

MINNEAPOLIS POLICE DEPARTMENT

SPECIAL ORDER



BY ORDER OF THE CHIEF OF POLICE

DATE ISSUED: May 2, 2023	DATE EFFECTIVE: May 5, 2023	NUMBER: SO23-017	PAGE: 1 of 3
TO: Distribution "A"			RETENTION DATE: Until Rescinded
SUBJECT: Manual Revision – 7-401 Normal and Emergency Vehicle Operation			APPROVED BY: <i>Chief O'Hara</i>

MP-8806

Introduction: This policy is being revised to permit non-emergency escorts for processions when authorized by the Chief [F].

Effective with the issuance of this Special Order, Chapter 7-401 of the MPD Policy and Procedure Manual shall be amended as follows:

7-401 Normal and Emergency Vehicle Operation
 (12/31/90) (12/31/91) (02/08/93) (03/19/97) (10/12/01) (02/23/05) (12/14/07) (08/05/13)
 (06/16/19) (05/05/23)

~~(A-D)~~

A. Vehicle Condition

1. Vehicles shall not be driven when they are in unsafe mechanical condition.
2. Officers shall inspect their assigned vehicle before each tour of duty and immediately report any damage or mechanical failure to their supervisor.

B. Normal Operation

1. Under normal conditions, personnel will operate police vehicles in the same manner as required for the public.
2. Violations of motor vehicle laws when not authorized, or careless and abusive use of police vehicular equipment may result in disciplinary action.

C. Operating Without Lights

This section regarding operating without lights applies to headlights and taillights, and does not apply to emergency lighting, which is addressed separately in this policy.

1. MN Statute section 169.541 exempts peace officers from statutes relating to the lighting of vehicles and watercraft when all of the following conditions apply:

- while operating a motor vehicle or watercraft owned, leased, or otherwise the property of the state or a political subdivision;
 - in the performance of the officer's law enforcement duties if the officer's conduct is reasonable and is consistent with the standards adopted by the Minnesota POST Board; and if
 - the officer reasonably believes that operating the vehicle without lights is necessary under the circumstances to investigate a criminal violation or suspected criminal violation of state laws, rules, or orders or local laws, ordinances or regulations.
2. In accordance with the Minnesota Post Board standards, a peace officer may not operate without lights:
- on interstate highways
 - at speeds greater than what is reasonable and prudent under existing weather, road, and traffic conditions;
 - faster than the posted speed limit;
 - in situations where the peace officer is an active participant in the pursuit of a motor vehicle in violation of MN Statute section 609.487 (Fleeing a Peace Officer in a Motor Vehicle);
 - contrary to the elements listed in MN Statute section 169.541 (explained in the preceding paragraph);
 - contrary to any written policies or procedures established by the Chief Law Enforcement Officer of the agency that employs the peace officer.

D. Emergency Driving

1. Emergency driving occurs whenever an officer intentionally drives in excess of the speed limit or in violation of any traffic control device or other traffic law.
2. Emergency driving is authorized only, in accordance with MN Statute section 169.03 Subd. 5, "when in response to any emergency call or in the immediate pursuit of an actual or suspected violator of the law."
3. Only police vehicles with department authorized lights and sirens are authorized for emergency driving.
4. Ordinarily, all MPD officers shall use department authorized red lights and sirens continuously during any emergency driving.
 - a. Some incidents may necessitate an unannounced approach. If a responding officer determines the incident warrants an unannounced approach, the officer may deactivate or avoid use of the emergency lights or sirens when nearing the location, when reasonable given the environment and circumstances. The officer shall sound the siren or display at least one department authorized lighted red light to the front if exceeding the speed limits or proceeding past a red or stop signal or stop sign.

5. Officers performing emergency driving shall exercise caution and due consideration for the safety of the public.
 - a. The use of the red lights and siren does not exempt officers from the need for caution nor does it exempt them from criminal or civil liability.
 - b. Officers driving low profile, unmarked, or other MPD vehicles should be particularly aware of the less visible nature of the emergency equipment in/on the vehicle and should use extra caution.
 - c. Officers are prohibited from going around the light rail crossing arms when they are down at an intersection.

E. Emergency Escorts or Transportation by Police Vehicles

1. Officers will not provide emergency escorts for private vehicles except under extreme or exigent circumstances.
2. Officers may provide emergency escort for other emergency vehicles equipped with red lights and sirens, when requested to do so.
3. Employees shall not transport persons in police vehicles except for a proper police purpose or on official department business.
4. Police vehicles should not be used to transport persons in need of physical medical attention except when ambulances are not available. Persons in need of medical attention shall normally be transported by ambulance and/or other medical equipment.

F. Non-Emergency Escorts

1. The Chief may authorize a non-emergency escort for a procession, provided the officers and other vehicles in the procession obey traffic laws.
2. Any non-emergency escorts outside of the state of Minnesota shall be coordinated with the local jurisdictions.
3. All requests for non-emergency ceremonial escorts for dignitaries must be approved by the Chief of Police.