etc.) and all emergency equipment (siren, emergency lights, etc.). Employees discovering defects which may impair the safe operation of the vehicle will report the defect immediately to their supervisor. The vehicle should not be operated until the deficiency has been corrected. (See G.O. 5 - 11)
3. When operating the vehicle during daylight hours, officers must turn on the vehicles' headlights whenever the vehicle is in motion.
4. Absent a true police emergency, officers are prohibited from using cellular phones, smartphones, tablets, or other electronic communications devices while operating any Village vehicle **that is in motion**. Any use of the MDC requiring the officer to type text (sending text messages, writing reports, etc.) is likewise prohibited **when the vehicle is in motion**.
 - This does not apply to the use of the police radio.
 - This does not prohibit MDC status changes or other single keystroke/touchscreen commands.
 - This does not prohibit the entry of tag numbers for investigative purposes using the MDC while the vehicle is in motion. When entering tag numbers, officers are cautioned to use the utmost care to avoid undue distraction.

E. Passenger Restrictions.

Employees operating a police vehicle will not permit persons other than authorized Department personnel to ride in the vehicle except in the performance of police duties or in conjunction with authorized Department programs such as the Ride-Along program.

- F. Officers shall not operate police vehicles, (on or off duty), after having consumed any alcoholic beverages within the past six (6) hours.

G. Officers on "Sick" leave or "Workmen's Compensation" status shall not operate any police vehicle without the permission of the Chief of Police.

VII. VEHICLE ESCORTS

A. Ambulances and other emergency vehicles

Police officers will escort ambulances and/or other emergency vehicles in emergency situations under the following circumstances:

1. When an operator of an ambulance or fire apparatus is unfamiliar with the route to the destination;
2. When the emergency equipment of an ambulance or fire apparatus is inoperative.

B. Privately-owned vehicles

1. Officers will not escort privately-owned vehicles under emergency circumstances for several reasons: (CALEA 61.3.3-b)
 - a. Most privately-owned vehicles are not equipped like a police vehicle;
 - b. Most citizens are not as skillful as the escorting police officer at handling a vehicle under emergency conditions;
 - c. By escorting a privately-owned vehicle, the officer needs to periodically take his/her eyes off the road to check on the vehicle behind the police vehicle. This diverts the officer's attention away from his/her emergency driving responsibilities.
 - d. The privately-owned vehicle's operator will most likely be extremely upset, and may be in no condition to drive under emergency circumstances.
2. Due to the extreme danger that this type of escort poses not only to the escorting officer, but also to the occupants of the vehicle being escorted and other motorists, an officer confronting a situation in which an occupant in a privately-owned vehicle needs emergency medical assistance, will follow the following procedures:
 - a. The officer will notify ECC to have an ambulance respond to the officer's location and specify the nature of the illness or injury so that a Basic Life Support Unit (regular ambulance) or an Advanced Life Support Unit (paramedic unit) can respond.

- b. The officer will then provide emergency care as appropriate, which may include monitoring breathing, controlling bleeding, etc. until the arrival of rescue personnel.
- c. If an officer needs to perform CPR, this information must be communicated to ECC so that an appropriate level of Fire/Rescue apparatus can be dispatched.
- d. The officer encountering this particular situation should advise ECC that he/she has a "working code," and specify whether it is an infant, child, or adult.
- e. An officer is permitted to transfer the ill/injured occupant of the privately-owned vehicle to the police vehicle and drive the injured/ill occupant to the hospital, if time is of the essence, and/or the officer is within close proximity to the hospital.
- f. During this emergency situation, the police vehicle's emergency equipment will be activated.
- g. The officer will notify the on-duty supervisor and ECC of the beginning and end of this type of transport.
- h. The officer will drive with due care, wear his/her seatbelt, and follow the appropriate traffic laws and Department policies and procedures. (CALEA 41.3.3)

C. Emergency deliveries

Emergency deliveries of blood, critically needed medication or other items may be made only with the authorization of a supervisor.

D. Other Escorts

Routine escorts, funerals, dignitaries, e.g., should be approved in advance by the Lieutenant or the Chief. Escorts for oversize vehicles, hazardous or unusual cargo, when prior approval is not possible will be handled by the senior officer depending on circumstances. (CALEA 61.3.3-a)

E. Notifications.

In all incidents involving emergency escorts or deliveries, the officer will notify the Communications Center upon starting and completing the escort.

- F. When conducting official business in neighboring jurisdictions, officers must first request authorization from a supervisor.

VIII. ASSISTING A PRIMARY UNIT

- A. Units responding to an incident as a backup unit will not exceed the response code designated for the primary unit, unless authorized by a supervisor. If the response code is reduced by the primary unit, the backup unit must also reduce its response to Routine. Backup units should also advise of their location prior to responding to ensure that the nearest unit(s) are the appropriate responders.
- B. Whenever possible, at least two (2) officers should respond to the following types of situations: (CALEA 81.2.4-e)
 1. The potential for, or actual assault on, an officer,
 2. The possibility of an on-scene arrest being made,
 3. Any crime in-progress,
 4. A situation involving a fleeing suspect,
 5. Domestic disputes,
 6. Alarms, (CALEA 81.2.13)
 7. 9-1-1 disconnects,
 8. Any other situation that a prudent officer believes would warrant additional officer(s) to preserve the peace and to protect each other.

IX. EMERGENCY RESPONSE

- A. Operation of police vehicles under emergency circumstances requires the consideration of two basic issues.
 1. A procedure must be developed to provide a quick response to emergency calls where lives are endangered or a serious crime is in progress.
 2. Consideration must be given to the hazards involved in speedy response. Responding to an emergency call for service does not justify endangering motorists, pedestrians or fellow officers.
- B. Maryland law does not relieve the operator of an emergency vehicle from driving with due regard for the safety of all persons. Operators of emergency vehicles may be held liable for negligence.

- C. The *Lieutenant* or senior officer on duty will be held responsible for the urgency of response and thus have the authority to modify the response code on their own initiative or at the request of an officer. This permits the flexibility necessary to meet a variety of circumstances and designates authority and responsibility over police personnel.
(CALEA 81.2.4-a)

This directive voids the previous version dated 11/3/2014.