



Lincoln Police Department

Standard Operating Procedures

Integrity, Competency, Fairness



Subject:	Operation of Emergency Vehicles	Policy #	O-11
Effective Date:	February 11, 2025	Review Cycle:	2 Years
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MLEAP:	7.17, 7.22, 7.23	MCJA Mandatory Policy	
	Rescinds All Previous Policies Related To This Current Policy		
Issuing Authority:	Chief of Police Lee Miller		

I. POLICY

It is the policy of the Lincoln Police Department that all personnel operate town vehicles in accordance to Maine state law, unless justified by this policy. If emergency or non-routine driving is required, all personnel shall drive with a due regard for safety.

II. PURPOSE

To establish procedures governing the operation of law enforcement vehicles with particular attention to emergencies and pursuits.

III. DEFINITIONS:

Due Regard: Actions which a reasonable, careful officer performing similar duties and under similar circumstances would perform in the same manner.

Emergency Driving: Driving in response to a life-threatening or another severe incident (based on available information) that requires emergency equipment in operation.

Emergency Equipment: Flickering, blinking, or alternating emergency lights and a siren, whistle, or air horn designed to give intermittent signals automatically.

Regular or Routine Driving: Driving which dictates vehicle speed, consistent with the normal flow of traffic, obedience to vehicle laws and posted signs, adherence to commonly understood rules of the road, and courtesy.

Non-routine Driving: Driving outside of regular traffic laws and rules of the road, but still consistent with due regard for public safety.

Response Driving: Driving in response to a call for service or to a location requiring law enforcement presence or assistance.

Emergency Call: A message or communication from, but not limited to, a citizen, officer, Supervisor/OIC, communications officer, or a dangerous situation observed by an officer which requires a call for service. It is a general rule that an emergency call exists when the officer operating the law enforcement vehicle reasonably believes that an emergency exists and has reasonable

grounds for such belief. An emergency need not exist. Whether or not there are reasonable grounds to believe that an emergency exists on the circumstances involved at the time.

IV. PROCEDURES FOR ALL RESPONSES:

A. General:

MLEAP 7.17

1. Lincoln Police Department vehicles will be driven safely and in full compliance with all traffic laws and regulations.
2. Under specific emergencies as defined below, the Maine Motor Vehicle Code authorizes the exercise of privileges concerning specific traffic regulations (*MRSA 29A §2054*); however, both the operator and the Lincoln Police Department are not released from civil liability for failure to use reasonable care in such operation.

B. Routine Law enforcement Operations

1. Standard lighting equipment on marked vehicles may include, but is not limited to, hazardous warning lights, spotlights, alley (side) lights, and a rooftop light bar. Spotlights may be used when the vehicle is stationary or moving, but shall not be used in a manner that will intentionally blind or interfere with the vision of operators of other approaching vehicles unless deadly force is warranted.
2. Children being transported in an Lincoln Police Department vehicle shall be appropriately secured according to the conditions set forth under *Title 29-A, §2081*.
3. Seatbelts and shoulder straps shall be worn by all law enforcement personnel or civilians during regular vehicle operation. Prisoners shall be strapped in with seatbelts whenever possible.

MLEAP 7.22

4. An officer may disengage their seatbelt upon:
 - A. Approach to any scene of an incident, or service call, where the officer believes a rapid departure from the vehicle may be required. Seatbelts will be worn any time the vehicle is being operated under emergency conditions.
 - B. In the event seatbelts are inoperable or malfunctioning, the officer discovering such a problem will immediately report the deficiency to their supervisor.

V. INSPECTION

MLEAP 7.23

1. Officers are responsible daily for checking the cleanliness, general operability of equipment, including all emergency equipment and fluid levels (oil, brake, gas, etc.) of their assigned vehicles.
2. Officers shall examine their vehicles at the beginning and end of their shifts for damage. They shall report any damage immediately to the appropriate supervisor.
3. Officers shall examine their vehicles at the beginning and end of their shift to search for evidence, contraband, or property discarded by prisoners or others.
4. Officers who discover a Lincoln Police Department vehicle in need of repairs shall immediately inform the appropriate supervisor.
5. If, in the opinion of the Chief of Police, the vehicle's damage resulting from abuse or neglect caused by an officer, an internal affairs investigation and/or disciplinary action may result.

VI. DRIVING RULES

1. No driver shall modify, remove, deactivate, or otherwise tamper with the vehicle safety belt or any part of the vehicle which affects its operation.
2. During periods of inclement weather when a law enforcement vehicle cannot be washed regularly, the driver must ensure that headlights, taillights, and emergency lighting are kept clean insofar as circumstances permit.

3. No officer or employee shall operate any law enforcement vehicle which they believe to be unsafe and must immediately inform the supervisor/OIC of the vehicle's operation.
4. The driver shall exercise careful observation of surrounding conditions before turning or backing any vehicle.
5. The driver must recognize the variable factors of weather, road surface conditions, road contour, and traffic congestion, all of which directly affect the safe operation of any motor vehicle, and shall govern the operation of the vehicle by these factors.
6. The nature of certain crimes in progress may call for the use of the siren to be discontinued upon close approach to the location of the incident, and although such action is permitted by authority of this order, law enforcement vehicle operations under these conditions require extreme caution and compliance with all Maine Motor Vehicle Laws.
7. Emergency driving to the scene of a law enforcement incident is permissible ONLY when there is an emergency call and continues to be permitted when specific information indicates that conditions at the location require the immediate presence of an officer.
8. When approaching and entering a controlled intersection, officers should use due regard to ensure the intersection is safe to enter.
9. Regardless of the seriousness of the situation to which the officer is responding, the operator of the Lincoln Police Department vehicle shall be held accountable for how they were operating the vehicle.
10. At the scene of a crime, motor vehicle crash, or other law enforcement incidents, an Lincoln Police Department vehicle shall be parked in such a manner as to protect the scene yet minimize obstacles or hazards to other traffic. The emergency lights and traffic adviser should always be used to warn other drivers approaching the location. High beam headlights and/or vehicle wigwags should not be facing oncoming traffic.
11. Operators of law enforcement vehicles must bear in mind that traffic regulations requiring other vehicles to yield the right-of-way to an emergency vehicle do not relieve the operating officer from the duty to drive with due regard for the safety of all persons using the highways. Nor shall they protect the driver from the consequences of an arbitrary exercise of such right-of-way (MRSA Title 29A 2053).
12. In case of pursuit, should the violator enter a one-way street against the flow of traffic or enter a limited access highway or interstate freeway by proceeding along an exit ramp, the pursuing officer should not follow the violator unless they can do so with due regard. If the pursuing officer cannot follow, then they will instead transmit via radio detailed observations about the suspect vehicle's location, speed, and direction of travel.

VII. PROCEDURES FOR EMERGENCY DRIVING

A. General

1. No fixed rule can apply to every circumstance that may arise governing emergency driving.
2. Officers should understand that when operating a motor vehicle at higher rates of speed, the potential risk to the public and themselves also increases. Therefore, officers will operate at reasonable speeds that are associated with the incident they are responding to.
3. Recognizing that protection of human life is paramount, the responding officer must remember that their objective is to get to the location of the occurrence as soon as possible, safely and without danger to oneself or others.

B. Officer's Response to Calls

1. Upon arrival at the scene of a call, the responding officer should, in a timely fashion, evaluate the situation and determine whether additional units are still needed or whether other units responding, using emergency lights and siren, can be slowed or canceled.
2. Units responding to specific in-progress calls may want to discontinue the use of the siren before coming within the hearing distance of the call. At that time, the officer will fully comply with all of the traffic laws.

3. In situations requiring a silent response, e.g., alarm response or prowler calls, officers will respond as rapidly as possible, obeying all traffic laws and signs.

C. Officer-Initiated Response

When, in the opinion of the officer, an emergency exists or is imminent, or activation of emergency warning devices is necessary to protect life or render the necessary law enforcement services, the Chief of Police authorizes an emergency response.

1. Examples include, but are NOT limited to the following;
 - a) At the scene of an incident where the use of emergency lights constitutes a necessary warning for the safety of life (such as scenes of fires, crashes, or disasters).
 - b) As a visual signal to attract the attention of motorists stopped for traffic violations or to warn motorists of imminent dangers.
 - c) Responding to a call where the officer has previous or additional information which, had the Communications Officer known it, would have resulted in the call being dispatched as an emergency.
 - d) Where, because of location, distance to be traveled, or traffic conditions, the officer determines that emergency operating conditions are essential to provide an appropriate response.
 - e) In response to an officer's emergency request for assistance.