

CHAPTER 100
OPERATION OF DEPARTMENT VEHICLES

DISCUSSION: To purchase and maintain vehicles is a substantial expense for the citizens of our community. Vehicles are essential for effective police work, the expense is ever increasing which mandates that the police vehicles are properly maintained and effectively operated.

100.1 AUTHORITY AND RESPONSIBILITY FOR VEHICLES

100.1.1 Authority

- A. No person shall operate a Department vehicle of any kind unless he/she has a valid license to operate such vehicle.
- B. No person shall operate a Department vehicle without receiving orders or permission from a superior or officer entitled to give such orders or permission.
- C. No person shall be permitted to ride as a passenger in any Department vehicle except when necessary the proper performance of police duty, or permission has been obtained from the appropriate Division Captain. If approved, a release form must be completed and presented to the proper supervisor.
- D. Marked vehicles are assigned for use by sworn personnel below the rank of captain. Unmarked vehicles are utilized by investigators and administration (captains and above). Vehicles used by or assigned to civilians shall be marked with "City of Hattiesburg".

100.1.2 Operator Responsibility

Any member of the Hattiesburg Police Department who is assigned to operate a Department vehicle shall be responsible for;

- A. Inspection of the vehicle prior to operation.
- B. Reporting damage and maintenance to the proper supervisor and/or fleet maintenance.
- C. Insure that the interior is clean and free from instruments that may be used by a subject in custody to inflict injury or effect escape as well as other unauthorized articles or items.
- D. Marked police units assigned to patrol shall be serviced on Day Shift at the City Service Center. [fluid levels, air pressure, wash, vacuum and noted maintenance problems]
- E. Individuals assigned a vehicle are responsible for keeping that vehicle washed, cleaned

and reporting maintenance problems.

- F. Reporting accidents IAW department procedures.
- G. Operating the vehicle IAW Department policy and Traffic Laws.
- H. Maintaining a current Mississippi Operators License.

100.1.3 Department Responsibility

The Department recognizes that it shares responsibility in the operation of Department vehicles, therefore the Department shall:

- A. Provide for maintenance and repair of Department vehicles.
- B. Provide training to operators designed to enhance driving skills and techniques.
- C. Provide policy directives on the use of these vehicles.
- D. Provide for safety/emergency equipment with regard to the function of the vehicle. [i.e. lights, siren, markings, occupant restraints, safety barriers and other equipment.]

100.2 ROUTINE OPERATION

100.2.1 Safety

- A. The driver/operator of any department vehicle shall operate such vehicle in a reasonable and safe manner exercising due caution and judgment and at no time driving in a manner that would be considered careless or reckless.
- B. All operators and passengers of Department vehicles shall wear available lap belts and shoulder harness safety equipment.
- C. Department vehicles shall be operated in compliance with Department Policy, Motor Vehicle Laws and other traffic regulations.
- D. In the daily performance of duty, police Officers may have cause to park in, block or redirect traffic and/or perform other maneuvers to accomplish their mission. Safety devices such as Parking Lights, Hazard Lights or Blue Lights should be used to alert the public in situations such as:
 - 1. Roadblocks/Traffic Control,
 - 2. Escorts,
 - 3. Traffic Stops or

4. As a warning of possible Hazards.

100.2.2 Maintenance

- A. No department vehicle shall be operated when there is evidence of an apparent mechanical defect.
- B. If there is any question about the advisability of operating a Department vehicle the operator will notify the proper supervisor and/or Fleet Maintenance. If the supervisor questions the serviceability of the vehicle, it may be temporarily taken out of service. The Fleet Maintenance Mechanic shall make the decisions concerning the repairs and operational status of the vehicle.
- C. Marked Units shall be checked daily and report to the service center for maintenance. [Monday - Friday]
- D. Assigned Units shall report to the Service Center as needed IAW maintenance procedures for that vehicle type and assignment. Assigned Units shall be held to the same readiness and appearance standard as Marked Units.
- E. Oil shall be changed at 3,000 miles on marked vehicles or every three months and 5,000 miles on administrative/unmarked vehicles. Transmissions shall be serviced at 30,000 miles on marked vehicles and 50,000 miles on assigned vehicles. New fuel filters every 15,000 miles.
- F. No equipment or articles, including decals, emblems, bumper stickers or etc., shall be attached to any Department vehicle unless approved by the operations Bureau Commander.

100.2.3 Towing and Jump Starting

- A. No person shall use a Department vehicle for the purpose of pushing another vehicle.
- B. No Department vehicle shall be used to tow another vehicle.
- C. If a Department vehicle requires towing, it shall be towed to the Service Center by an authorized wrecker and secured inside the building or compound, unless otherwise directed by a supervisor.
- D. When jump starting a Department vehicle, operators will insure that all electrical systems [lights, sirens, radios, etc.] are turned off prior to connecting the jumper cables.
- E. When jump starting non-Department vehicles, a SUPERVISOR must first approve such action. All electrical systems in the Department vehicle shall be turned off prior to connecting the jumper cables. All other policies and procedures are to be followed

IAW "Ancillary Motorist Service"

100.2.4 Parking of Department Vehicles

- A. Department vehicles shall be LEGALLY parked except in cases where an emergency situation or response to a call for service requires otherwise. In these cases officers should consider traffic / visibility factors and use the appropriate safety devices.
- B. The operator shall lock the ignition / doors and remove the key from the vehicle when leaving the vehicle out of sight and unattended.

100.2.5 Places of Operation

- A. No employee shall operate any Departmental vehicle outside the limits of the City of Hattiesburg unless:
 - 1. Authorized by the Supervisor, Division Head or Bureau Commander.
 - 2. Authorized by assignment.
 - 3. Stop of a subject for a violation occurring inside of this jurisdiction.
 - 4. Pursuit [SEE PURSUIT POLICY]
 - 5. Necessity of routing in response to a call for service.
- B. For extended periods, the supervisor shall notify the Division Head. The Division Head shall notify the Bureau Commander; identifying the vehicle, operator, destination and the reason such vehicle was operated outside the City of Hattiesburg.

100.3 EMERGENCY OPERATION

The Hattiesburg Police Department places a great deal of responsibility on the operators of Department vehicles responding to any emergency call. Not only must emergency drivers provide prompt conveyance of equipment and personnel to provide service to that in need, but as importantly, must accomplish this task in the safest and most prudent manner possible. Safe arrival at the scene (emergency and non-emergency) shall be, and must always remain, the first priority of all emergency vehicle operators.

100.3.1 Definitions:

- A. Emergency: A situation in which there is a high probability of death or serious injury to one or more persons. (See Chapter 112 DISCUSSION)
- B. Due Regard: The process of proceeding or acting in a manner that removes as much danger from a situation as possible by placing the safety of others first.

- C. Right-of-Way: The privilege of the immediate use of the highway.
- D. Authorized Emergency Vehicles: Only those vehicles that are equipped with both blue warning lights and siren are designated as "Authorized Emergency Vehicles".
- E. Operator: The individual normally associated with controlling the vehicles actions. Only Sworn Police Officers may serve as the operator of "Authorized Emergency Vehicles" when responding to an emergency.

100.3.2 Emergency Vehicle Statutes

The "letter" of the law often determines the operational policies; this is especially true of law enforcement agencies. The following statutes affect the operation of emergency vehicles and constitute the basic policy of the Hattiesburg Police Department. Not all of the following statutes are quoted in their entirety.

A. MS Code 63-3-205

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

B. MS Code 63-3-315

"The driver of any authorized emergency vehicle when responding to an emergency call upon approaching a red or stop signal or any stop sign shall slow down as necessary for safety but may proceed cautiously past such red or stop sign or signal. At other times drivers of authorized emergency vehicles shall stop in obedience to a stop sign or signal."

C. MS Code 63-3-517

"The speed limitations set forth in this article shall not apply to authorized emergency vehicles when responding to emergency calls and the drivers thereof sound audible signal by bell, siren, or exhaust whistle. This section shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the say of all persons using the street, nor shall it protect the driver of any such vehicle from the consequence of a reckless disregard of the safety of others."

D. MS Code 63-3-809

"(1) Upon the immediate approach of an authorized emergency vehicle, when the driver is giving audible signal by siren, exhaust whistle, or bell, the driver of every other vehicle shall yield the right-of-way and shall immediately drive to a position parallel to , and as close as possible to, the right-hand edge or curb of the highway clear of any intersection and shall stop and remain in such position until the authorized emergency vehicle has passed except when

otherwise directed by a police officer. (2) This section shall not operate to relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons using the highway."

E. MS Code 63-7-19

"Only police vehicles used for emergency work may be marked with blinking, oscillating or rotating blue lights to warn other vehicles to yield right-of-way."

F. MS Code 63-7-65

"(2) Any authorized emergency vehicle may be equipped with a siren, whistle, or bell capable of emitting sound audible under normal conditions from a distance of not less five hundred (500) feet and of a type approved by the department. No such siren shall be used except when such vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which said latter events the driver of such vehicle shall sound such siren when necessary to warn pedestrians and other drivers of the approach thereof.

100.3.3 Use of Emergency Equipment

Statutory Law is not always clear, decisive or easily interpreted as evidenced by the abundance of civil litigation cases. Often these cases in themselves offer no clear guidance in formulating policy. In an effort to render emergency response that is both timely and provides for the safety of all individuals the Hattiesburg Police Department furnishes policy guidelines that clarify and/or are more restrictive than case and statutory law.

- A. Emergency equipment with regard to emergency response vehicles is most often defined as various types and colors of lights along with bells, whistles and sirens operated alone or in some combination. With respect to the Hattiesburg Police Department, emergency equipment shall refer to those blue *lights* and siren/horn that is attached to the vehicle to warn the public of an emergency response.
- B. The State Code often only refers to or requires the use of a siren. To avoid confusion and provide for safety; the emergency equipment (both blue lights and siren) is to be activated any time that an emergency response is indicated by call classification or situation.
- C. There is a certain relief offered to the party requesting assistance in an emergency upon hearing and/or seeing the arrival of emergency units. While this is especially true for fire and ambulance it must be realized that in some situations preannouncement of police arrival may compromise the safety of the officers and/or others. In these events officers may deactivate the emergency equipment once in the area of the emergency and proceed to the scene with extreme caution. While it is not possible to provide for every situation examples of this type of call include but are not limited to:

1. Alarm Calls
2. Burglary/Robbery in Progress
3. Bank/Hold-up
4. Unknown Trouble

100.3.4 Right-of Way

Civilian vehicle operators may not react in the manner in which is expected or felt appropriate. An attempt should be made to have options available when passing or overtaking vehicles. If another vehicle operator fails to yield the right of way to an emergency vehicle, the emergency vehicle driver can not force the right of way, nor assume the right of way.

100.3.5 Intersections

- A. Extreme care should be taken when approaching any intersection. Intersections are the locations where a large percentage of major accidents involving emergency vehicles occur.
- B. Any intersection that does not offer a control device [stop/yield sign or signal] in the direction of travel of the emergency vehicle or where a traffic control signal is green upon the approach of the emergency vehicle all emergency vehicle operators should:
 1. Scan the intersection for possible hazards observing traffic in all four directions
 2. Slow down and drive defensively.
- C. Approaching any intersection controlled by a stop sign, yellow or red light the operator shall:
 1. Scan the intersection for possible hazards as well as driver options.
 2. Not rely on warning devices to clear the intersection.
 3. Come to a complete stop.
 4. Visually insure right of way before proceeding.

100.3.6 Speed Requirements

- A. In the course of performing his job, the Police Officer is frequently exposed to psychological inducements or pressures to rush to the scene of a call or incident. It is important for Officers to keep in mind that very little time is saved by trying to drive at an excessive rate of speed.

- B. High rates of speed minimize the effectiveness of emergency equipment; reduce reaction time and effective field of vision, increases stopping distance and the severity of an accident.
- C. When responding to emergency calls for service the driver of a Police Vehicle shall respond with the appropriate safety/warning devices in operation? Due regard shall be given to all factors such as:
 - 1. Road Conditions
 - 2. Traffic Conditions
 - 3. Weather Conditions (Fog/Rain/etc)
 - 4. Location (residential/business)
 - 5. Time of Day
 - 6. Type of Call and History (if known)
 - 7. Operator Ability
 - 8. The best interest and safety of the Citizens of Hattiesburg

100.4 DEPARTMENT VEHICLE ACCIDENTS

100.4.1 Minor Accidents

- A. An accident is considered minor when:
 - 1. There is light property damage only
 - 2. No injuries or complaint of injury
- B. Major accidents consist of the following:
 - 1. A pedestrian is involved
 - 2. Heavy property damage
 - 3. Injury or complaint of injury
 - 4. Fatality

100.4.2 Notification

- A. The appropriate supervisor and the designated city safety coordinator will be notified.
- B. The supervisor will:
 - 1. Investigate the incident and complete an accident report.
 - 2. The supervisor shall complete the Supervisor's Accident-Incident-Personal Injury Report. This report is attached to the accident report (Ms Form SR-3) copied and distributed to their Division Head, Operations Bureau Commander, Traffic Committee and the Safety Coordinator.
 - 3. Ensure the employee submits to a Breathalyzer test and any other required drug screening.
- C. A qualified department Accident Reconstructionist will be summoned to the scene to over see the accident investigation.
 - 1. Of a major accident
 - 2. Anytime the on-scene supervisor deems necessary, or
 - 3. Anytime the Safety Coordinator deems necessary
- D. The Reconstructionist shall be in charge of the accident scene and:
 - 1. Provide for a thorough and complete investigation.
 - 2. Collect data and evidence to be used to prepare a report which shall set forth the details and reasons of the accident.

100.4.3 Review and Recommendation

- A. A traffic Committee shall be appointed by the Chief of Police and be composed of officers of varying rank and experience. The committee will review accidents involving Department vehicles and forward recommendations to the Chief of Police.
- B. The Traffic Committee shall complete a review of the accident and submit to the Chief one of the following recommendations:
 - 1. Non-chargeable
 - 2. Chargeable
- C. It shall be the responsibility of the Chief of Police to make a determination regarding any disciplinary and/or corrective action.

- D. Internal Affairs will provide for cataloging and filing of cases.

100.4.4 Accidents Outside the City of Hattiesburg

- A. If a Department Vehicle is involved in an accident outside the City of Hattiesburg the operator shall:
 - 1. Insure that the police agency that has jurisdiction in the area that the accident occurred is contacted for an investigation and report.
 - 2. Take all due care to protect the accident scene and not move the vehicle unless absolutely necessary.
 - 3. Contact the on duty supervisor or administrators.
- B. The Safety Coordinator shall be notified by the supervisor or administrator.
- C. The Operations Bureau Commander shall determine whether an accident investigator / Reconstructionist from this Department will be sent to the scene of the accident to conduct an investigation.
- D. Complete the proper reports IAW policies outlined above with regard to minor or major accident.

100.5 SPECIAL PURPOSE VEHICLES

100.5.1 Definition

A special purpose vehicle is any motorized vehicle owned by the Department, other than the standard marked or unmarked Police vehicles. Operators must have either an endorsement or a License that allows specific operation of that vehicle if required under State Law.

100.5.2 Authority

The Chief of Police is the final authority on the operation, deployment and/or other policies concerning the use of Special Purpose Vehicles.

100.5.3 Motorcycles

- A. The department motorcycles shall only be operated by
 - 1. The officer assigned to that unit under the following conditions:
 - a. Successful completion of a forty (40) hour Police Motorcycle Rider Orientation Course and

- b. has Maintained those skills evidenced by semi-annual evaluation of a qualified Motorcycle Rider Instructor.
- 2. The mechanic assigned to effect repairs.
- 3. Under the direction and authority of the Traffic Division Head.
- B. This vehicle shall be operated in compliance with all legal requirements applicable to this type of vehicle.
- C. The Traffic Supervisor shall insure that the motorcycle is used only for approved purposes.
- D. The department shall provide a DOT approved helmet and other safety equipment. The operator shall wear the helmet (buckled), eye protection and gloves whenever operating the motorcycle.
- E. No equipment, decals, emblems or any other articles shall be attached or placed on the motorcycle unless approved by the operations Bureau Commander.
- F. Although set up for street use and equipped as an emergency vehicle, it shall NOT be used for pursuits.
- G. Motorcycles shall not be operated during inclement weather as follows:
 - 1. Rain; not to include
 - a. Mist by duration or intensity that does not impair visibility or safety factors.
 - b. Showers by duration or intensity that does not merit changing units.
 - 2. Sleet
 - 3. Snow
 - 4. Dense fog or other low visibility conditions as deemed by the supervisor.
 - 5. Thunderstorms where high wind and/or lightning exist.
 - 6. When the wind chill factor is forecast or drops below 15 degrees Fahrenheit.
 - 7. When the heat index is forecast or rises over 115 degrees Fahrenheit.

8. Anytime the area is under a tornado or hurricane watch or warning.
9. Any weather condition (based on training or experience of the motor supervisor/instructor) deemed impractical to safely operate a motor unit.
10. Weather information is provided by the National Weather Service through civil Defense or the Weather Channel monitored by Communications.

100.5.4 Buses

- A. For mass transportation needs the department utilizes a bus that is assigned to the Warrants Section.
- B. The regular maintenance and serviceability is the responsibility of those supervisors/operators assigned the bus.
- C. The bus shall be operated in compliance with all legal requirements.
- D. The bus shall be used for their primary function unless otherwise authorized by the Operations Bureau Commander. The Warrants Section will utilize the bus for transportation of prisoners to and from Municipal Court.

100.5.6 K-9 Units

- A. K-9 units are equipped with the same basic equipment as patrol units to include light, siren and markings (stripe package).
- B. In addition to the basic package these units will be identified by special markings to alert the public that the vehicle may contain a police dog (K-9).
- C. The vehicle shall be altered so as to safely transport the Police service Dog (PSD) by either replacing the back seat with a flat riding area or a transport box.
- D. As a safety to the public, PSD's are not to be left in an unattended vehicle with the windows down or otherwise open.
- E. Passengers are only allowed as follows:
 1. The passenger is also a PSD handler.
 2. If the passenger is not a handler, then a divider or safety barrier must be in place to separate the PSD from the occupants.
 3. Non-department personnel must be approved through the ride-a-long program.

100.5.7 Bicycles

A. Authority

1. Operation of bicycle patrols shall be limited to officers certified to operate a Police Mountain Bike.
2. Bicycle Patrols shall be used for, but not limited to, low visibility patrol, special events or assignments.
3. Authorization for use of bicycle patrol must be cleared through the operator's Division Commander.

B. Equipment

1. Police Mountain Bicycle with a water bottle and saddle bags.
2. Bicycle helmet
3. Bicycle gloves
4. Detachable bicycle rack for transportation of bicycles.

C. Operations and Responsibility

1. Communications Division shall be advised of any bicycle patrol to include:
 - a. Location (the area of operation)
 - b. Operator
 - c. Back-up
 - d. Duration (beginning and ending time)
2. Each officer shall inspect the bike prior to and after each patrol. Officers are responsible for the overall care of the bicycle.
3. A minimum of one (1) marked police unit shall be in operation in the area of the bicycle patrol to provide for back-up and transportation of prisoners, operator and bike.
4. Repair and maintenance shall be provided by an authorized repair center through warranty or purchase order.
5. Bicycle patrols shall not be conducted during inclement weather as defined by AOM 100.5.3.

100.5.8 Trailers

- A. The Hattiesburg Police Department has two (2) trailers at its disposal. The trailers are acronym NIC for Neighborhood Information Center.
- B. The trailers are authorized to be used in a variety of situations as approved by the Operations Bureau Commander. Generic examples of utilization would include:
 - 1. Mobile command post
 - 2. Press release station
 - 3. Information booth
 - 4. Directed patrol headquarters
 - 5. Portable work center

Specific use is only limited by imagination and Department discretion. Supervisors are encouraged to be resourceful so that this resource is used to its' potential.

- C. Towing and placement of who have indicated that in the towing process. The trailer will be done by individuals they have experience and are comfortable currently the State has no Drivers license restrictions for this activity.
- D. It will be the responsibility of the supervisor requesting the trailer to make sure that it is readied for the assignment. This will include an inspection of the trailer itself and stocking of any materials or equipment and returned in a state of operational readiness.

100.5.9 Towing Vehicle

A vehicle equipped for towing shall be provided for the towing of trailers. This vehicle will be utilized for the towing and placement of the trailers. The vehicle shall be of a design and nature commonly referred to as a truck. This truck may be used for hauling equipment, supplies and other items. The primary use of this vehicle is the towing and support of the trailers and other uses subject to approval by the Operations Bureau Commander.

100.5.10 Crime Scene Unit

The Hattiesburg Police Department is the lead agency in the Metro Crime Scene Unit and has a vehicle dedicated and equipped to respond to and process crime scenes. This vehicle is assigned to Crime Scene Technicians within the Detective Division for use during normal business hours and when subject to call.