



EMERGENCY DRIVING

This rule is issued to establish guidelines and regulations for emergency driving of police vehicles other than in pursuit situations. It is effective immediately, superseding all previously issued rules, regulations, orders, and other directives having to do with this department.

Sec. 1 Definitions: For the purpose of this rule, the following definition will apply:

Emergency Driving refers to operation of a police vehicle, other than in pursuit, consistently in excess of the legal speed limit and/or contrary to posted traffic signs and signals.

Sec. 2 General Considerations: Chapter 89, Section 7B of the Massachusetts General Laws, Operation of Emergency Vehicles, states that:

"The driver of a vehicle of a fire, police or recognized protective department, and the driver of an ambulance shall be subject to the provisions of any statute, rule, regulation, ordinance, or by-law relating to the operation or parking of vehicles, except that a driver of fire apparatus while going to a fire or responding to an alarm, or the driver of a vehicle of a police or recognized protective department or the driver of an ambulance, in an emergency and while in performance of a public duty or while transporting a sick or injured person to a hospital or other destination where professional medical services are available, may drive such vehicle at a speed in excess of the applicable speed limit if he exercises caution and due regard under the circumstances for the safety of persons and property, and may drive such vehicle through an intersection of ways contrary to any traffic signs or signals regulating traffic at such intersection if he first brings such vehicle to a full stop and then proceeds with caution and due regard for the safety of persons and property, unless otherwise directed by a police officer regulating traffic at such intersection."

This department and its members are bound to respond to requests for assistance or service with as much dispatch as is reasonably possible. Emergency driving enables the police officer to respond more quickly than would normally be feasible to situations where a speedy response is a critical necessity. However, such driving and the hazards it entails should occur only when clearly justified by the nature of the need for service and made necessary by conditions at hand that, without the use of emergency driving, would tend to render the police response ineffective.

Sec. 3 Circumstances Justifying Emergency Driving: Emergency driving by the Boston Police personnel is justified only by a reported or perceived situation involving (1) a

strong likelihood of injury or death, or (2) an assault or felony offense in progress or committed so recently that the perpetrator(s) is likely to still be in the vicinity of the crime. Even under those circumstances, it should not be used unless normal speeds and driving techniques are inadequate.

Sec. 4 Communications: The field officer receiving a call for police service from the dispatcher or from another source is responsible for deciding, based upon the nature of the need for service and the provisions of this rule, whether or not to respond on an emergency basis. If he decides to do so, the officer will immediately make the dispatcher aware of his decision and if determined, his intended route.

It is the responsibility of the dispatcher in such situations to make the field officer aware of any unusual or hazardous traffic conditions reported in the area.

Sec. 5 Exercise of Due Caution: The Department has a legal and moral obligation to exercise caution in its use of emergency driving. All members having occasion to engage in such driving share that obligation and must display a constant concern for the lives and property that may be endangered by excessive speed of an emergency vehicle.

Sec. 6 Weather and Environmental Conditions: The officer engaged in emergency driving must be constantly aware of environmental, weather and traffic conditions and their effect upon the propriety of high speed operation. His speed and the general manner in which he operates the emergency vehicle must reflect cognizance of such conditions.

Sec. 7 Distance from Other Emergency Vehicles: The driver of a police vehicle, when engaged in emergency driving, will maintain a distance of at least 100 yards from other emergency vehicles as long as such vehicles are in motion.

Sec. 8 Vehicles Prohibited from Emergency Driving: As a general rule, motor scooters and motorcycles not fully equipped with emergency lights and siren will not be used for emergency driving. An officer who, under extreme and unusual circumstances, finds it necessary to respond on an emergency basis with such a vehicle must be prepared to justify his deviation from the rule, giving a full account of the urgency of the situation to which he was responding at the time.