

LAW ENFORCEMENT OPERATIONS POLICY AND PROCEDURES

Procedure 7.3.1p16 Chapter 16: Vehicle Operations

Revised:

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I. PURPOSE:

- A. Establish and prescribe guidelines and procedures for all government-owned vehicles operated by members of the TCSG Agency in the performance of their duties.
- B. Establish a standard operating procedure for agency vehicle maintenance.
- C. Establish a standard operating procedure for Vehicle Pursuits
- D. Establish a standard operating procedure for conducting department-owned vehicle accident investigations and report processes.
- E. Establish a standard operating procedure for seat belt use.

II. RULES AND REGULATIONS:

- A. Vehicle Responsibility
Officers shall be familiar with their assigned vehicle, its capabilities, limitations, and daily operational status.
- B. Patrol Vehicles (**GLECP Std. 6.5**)
Patrol vehicles used for routine or general patrol service shall be conspicuously marked and equipped in a manner that will present a clear identity to the public in accordance with state law. In addition, they will be equipped with at least emergency blue lights and siren.
- C. Routine Patrol (**GLECP 6.4**)

During routine patrol, an officer's responsibility to exercise due care is no different from that of every other citizen. Good driving habits and courtesy toward other drivers or pedestrians should always be practiced. Units will respond by observing all applicable traffic regulations and traffic control devices enroute to the call.

D. Emergency Vehicle Operations (GLECP 6.4)

TCSG Law Enforcement officers are required to adhere to the requirements of Georgia Law in the operation of Emergency Vehicles. The State of Georgia outlines the privileges and duties of the operator of an emergency vehicle by state statute. Officers must be acting in response to an actual, ongoing bonafide emergency To employ the law's privileges and immunities (O.C.G.A. § 40-6-6. Authorized emergency vehicles.)

When units are responding to an emergency, both blue lights and siren will be in continuous operation from the time the officer begins responding to the call until the officer arrives on the scene or is advised by units on scene to reduce emergency response. Additionally, audio body pack will be activated if the responding vehicle is so equipped. When responding in emergency, units may operate as follows:

1. Proceed past a stop sign, but only after having slowed down or stopped, to ensure that all vehicular traffic and pedestrian traffic at or near the intersection has stopped and are aware of the emergency vehicle's intentions.
2. Will come to a complete stop at all intersections when traveling through a red light, ensuring safe passage before entering the intersection. Georgia Law exempts emergency vehicles from certain traffic laws. However, the burden of safety is on the officer to use "due regard" for public safety when operating emergency vehicles.
3. Exceed the maximum speed limit as long as lives and/or property are not endangered.
4. Disregard regulations governing directions, movement, or turning, in specified directions, except that no vehicle will be allowed to go emergency response down the wrong lane of a limited access highway, unless there is absolutely no other way to get to an emergency scene without undue delay. Even with emergency equipment activated, police vehicles will lower their speed and be alert to the possibility of high-speed oncoming traffic.

The following types of calls may be emergency response-type calls:

1. All in-progress crimes where there is an immediate danger of death or serious bodily injury, i.e., shootings, stabbings, rapes, etc.
2. All emergency calls where the immediate danger of death or serious bodily injury is present, i.e., drownings, motor vehicle accidents with injuries, etc.
3. Officer Needs Assistance' and 'Help' calls of an emergency nature where there is an indication of imminent danger to the officer and/or the 911 dispatcher is unable to ascertain the status of the officer at the scene.
4. Any call where, in the officer's opinion, an emergency response is required or where such response is requested by a supervisor.

E. Vehicle Maintenance

One of the basic rules of safe vehicle operation is that the officer is familiar with both the vehicle and its capabilities. The day-to-day condition of the vehicle is important for safe operation, but it is the responsibility of the officer to ensure maintenance is conducted.

1. Inspection:

a. Prior to using a vehicle, the following items shall be checked daily by the officer:

- i. Proper inflation and condition of tires;
- ii. Brakes, lights, windshield wipers and washers, horn, emergency equipment, and other electrical equipment;
- iii. Damage to the exterior and interior of the vehicle;
- iv. Mechanical defects - Certain conditions such as a defective exhaust, steering mechanism irregularities, alignment, or other mechanical defects can only be discovered after the vehicle is operational; and
- v. These conditions or any of the above not readily corrected, are to be immediately reported to the on-duty shift supervisor and a report filed. Employees shall not operate an unsafe vehicle.
- vi. At the beginning of each shift, the officer shall search the prisoner transport area. The vehicles rear seat area will be searched in the same manner after every prisoner transport. (GLECP Std. 6.8)

b. Prior to use, the following items are to be checked, as needed, by the officer:

- i. Cleanliness, particular attention should be given to any loose items inside the vehicle that has the potential to be used as a weapon against the operator or would hinder the safe operation of the vehicle;
- ii. Gauges to keep the vehicle within the proper operating ranges;
- iii. Condition of the spare tire and other necessary equipment;
- iv. Oil and water (each time the vehicle is refueled);

v. Battery water level (if not maintenance free) and transmission fluid (at least weekly); and

vi. Routine maintenance (oil, filter, lube)

III. **PURSUIT POLICY:**

A. Definitions:

For the purposes of this policy, a **vehicular pursuit** is defined as an active attempt by an officer to apprehend a suspect/violator in a vehicle who is willfully attempting to elude apprehension and is willfully disobeying the officer's visual and audible signals to stop (lights and siren).

B. The Technical College System of Georgia Department of Public Safety recognizes police pursuits are inherently dangerous and pose a risk to the safety of citizens as well as law enforcement officers. The safety of officers and citizens is the paramount concern in a pursuit. TCSG officers are prohibited from engaging in pursuits unless there is probable cause to believe that the person(s) to be pursued is/are committing or has committed:

1. Murder
2. Armed Robbery
3. Rape
4. Kidnapping
5. Aggravated Battery
6. Aggravated Assault
7. Any action that creates an immediate threat of death or serious bodily injury to another person or a substantial threat to the safety of another person.

C. TCSG Law Enforcement Officers must immediately notify a supervisor of a pursuit and receive permission to continue the pursuit. All pursuits shall be terminated if it becomes too dangerous to continue. Supervisors may terminate any pursuit at any time.

Officers will not pursue those who have only committed a traffic violation or are wanted for misdemeanor/non-violent felony charges.

D. At a minimum, all TCSG law enforcement officers will train annually on the agency's pursuit policy. **(GLECP 2.1b)**

E. Responsibility:

The responsibility for the decision to pursue a suspected violator and the methods employed rests initially with the individual officer. In

arriving at this decision, an officer shall evaluate the circumstances and must carefully consider the following factors:

1. Location
2. Road and traffic conditions
3. Weather conditions and visibility
4. Time of day and day of week
5. Amount of vehicular and pedestrian traffic
6. Population density
7. The severity of the charges
8. Any other perceived condition or factors that, in the opinion of the pursuing officer(s), would increase the risks of continuing a pursuit.
(GLECP STD 6.6a, b)

The pursuing officer must be able to articulate and must document the pertinent factors that would cause a reasonable person to believe that the violator would pose a real and significant threat to the public and that the need to apprehend the violator outweighs the level of danger created by the pursuit.

IV. PURSUIT PROCEDURES:

The following procedures do not relieve officers of the responsibility involved in a pursuit situation but are designed to clarify command-level decisions.

A. Pursuit Vehicles (GLECP STD 6.6d)

1. It is preferable that marked vehicles, with lights and sirens, should engage in pursuit.
2. No unmarked vehicle without both blue lights and a siren will become involved in pursuits.
3. Vehicle(s) not directly involved in the chase or apprehension efforts will not act as emergency vehicles and will not directly pursue the fleeing vehicle unless otherwise directed by the supervisor.

B. Prohibited Practices

1. An officer will not pursue violators the wrong way on a freeway or entrance/exit ramps.
2. An officer will avoid intersecting the path of an on-coming high-speed vehicle.

3. An officer will not attempt to force a pursued vehicle from the roadway by driving alongside or in front of the pursued vehicle or bumping or ramming the pursued vehicle unless the offender is presenting a danger to the public and the use of deadly force against the offender would be authorized by law and the TCSG Law Enforcement Operations Manual Use of Force Policy.
4. There will be no attempt to pass the primary pursuit unit unless the passing officer receives specific permission from the primary pursuit officer or the supervisor.
5. An officer will not engage in high-speed pursuits when their vehicle is occupied by non-law enforcement personnel such as witnesses, suspects, complainants, or authorized passengers.
6. During a vehicle pursuit, up to two agency vehicles should become actively involved unless specifically directed by a supervisor.

C. Primary / Secondary Unit Responsibilities (**GLECP STD 6.6b, c**)

1. Primary Unit

- a. When attempting to stop a violator who has not yet begun to flee, the pursuing officer should keep in mind their and the public's personal safety and try everything within their authority to apprehend the violator without resorting to a high-speed chase.
- b. When the violator of a pursued vehicle increases speed or drives
in such a manner as to endanger the safety of others, the pursuing officer shall immediately activate all emergency equipment and continue to use it throughout the pursuit.

During pursuit, the violator/suspect may take grave risks regardless of the consequences. The pursuing officer(s) shall not duplicate these risks. In all cases, the officer must operate his vehicle in a manner that shows consideration for his safety and the safety of others who may be on or near the roadway.

- c. Units responding to assist should concentrate on blocking intersections to prevent cross traffic from entering into the path of an approaching pursuit to

reduce the possibility that the public, the officer, or the offender becomes involved in a traffic accident.

- d. Intersections pose an increased risk to the safety of the officer and citizens. Officers involved in pursuit will exercise extreme care when approaching and entering an intersection and will not enter an intersection without exercising due regard for the safety of others. If confronted with a traffic control device requiring a stop or yield, a pursuing officer will proceed, i.e., take the right-of-way, only after determining that it is safe to do so, with due regard for the safety of others.
- e. During the pursuit, a safe distance shall be maintained between the pursued vehicle and any police vehicles, enabling the pursuing officer to duplicate any sudden turns and lessen the possibility of a collision should there be a sudden stop.
- f. An officer driving under emergency conditions should roll up the vehicle windows to ensure that the communications officer understands all transmissions.
- g. The type of stop to be employed shall be a felony stop instead of an ordinary traffic stop. Pursuing units shall not "swarm" around the pursued vehicle.
- h. Once the fleeing vehicle is stopped, and the violator apprehended, other officers will respond to or remain at the scene only as directed by a supervisor.
- i. The primary vehicle may abandon the pursuit at any time, and a supervisor may order the termination of the pursuit at any time.

2. Secondary Unit

- a. Upon joining a pursuit, the secondary unit will notify the communications function that it has joined the pursuit. In addition, the secondary unit may assume radio communications, allowing the primary unit to devote full attention to driving.
- b. Once the vehicle is stopped, the secondary unit will assist the primary unit conducting the felony stop procedure on the occupant(s) of the suspect vehicle.

3. Communications

When safe to do so, the pursuing officer shall provide the communication center relaying information, such as the identity of their unit, location, the direction of travel, the exact reason for pursuit, and any other details which will enable other officers in the area, as well as the dispatcher, to assist. Information initially supplied on the vehicle should be verified regularly.

- a. The pursuing officer will update the Communications Center as often as possible or whenever the pursued vehicle changes direction.
- b. The assisting vehicle, upon joining the pursuit shall immediately notify the Communications Center of its identity. In addition, the assisting vehicle may assume radio communications responsibilities, allowing the primary vehicle to devote full attention to driving.
- c. All other vehicles (excluding primary) will cease radio traffic except that of an emergency nature. Secondary pursuit officers and supervisors will communicate only when necessary.

4. Termination of Pursuit (**GLECP STD 6.6h**)

An officer in pursuit can terminate a chase at any time. Also, a pursuit situation will be terminated when:

- a. Upon weighing pertinent factors, the gravity of the offense and the prospect of losing the violator will not balance with the hazards to the officer and the public;
- b. The environmental conditions, e.g., time of day, road conditions, traffic (pedestrians or vehicular), location and neighborhoods (schools, business district, residential, etc.), weather conditions or visibility are less than ideal or indicate the futility of continuing;
- c. The distance between the pursuer and pursued continues to lengthen and/or jeopardizes both the officer and the public;
- d. The type of motorized equipment being pursued (e.g., motorcycle) and the terrain (e.g., off-road) makes the pursuit impractical;

- e. The identity of the suspect/violator is known, and there is no apparent further danger to the public if the pursuit is terminated (the violator can be apprehended later under more favorable conditions).;

The pursuing officer knows or has reasonable certainty that the fleeing vehicle contains juveniles other than the suspect and they are not in danger by allowing them to occupy the pursued vehicle under normal safe conditions;

- f. The pursuing officer is not familiar with the territory; and/or
- g. The direction of a supervisor.

D. Communications Center Responsibilities (**GLECP STD 6.6e**)

1. For those TCSG Law Enforcement Agencies which have their own dispatcher/communications officer on duty at the time of the pursuit:

- a. The communications officer will notify the local jurisdiction's communication's center that a TCSG Law Enforcement Officer is engaged in a vehicle pursuit.
- b. The pursuing officer(s) should begin communicating directly with local jurisdiction's communication center by radio when possible. The TCSG Law Enforcement Agencies communication officer should assist with communications between the pursuing officer and the local jurisdiction's communication center if the officer is unable to communicate directly with them by radio.

The following information should be communicated to the local agencies in the jurisdiction in which it is taking place:

- a. The pursuit is about to enter their jurisdiction;
- b. Reason for the pursuit and nature of the violation;
- c. Location and direction of pursuit;
- d. A complete description of occupants and vehicle;
- e. Number of units involved in pursuit;
- f. Whether assistance is needed; and
- g. When applicable, when the pursuit is leaving their jurisdiction or the location of termination.

E. Supervisor's Responsibilities (**GLECP STD 6.6f**)

The ranking officer on duty is responsible for monitoring and supervising all pursuits. Only a supervisor may authorize more than two units to be in active pursuit.

1. The supervisor must constantly evaluate the pursuit and shall terminate the pursuit when the risks associated with continuing the pursuit are greater than the risk associated with terminating it and/or the pursuit violates this policy.
2. Upon notification of the pursuit, the supervisor shall:
 - a. Ascertain the location and direction of travel;
 - b. Ascertain the reason for the pursuit;
 - c. Monitor the pursuit and proceed in the direction of its progress;
 - d. Ensure that no more than the required or necessary number of vehicles are involved in the pursuit;
 - e. Ensure that proper radio frequencies/communications are being utilized;
 - f. Ensure that local law enforcement agencies are in pursuit.
 - g. Ensure the pursuit is terminated if the pursuing vehicles do not provide adequate information or the risk factor is too great for the officer or the public to continue the pursuit.
3. The field supervisor will continue to direct the pursuit and approve or order alternative tactics as required to maintain control.

V. INTER-JURISDICTIONAL and INTRA-JURSTICTIONAL PURSUITS (GLECP STD 6.6i):

A. Inter-jurisdictional Pursuits

1. Officers of the TCSG Law Enforcement Agencies will not become involved in pursuits initiated by other agencies except:
 - a. When the pursuit has entered the jurisdiction of the TCSG Law Enforcement Agency; and
 - b. The suspect is wanted for a violent felony; and
 - c. There is only one officer from the initiating agency engaged in the pursuit at the time.
2. The initiating agency will have control and responsibility for the pursuit.

3. The initiating agency will be responsible for the arraignment of the arrested person(s), disposition of any passenger, disposition of the arrested person(s) vehicle, and coordination of all reports, citations, and criminal charges, with the exception of accident reports.
4. If one or more officers from a TCSG Law Enforcement Agency are involved in a pursuit, the Chief of Police or supervisor will respond to the termination location when possible.

B. Intra-jurisdictional Pursuits

Any pursuit initiated by a TCSG officer, or any pursuit joined by a TCSG officer, with another agency being the primary, which then extends beyond the TCSG agency's jurisdiction, will be governed by this policy. At the supervisor's discretion, another agency may become the primary agency upon that agency's request.

VI. ROADBLOCKS (GLECP STD. D 6.6g):

A. Use of Roadblocks:

Officers should bear in mind that barricading a roadway must be considered a force likely to result in death or serious injury. Every roadblock must offer an alternative path of travel around the blockade. No roadblock shall be erected unless the road and weather conditions allow visibility in both directions for a minimum of 500 feet.

Officers of the Technical College System of Georgia may block the entrance to campus to prevent a vehicle being pursued by another law enforcement agency from entering the campus. This will take place on college property, not in a public roadway, and will not be considered a roadblock.

B. Restrictions:

Roadblocks are expressly prohibited unless the violation for which the pursuit is initiated involves a violent felony justifying the use of deadly force or in situations where the roadblock would be necessary for the preservation of human life and is authorized by a shift supervisor.

Roadblocks shall not be employed to apprehend wanted persons when it is apparent that innocent persons are endangered.

C. Authorization:

Roadblocks will be utilized by members of the agency only by order of a field supervisor and then only as a last resort when the person pursued has proven by their method of flight to have a total disregard for the lives and safety of the public.

D. Notification of Roadblock Location:

Once a decision has been made to establish a roadblock, the Communications Center will announce on all radio frequencies the location of the roadblock and the situation requiring the roadblock. The dispatcher will also ensure that the principal pursuit patrol vehicle(s) acknowledge the location of the roadblock.

E. Prohibited Vehicles:

Vehicles other than law enforcement (preferably marked) vehicles shall not be used as stationary roadblocks or positioned in such a manner as to prohibit the violator from seeing the barricade in time to stop. Once a roadblock has been ordered and an agency vehicle is stationed as part of a roadblock, no one shall remain in the vehicle.

F. Rolling Roadblocks:

Under certain circumstances, the use of a rolling roadblock is effective, and the chance of injury and vehicle damage is greatly reduced. Rolling roadblocks should be considered before resorting to a stationary roadblock. There are two methods for creating a rolling roadblock:

G. Creating slow-moving traffic: Reducing the movement of the wanted vehicle may be accomplished by slowing the normal flow of traffic. This is accomplished by patrol vehicles not involved in the pursuit entering the roadway sufficiently ahead of the violator. By restricting the flow of normal traffic, the violator and the pursuit vehicle are forced to reduce their speed.

H. Blocking: A blocking maneuver may be used by positioning a patrol vehicle to the front of the violator, another patrol vehicle beside the violator when in pursuits of moderate-speed and under acceptable traffic and road conditions. Speed should be gradually reduced until the violator is stopped. Generally, efforts should be made to avoid contact with the violator's vehicle; however, maintaining the roadblock may require vehicle-to-vehicle contact in order to prevent the escape of the offender and to prevent prolonging the pursuit. The field supervisor must approve this action prior to its utilization.

VII. PIT (Pursuit Immobilization Technique) GUIDELINES:

The objective of the PIT (Pursuit Intervention Technique) is to end a pursuit safely and, in doing so, minimize the risk of injury to the public, the officer, and the suspect. Only those officers trained in the use of PIT are authorized to use the technique to attempt to stop a fleeing vehicle

A. Speed Considerations:

As vehicle speeds are increased, the rollover risk, if PIT is used, is also increased. Performing the PIT over 45 mph is generally considered a deadly force even if site assessment and vehicle considerations have been properly evaluated. O.C.G.A. 17-4-20 does authorize the use of deadly force to apprehend a suspected felon when there is probable cause to believe that the suspect has committed a crime involving the infliction or threatened infliction of serious physical harm.

Therefore, it will be the policy of the TCSG Department of Public Safety that a field supervisor may authorize the PIT at speeds over 45 mph only under such circumstances.

VIII. PURSUIT REPORTING REQUIREMENTS (GLECP STD. 6.6j, k):

On any occasion when an officer has been involved in a pursuit, or a pursuit has been canceled, the pursuing officer or supervisor responsible for monitoring the pursuit will complete an incident report as soon as possible. This report will be in addition to other reports arising from the pursuit.

The Vehicle Pursuit Report will be forwarded to the College Chief of Police to be reviewed for compliance. The report will also be forwarded to the TCSG Director of Public Safety Chief of Police within five (5) days. An annual written review of vehicle pursuit reports shall be submitted to the Chief of Police.

IX. TCSG Law Enforcement Vehicle Accident Investigation & Reporting:

For reasons of transparency, all accidents involving TCSG law enforcement agency vehicles shall be investigated by a different local/state agency designated by the Chief of Police. All accident reports shall be forwarded to the TCSG Fleet Manager as soon as possible.

X. SEAT BELT USE (GLECP 6.3):

This policy shall apply to all employees of every TCSG Law Enforcement Agency and to all persons who are transported in a department vehicle.

(a) The Official Code of Georgia Annotated (O.C.G.A.) subsection 40-876.1(b) and (c) state:

(b) Each occupant of the front seat of a passenger vehicle shall, while such passenger vehicle is being operated on a public road, street, or highway of this state, be restrained by a seat safety belt approved under Federal Motor Vehicle Safety Standard 208

(c) The requirement of subsection (b) of this Code section shall not apply to:

- i. A driver or passenger frequently stopping and leaving the vehicle or delivering property from the vehicle, if the speed of the vehicle between stops does not exceed 15 miles per hour;

- ii. A driver or passenger possessing a written statement from a physician that such person is unable, for medical or physical reasons, to wear a seat safety belt;
- iii. A driver or passenger possessing an official certificate or license endorsement issued by the appropriate agency in another state or country indicating that the driver is unable for medical, physical, or other valid reasons to wear a seat safety belt;
- iv. A driver operating a passenger vehicle in reverse;
- v. A passenger vehicle with a model year prior to 1965;
- vi. A passenger vehicle that is not required to be equipped with seat safety belts under federal law;
- vii. A passenger vehicle operated by a rural letter carrier of the United States Postal Service while performing duties as a rural letter carrier;
- viii. A passenger vehicle from which a person is delivering newspapers; or
- ix. A passenger vehicle is performing an emergency service.

Safety belts are to be always worn by drivers and passengers in all vehicles owned, leased, or rented by the department to ensure the safety of all employees.

- A. Department personnel are to use the safety belts installed by the vehicle manufacturer. The safety belts will be properly adjusted and securely fastened when operating or riding in any department-owned vehicle.
- B. Lap belts shall be properly secured in those vehicles equipped with automatic safety belt systems that require the lap portion of the belt is manually secured.
- C. The driver of the vehicle is responsible for ensuring the compliance of all occupants of the vehicle they are operating. Approved child safety restraints shall be used for all children of age, size, or weight for which such restraints are prescribed by law.
- D. No person is to tamper with the vehicle safety belts.
- E. Personnel who discover an inoperable restraint system shall report the defect to their immediate supervisor. Prompt action will be taken to replace or repair the system.
- F. When possible, any person(s) being transported in department vehicle(s) is required to be secured in the vehicle by a safety belt.
- G. When arriving at an emergency call or making a traffic stop, the operator may remove the safety restraint just prior to stopping for a quick exit. Caution should be exercised to ensure that during the traffic stop, the violator is, in fact, going to stop.

- H. When on patrol, if a situation arises where an officer needs the flexibility of movement in the vehicle or the ability for an immediate exit, the safety belt may be released.
- I. If negligence or non-compliance with the requirements of this policy is displayed, appropriate corrective action shall be initiated as prescribed by department policies.

SPECIAL INSTRUCTIONS

GEORGIA LAW ENFORCEMENT CERTIFICATION PROGRAM

(GLECP) STANDARDS INCLUDED: 2.1(b), 6.3, 6.4, 6.5, 6.6, and 6.8.

This policy is for the Law Enforcement Agencies of the Technical College System of Georgia use only and does not apply to any criminal or civil proceeding. The policy shall not be construed as a creation of a higher standard of safety or care in an evidentiary sense with respect to third-party claims. Violations of this policy will form the basis for departmental administrative sanctions only. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.