

CHAPTER 8
POLICE VEHICLES POLICY
&
LIGHTING EXEMPTION FOR LAW ENFORCEMENT VEHICLES POLICY

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CHAPTER 8
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&
LIGHTING EXEMPTION FOR LAW ENFORCEMENT VEHICLES POLICY

SECTION 1. POLICY.

- A.** As police vehicles actively patrol the community and respond to calls, they are the most visible representatives of local government; thus, department employees have a duty to operate department vehicles in a legal, safe and courteous manner.

- B.** Department vehicles must be maintained properly to minimize repair, and to project a professional image.

SECTION 2. DEFINITION OF TERMS.

- A.** Patrol Vehicle – means all fully marked squads and partially marked squads, or any motor vehicle or watercraft owned, leased or otherwise the property of the City of Winsted.
- B.** Lights- refers to headlights, taillights and marine navigational lighting as referenced in MN Statutes, Sections 84.87, 84.928, 169.48 to 169.65 and 86B.511.

SECTION 3. FUELING.

Each on-duty officer assigned a patrol vehicle shall fuel such patrol vehicle prior to end-of-shift so the next officer using the squad will have a full tank upon starting his/her shift. At no time shall a patrol vehicle have less than ¼ of a tank of fuel.

A. CREDIT CARD – GAS PURCHASES FOR CITY VEHICLE.

- a.** Each vehicle has its own credit card identification – The credit card may not be interchanged with another vehicle.

- b.** Fueling of the patrol vehicle will be done at the Farmers (Cenex) Co-op. If fuel is required to be obtained from another source, a narrative should be done by the receiving officer. A receipt must be obtained and turned in by the same receiving officer or given to the Police of Chief.

SECTION 4. CLEANLINESS OF SQUAD.

The on-duty officer shall be responsible for keeping their assigned squad reasonably clean, both inside and out.

SECTION 5. PERSONAL BUSINESS.

City vehicles are not to be used for personal business.

SECTION 6. SEAT BELTS.

Seat belt shall be worn while on routine patrol as well as on emergency and pursuit situations.

SECTION 7. DAMAGE TO SQUAD.

Any damage to a patrol vehicle shall be reported to a supervisor verbally, as soon as time and circumstances permit. The officer shall then make a written report prior to the end-of-shift.

SECTION 8. VEHICLE INSPECTION.

Officers shall inspect their assigned vehicle at the beginning of each shift. Such inspection shall include a check of the patrol vehicle oil level. Any damage or mechanical failure shall be reported to the shift supervisor.

SECTION 9. CIVILIAN EMPLOYEES OPERATING POLICE VEHICLES.

A civilian employee/person shall not be permitted to operate a patrol vehicle without prior permission from the Chief of Police. Permission is not required when the patrol vehicle is being serviced or repaired. All firearms must be removed from patrol vehicles when repairs/maintenance are being completed by those who are not the normal authorized police department mechanic.

SECTION 10. STALLED VEHICLES.

Officers shall not push or pull any stalled vehicle with a patrol vehicle, unless the stalled vehicle presents an immediate safety hazard for other cars on the roadway.

SECTION 11. RIDE-A-LONG.

Officers shall not permit anyone other than Law Enforcement Personnel to ride in a patrol vehicle as a ride-along request without prior approval by the Chief of Police. A "Waiver of Liability" form shall be signed by the rider and approved by the Chief of Police prior to riding in a patrol vehicle. If the requester is a juvenile (under 18 years of age) his/her parent or legal guardian must sign the release form.

SECTION 12. TRANSPORTING IN A SQUAD.

Patrol vehicles should not be utilized as a taxi service. There are circumstances under which it may be allowable to transport a civilian. Officers are to use good judgment in utilizing this section. When transporting anyone in a patrol vehicle the squad camera and/or the Officer's Body-Worn camera must be activated and this must be noted by the Officer.

SECTION 13. MOTORIST ASSISTS.

Officers shall assist motorists during day to day patrol, and it is here noted that such assistance can vary in each and every call. The items listed below shall be guidelines for the officers to follow in these given matters:

- A. Gas Assists: The Winsted Department shall not assist a motorist in obtaining gasoline with the department's gas card unless in cases of emergency. In those cases, the officer shall use good judgment in determining

if the case is a true emergency or if the person could obtain his purchase of gas during normal business hours. If the officer elects to let the motorist use the gas card for the purchase of gasoline the officer shall pump the gasoline. All purchases shall be made in cash. **NO CHECKS OR CREDIT CARDS!** This procedure shall be logged and ICR # given.

- B. Jumping Vehicles:** The Winsted Police patrol vehicles shall not be used to jump other vehicles, unless an emergency circumstance presents itself. The officer shall obtain a towing service in all cases that a jump start is necessary. The officer shall use good judgment when jumping other vehicles and shall assure that all radio/radar/computer etc. equipment is turned off before jumping any vehicle. Log this procedure and assign ICR #.
- C. Locked Vehicle Assists:** The opening of motor vehicle door locks shall not be attempted unless there is an immediate need to gain access to the vehicle (i.e. small child in the vehicle with adverse weather conditions, etc.) If an attempt to gain entry to a motor vehicles takes place, the consent and actions taken shall be recorded with the Officer's body-worn camera.

SECTION 14. TAKING SQUAD OUTSIDE THE CITY.

Request for mutual aid by the McLeod County Sheriff's Department, Minnesota State Patrol, or other law enforcement agency shall be honored. Such requests shall be made of the officer before he/she may assist that agency or by way of that agency's dispatcher on his/her behalf.

All meetings with other law enforcement departments or persons outside the city shall be done at the Winsted Police Department or at the office of the department that is requesting the meet, unless in the course of an investigation of an ongoing case. All correspondence shall be done by way of telephone first if possible.

SECTION 15.

LIGHTING EXEMPTION OF LAW ENFORCEMENT VEHICLES POLICY MN STAT 169.541

A. POLICY.

It is the policy of the Winsted Police Department to provide a uniform guideline for all department personnel to use when operating a patrol vehicle without headlights, taillights or marine navigational lighting while functioning as a peace officer.

B. DEFINITIONS.

For the purpose of this policy the following definitions apply:

- A. Vehicle:** means a motor vehicle or watercraft owned, leased or otherwise the property of the City of Winsted.

B. Lights: refers to headlights, taillights and marine navigational lighting as referenced in MN STAT 84.87, 84.928, 169.48 to 169.65 and 86B.511.

C. PROCEDURE.

A peace officer may **not** operate a vehicle without lights contrary to MN STAT 169.541. **LIGHTING EXEMPTION FOR LAW ENFORCEMENT; STANDARDS.** under conditions of limited or reduced visibility as defined in MN STAT 84.87, 84.928, 169.48 to 169.65 and 86B.511:

1. On an interstate highway.
2. At speeds greater than what is reasonable and prudent under existing weather, road and traffic conditions.
3. Faster than the posted speed limit.
4. In situations where the peace officer is an active participant in the pursuit of a motor vehicle in violation of MN STAT 609.487.

SECTION 16. EMERGENCY DRIVING PROCEDURE.

EMERGENCY HIGH SPEED DRIVING

Officers responding under Code III conditions to an emergency call or in pursuit of an actual or suspected violator of the law, shall do so cautiously and with due consideration for the safety of the public. Operating a police vehicle under emergency conditions shall be done in accordance with Minnesota State Statutes as follows:

1) 169.03 EMERGENCY VEHICLES

Subd. 2. Stops.

The driver of any authorized emergency vehicle, when responding to an emergency call, upon approaching a red or stop signal shall slow down as necessary for safety, but may proceed cautiously past such red or stop sign or signal after sounding siren and displaying red lights, except that a law enforcement vehicle responding to an emergency call shall sound its siren or display at least one lighted red light to the front.

Subd. 3. One-Way Roadway.

The driver of any authorized emergency vehicle, when responding to any emergency call, may enter against the run of traffic on any one way street or highway where there is authorized division of traffic, to facilitate traveling to the area in which an emergency has been reported; and the provisions of this section shall not affect any cause of action arising prior to its passage.

Subd. 5. Course of Duty.

No driver of any authorized emergency vehicle shall assume any special privilege under this chapter except when such vehicle is operated in response to any emergency call or in the immediate pursuit of an actual or suspected violator of the law.

169.17 EMERGENCY VEHICLE.

The speed limitations set forth in sections 169.14 to 169.17 do not apply to an authorized emergency vehicle responding to an emergency call. Drivers of all emergency vehicles shall sound an audible signal by siren and display at least one lighted red light to the front, except that law enforcement vehicles shall sound an audible signal by siren or display at least one lighted red light to the front. This provision 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 consequence of a reckless disregard of the safety of others.