



GENERAL ORDER

**DURHAM POLICE DEPARTMENT
DURHAM, NC**

NUMBER:

4051 R-2

EMERGENCY VEHICLE EQUIPMENT & OPERATION

Effective Date: 12/15/1995

Revision Dates: R-1 01/10/2005; **R-2 04/20/2015**

INTRODUCTION

It is the policy of the Durham Police Department that officers operate department motor vehicles with due care and caution at all times. The first objective in an emergency situation is to arrive safely on the scene of the call; the second objective is to arrive as soon as possible.

It is also the policy of this Department that operators and front seat passengers of Department vehicles wear safety restraints (lap belts and shoulder harnesses) any time the vehicle is in forward motion.¹

GOVERNING AUTHORITY

N.C.G.S. § [20-145](#) - "...Speed limitations...shall not apply to vehicles when operated with due regard for safety under the direction of the police in the chase or apprehension of violators of the law or of persons charged with or suspected of any such violation.... This exemption shall not, however, protect the driver of any such vehicle from the consequence of a reckless disregard of the safety of others."

N.C.G.S. § [20-156\(b\)](#) - "The driver of a vehicle upon the highway shall yield right of way to police and fire department vehicles...when operators of said vehicles are giving a warning signal by appropriate light and by bell, siren or exhaust whistle audible under normal conditions from a distance not less than 1000 feet. When appropriate warning signals are being given as provided in this subsection, an emergency vehicle may proceed through an intersection or other place when the emergency vehicle is facing a stop sign, a yield sign, or a traffic light emitting a flashing strobe signal or beam of steady or flashing red light. This provision shall not operate to relieve drivers of a police or fire department vehicle...from the duty to drive with due regard for the safety of all persons using the highways, nor shall it protect drivers of any such vehicle...from the consequences of any arbitrary exercise of such right-o-fway.

USE OF EMERGENCY LIGHTS

The overhead lights and other emergency lights, such as corner strobes, will be used in conjunction with the siren for initiating traffic stops, vehicular pursuits and responding to emergency calls. The lights may be used alone for escorts and while stationary at traffic stops. The vehicle headlights should be used any time the overhead lights are on.²

¹ 41.3.3

² 41.2.1

SIREN

The siren will be used in conjunction with the overhead lights when involved in vehicular pursuits and while responding to emergency calls.

HAZARD WARNING LIGHTS

The vehicle's hazard warning lights and emergency flashers will be used when assisting motorists, or while parking on or off the roadway.

POLICE VEHICLE SPOTLIGHTS

The mounted spotlight on the light bar should be used during felony vehicle stops or during any suspicious vehicle stop conducted at night. When available a hand-held spotlight should be used for checking property or locating house numbers when responding to calls. The hand-held spotlight should never be directed into the face of a citizen.

PUBLIC ADDRESS SYSTEM

The public address system should be utilized during a felony stop by the officer, or any other time necessary.

GENERAL CONSIDERATIONS WHEN RESPONDING TO AN EMERGENCY CALL

The operation of an emergency vehicle does not eliminate, but greatly increases the driver's need to use caution. All of the following factors must be considered at all times:³

- The effect of an emergency situation on the driver's judgment.
- The unpredictable reaction of civilian drivers to the lights and siren.
- The chances that civilian may not see the lights or hear the siren.
- The driver's view of all lanes of traffic at intersections.
- Road conditions, including weather, daylight, or darkness, grades and traffic volumes.
- Potential hazards behind parked cars or other obstructions, especially in residential or commercial areas.
- The increased hazards of driving to the left of the center line.
- The chances that a civilian driver who has yielded to an emergency vehicle will not expect a second or third vehicle to be following.
- Other emergency vehicles responding to the same call.

LIMITATIONS ON OPERATION⁴

All officers responding to calls shall limit the speed of their vehicle to a maximum of 15 mile per hour above the posted speed. When entering school zones or encountering school busses, extra caution shall be utilized regarding speed.

³ 41.2.1

⁴ 41.2.1

All officers responding to calls shall approach an intersection safely, ensuring that other motorists have yielded the right of way prior to entering the intersection,

All officers attempting to pass a vehicle shall pass only when there is a clear availability to overtake and pass a vehicle safely. Officers should not attempt to pass vehicles until the operators have been given the opportunity to yield right of way.

A handwritten signature in blue ink, appearing to read "Jose L. Lopez, Sr.", positioned above a horizontal line.

Jose L. Lopez, Sr.
Chief of Police