POLICY AND PROCEDURE NO. 420.1

Emergency Response Driving

Massachusetts Police Accreditation Standards:
41.2.1

Date Issued: June 27, 2007
Date Effective: August 14, 2026
Review Date: August 14, 2027 5 Pages

1. PURPOSE:

The purpose of this policy is to establish guidelines for the safe operation of police vehicles during non-pursuit emergency response situations. This policy governs decision-making regarding vehicular operation when responding to emergent situations that do not involve a pursuit of a fleeing motor vehicle.

2. POLICY:

It is the policy of the Worcester Police Department to balance the need for expeditious emergency response with the safety of officers, other motorists, and the public. Officers engaged in emergency response driving shall operate their vehicles with due regard for the safety of all persons at all times.

3. SCOPE:

This policy applies to all sworn personnel operating Department vehicles. The traffic-law exemptions of MGL Ch. 89, §7B apply to vehicles of the police department and do not extend to personally owned vehicles. An officer operating a personally owned vehicle shall comply with all traffic laws, regardless of any authorization to display blue lights under MGL Ch. 90, §7E. This policy does not govern motor vehicle pursuits, which are addressed in Policy 420 (Motor Vehicle Pursuits).

4. DEFINITIONS:

Emergency Response Driving: The operation of an authorized emergency police vehicle by a sworn officer responding to an Emergency Response situation, using due regard for the safety of others. Emergency response driving does not include pursuit of a fleeing motor vehicle.

Emergency Police Vehicle: A vehicle of the Worcester Police Department equipped with operable emergency equipment as designated by Massachusetts General Law.

Emergency Response: A situation in which a prompt police response is reasonably necessary to protect life, prevent serious injury, apprehend a suspect, render urgent aid, or address a significant public safety hazard. Examples include, but are not limited to, crimes of violence in progress or recently occurred, calls involving weapons, serious motor vehicle crashes, fires, officer requests for emergency assistance, in-progress crimes with suspects on or near the scene, alarms with indicia of an actual incident, missing persons at risk, and other

circumstances where the responding officer reasonably believes delay could result in harm to persons, loss of evidence, or escape of a suspect. The determination of whether a response constitutes an Emergency Response rests with the responding officer based on the totality of the circumstances known at the time. Emergency Response also includes traffic enforcement activity in which an officer must overtake, close the distance with, or stop a motor vehicle for an observed violation. Although such activity may not involve the urgency of the examples above, the activation of emergency lights and siren and vehicle operation reasonably necessary to overtake the violating vehicle are authorized under this policy. Officers should limit their speed and the duration of such operation to what is proportionate to the violation, and shall comply with Policy 420 (Motor Vehicle Pursuits) if the operator of the vehicle flees or refuses to stop.

Non-Emergency Response: The operation of a police vehicle in response to a call for service or self-initiated activity that does not meet the criteria of an Emergency Response as defined in this policy. Officers engaged in non-emergency response should observe all traffic laws and should not activate emergency lights or siren.

5. LEGAL AUTHORITY:

The operation of a police vehicle as an emergency vehicle is governed by MGL Ch. 89, §7B, which provides in full:

"Section 7B. 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. The driver of any such approaching emergency vehicle shall comply with the provisions of section fourteen of chapter ninety when approaching a school bus which has stopped to allow passengers to alight or board from the same, and whose red lamps are flashing."

Except as specifically exempted by §7B, officers operating an emergency vehicle remain subject to all traffic laws.

Officers shall comply with MGL Ch. 90, §14 regarding stopped school buses with activated red lamps, regardless of emergency status.

6. PROCEDURES:

A. Call Classification and Response

Calls for service are classified and prioritized by the Department of Emergency Communications, a separate agency. Whether a particular response constitutes an emergency response driving situation is determined by the responding officer under the Emergency Response definition in Section 4, based on the totality of the circumstances known at the time, and not by the priority level assigned to the call. Priority classifications and related dispatch information are informational context that an officer may consider, but they do not by themselves authorize or require emergency response driving, nor does the absence of any particular classification prohibit it. A response that meets the Emergency Response definition authorizes emergency response driving and the use of emergency lights and siren in accordance with Section 6.C; all other responses constitute a Non-Emergency Response, during which officers should observe all traffic laws. Self-initiated traffic enforcement as described in Section 4 is also authorized under this policy without regard to call classification. Detainee transport response is addressed separately in Section 6.J. MPAC 41.2.1

Officers responding to non-emergency calls for service should observe all posted speed limits and traffic control devices and should not activate emergency lights or siren. MPAC 41.2.1 [a]

Department response posture, minimum staffing requirements, and radio procedures for classified calls for service are addressed in Policy 444 (Response to Calls for Service).

B. Due Regard and Decision-Making

Officers engaged in emergency response driving are not relieved from the duty to drive with due regard for the safety of all persons. When deciding to initiate, continue, or discontinue emergency response driving, officers should consider:

1. The urgency and nature of the situation

2. Weather and roadway conditions

3. Visibility

4. Volume and speed of other vehicle traffic

5. The officer's ability to control the vehicle at the speed driven

6. Whether the vehicle is equipped with emergency lights and siren

7. The mechanical condition of the vehicle

C. Use of Emergency Lights and Siren

Officers responding to an emergency situation should activate emergency lights and siren upon commencing the response. Except as provided in the Tactical Silence Exception below, emergency lights and siren shall be activated whenever an officer engaged in emergency response driving: MPAC 41.2.1 [c]

1. Proceeds through an intersection contrary to traffic control signs or signals; or

2. Exceeds the posted speed limit.

Tactical Silence Exception: Emergency lights and siren may be withheld, or deactivated during the final approach, at the discretion of the responding officer when:

1. Officer safety may be compromised by alerting a suspect to the police response

2. Activation may trigger panic in a suspect, potentially resulting in violence toward others or hostage-taking

3. The officer determines that a non-emergency approach will facilitate a more effective response without compromising public safety

An officer exercising the Tactical Silence Exception may continue emergency response driving, but shall exercise heightened caution and due regard for the safety of persons and property, recognizing that other motorists and pedestrians will not be aware of the approaching police vehicle; shall reduce speed when approaching intersections, crosswalks, and areas of pedestrian activity; and shall bring the vehicle to a full stop before proceeding contrary to any traffic control sign or signal, as required by MGL Ch. 89, §7B.

D. Speed

Officers responding to emergency situations may exceed the posted speed limit when traffic, road, and weather conditions permit such speeds without creating unreasonable risk. Officers should continuously evaluate the factors listed in Section 6.B throughout the response and reduce speed when conditions warrant. MPAC 41.2.1 [b]

E. Intersections

Officers proceeding through an intersection contrary to traffic control signs or signals during an emergency response shall first bring the vehicle to a full stop and then proceed with caution and due regard for the safety of persons and property, as required by MGL Ch. 89, §7B. Emergency lights and siren should be activated before entering the intersection.

F. Passing Other Vehicles

Officers should avoid passing to the right of other vehicles during an emergency response. When passing on the right is necessary because passing on the left is not practical, officers should anticipate the possibility of a motorist's vehicle moving suddenly to the right and pass with caution.

G. Equipment Failure

In the event of an equipment failure that could compromise the safe operation of the vehicle during emergency response, the officer shall discontinue emergency response driving and notify dispatch.

H. Passengers

Officers transporting any passenger other than another sworn officer, including recruits, civilian ride-along participants, or other non-sworn individuals, should exercise heightened caution during emergency response driving, with due regard for the safety of the passenger and the public.

I. Tactical Approach and Scene Positioning

Officers should be aware of the need for tactical control of any emergency scene. Officers should:

1. Park in a manner that facilitates the movement of other emergency vehicles while allowing for scene control

2. Avoid parking directly in front of a scene or in driveways unless absolutely necessary

3. When tactically appropriate, park a sufficient distance from the incident location and approach the remaining distance on foot to maintain the element of surprise and reduce the potential for ambush

4. Notify the dispatcher of conditions upon arrival as soon as practical

5. Ensure police vehicles are positioned so that other emergency vehicles will have access to the scene

J. Detainee Transport Response

An officer operating the Patrol Wagon or another vehicle used for detainee transport, when responding to take custody of a detainee, should respond as a Non-Emergency Response. Emergency response driving, including the use of emergency lights and siren, is authorized only when the arresting officer or a supervisor requests an expedited response based on the conditions they are facing at the scene — such as a combative or actively resisting detainee, or a scene that remains unstable or hazardous to the officers present. The decision to request an expedited response rests with the arresting officer or supervisor, not the operator, who shall not initiate emergency response driving absent such a request. This authorization ends when the detainee is placed in the vehicle; emergency response driving is not authorized while a detainee is being transported, which is governed by Policy 701 (Detainee Transportation & Guard Protocol). This prohibition applies whenever a detainee is aboard, including where the operator is en route to take custody of an additional detainee and the arresting officer or a supervisor requests an expedited response. In that circumstance the operator continues as a Non-Emergency Response and does not initiate emergency response driving; the expedited response should be met by another available unit or after the operator has delivered the detainee already in custody. Interruption of a transport to render emergency assistance is governed by Policy 701 (Detainee Transportation & Guard Protocol), §10. Any emergency response driving undertaken under this subsection remains subject to the due regard standard and to all other requirements of this policy.

7. VEHICLE CRASHES DURING EMERGENCY RESPONSE:

Any crash involving a Department vehicle during emergency response driving shall be handled in accordance with Policy 610 (Accidents Involving Police Department Vehicles). The responding officer's supervisor shall be notified immediately of any crash occurring during emergency response. The supervisor shall ensure that all reporting and notification requirements are met.

Per:

Paul B. Saucier
Chief of Police

Revisions:

August 14, 2026–

Complete rewrite of the June 27, 2007 policy in the Department's ADA-compliant template. Added a Scope section: the policy applies to sworn personnel operating Department vehicles, the traffic-law exemptions of M.G.L. c. 89, § 7B do not extend to personally owned vehicles regardless of any blue-light authorization, and motor vehicle pursuits are governed by Policy 420 (Motor Vehicle Pursuits). Replaced the three-condition description of an emergency response with a totality-of-the-circumstances definition, determined by the responding officer, that includes traffic enforcement requiring an officer to overtake or stop a violator, and added a definition of Non-Emergency Response. Added that the priority level assigned by the Department of Emergency Communications does not by itself authorize, require, or prohibit emergency response driving. Added that emergency lights and siren are mandatory whenever an officer exceeds the posted speed limit or proceeds through an intersection contrary to a traffic control device, subject to a tactical silence exception with heightened-caution and full-stop requirements. Added a Detainee Transport Response subsection: a transport vehicle responds to a detainee pickup as a non-emergency response unless the arresting officer or a supervisor requests an expedited response, and emergency response driving is not authorized while a detainee is aboard. Added dispatch notification when emergency response driving is discontinued for equipment failure, and immediate supervisor notification and handling under Policy 610 (Accidents Involving Police Department Vehicles) for any crash during emergency response. Replaced "shall" with "should" for judgment-based operational considerations. Replaced the signing authority.

Original Issue Date: June 27, 2007