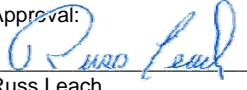


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Approval:

  
Russ Leach  
Chief of Police

#### 4.17 **MOBILE EQUIPMENT, OPERATION OF:**

##### **A. PURPOSE:**

The purpose of this policy is to provide a framework to guide Department members in the operation of public owned vehicles.

##### **B. ROUTINE OBEDIENCE TO THE LAW:**

Members of the Department shall operate automotive vehicles in accordance with Section 21052 of the California Vehicle Code which provides that all governmental employees operating public owned vehicles under ordinary conditions must obey all the provisions of the Vehicle Code.

##### **C. UNATTENDED VEHICLES:**

Officers shall not leave a Department vehicle unattended with the keys in the ignition when they reasonably know they will be out of the immediate vicinity of the vehicle and the vehicle is no longer under their control. This does not apply to a vehicle that is equipped with a police package integrated anti-theft system that prevents someone other than the officer from driving the vehicle.

##### **D. EMERGENCY VEHICLE OPERATION:**

1. Section 21055 of the C.V.C. outlines the exemptions to which a driver of an authorized emergency vehicle is entitled.
2. The exemptions thus provided apply only where the authorized emergency vehicle is being operated under one or more of the following circumstances:
  - a. In responding to an emergency call.
  - b. In the immediate pursuit of an actual violator of the law.
  - c. In the immediate pursuit of a suspected violator of the law.
  - d. In responding to, but not returning from, a fire alarm.

The above exemptions apply only when the following conditions are met:

- e. A siren is being sounded in a manner which gives reasonable warning of the approach of the vehicle. The “yelp” tone of the electronic siren is not sufficient.
- f. One lighted red lamp which is visible in normal atmospheric conditions for a distance of 500 feet is displayed to the front of the vehicle.

3. Three criteria must exist simultaneously before the exemptions provided in Section 21055 of the Vehicle Code are available:
  - a. The vehicle driven must be an authorized emergency vehicle.
  - b. One or more of the above circumstances listed in D-2 must exist.
  - c. A siren must be sounded and a red light displayed.
4. No privilege to operate a vehicle in disregard of the "Rules of the Road" can be established unless these facts can be proved. Having complied with these conditions, the benefits of the privilege is still denied if the driver of the vehicle fails to show due regard for the safety of all persons using the highway or arbitrarily exercises his privilege (21056 CVC).

**E. CODE THREE RESPONSE POLICY:**

**1. Definition:**

A Code Three response is defined as the driving of a police car or other emergency vehicle while red lights and siren are in operation as provided in Section 21055 of the California Vehicle Code.

**2. Policy:**

It is the policy of this Department to perform all Code Three responses in accordance with applicable laws, utilizing red lights and sounding a siren, with due regard for the safety of all persons using the highway. The safety of all persons and the exemption of the city and its employees from civil and criminal liability are considerations that demand responsible and controlled Code Three responses at all times. Code Three responses include pursuits and all other types of Code Three operations.

Hazardous speeds, dangerous maneuvers, and loss of vehicle control, regardless of the circumstances, may be in violation of the standard requiring due regard for the safety of all persons using the highway. Such a violation, even when red lights and siren are employed, can/may subject the operator and the city to civil and criminal liability, and the operator to disciplinary action.

Riverside Police Department units shall not respond or proceed Code Three except in the following situations:

- a. When necessary to facilitate an immediate response to requests for urgent assistance by employees of the Riverside Police Department, other law enforcement or fire agencies, such as on an 11-11 Expedite Backup or 11-99 Officer Needs Help emergency call where the officer reasonably believes there exists a serious danger of great bodily harm or threat to human life.
- b. When in pursuit of an actual or suspected law violator.
- c. When responding to a radio call involving an immediate danger of great bodily harm or life-threatening emergency.
- d. Where an officer must necessarily use red lights and siren to make a traffic stop.

- e. When a law violator clearly exhibits the intention of avoiding arrest by using a vehicle to flee, or when a suspected law violator refuses to stop and uses a vehicle in which to flee.
3. Officers proceeding Code Three shall:
    - a. Notify Communications of their starting point as soon as practical given radio congestion or the need to keep radio traffic to a minimum to allow for emergency updates by the officer who requested urgent assistance, .
    - b. Immediately cease responding Code Three when notified by a police employee at the scene or by a supervisor that there is no longer a need to continue to respond Code Three to an emergency call such as an urgent request for assistance on an 11-11 Expedite Backup or 11-99 Officer Needs Help emergency call.
    - c. In the case of a vehicle pursuit, refer to policy 4.16 of the departmental manual.
  4. At no time shall a police unit serve as an escort to another vehicle while proceeding Code Three.
  5. Officers shall not proceed with red lights unless the siren is also in use, except when stopping a traffic violator and a siren is not required.
  6. Sworn Personnel are prohibited from driving Code 3 in a pursuit or Code 3 at high speeds while operating marked vehicles or unmarked vehicles with covert emergency lights and siren that are not equipped with factory approved heavy duty brakes and suspensions (such as is the case with the Ford Taurus and most sport utility vehicles).

**F. OPERATION OF POLICE VEHICLE UNDER CODE THREE CONDITIONS:**

1. It is imperative officers maintain self-control, exercise good judgment, and drive with due regard for the safety of all persons using the highway.
2. Avoid passing on the right.
3. Keep near the center of the roadway so oncoming vehicles can see the red light approaching.
4. Approach all intersections with extreme caution. It may even be necessary to stop before proceeding.
5. If involved in an accident, notify the field supervisor immediately.
6. Get there as quickly as possible with safety.
7. Keep the vehicle under control at all times.
8. The law gives an officer the right of way when the siren and red lights are in operation, but the officer must give the motorist and pedestrian the opportunity to yield.