



Chapter: Operating Department Vehicles
Subject: 10-09 – Emergency Response Driving
Effective: May 2, 2022
Supersedes: Official Order 10-09, dated April 19, 2022
Distribution: Department Members

PURPOSE: This Order establishes department policy related to emergency response driving.

10-09-1 EMERGENCY RESPONSE DRIVING

- A. Generally, when authorized members exceed the speed limit in an attempt to catch up to someone suspected of violating the Michigan Vehicle Code, that action will not be considered emergency response driving for purposes of this Order. In such situations, MCL 257.632 provides an exemption for emergency equipment use when “the nature of the mission requires that a law enforcement officer travel without giving warning to suspected law violators.” This statutory exemption does not protect the authorized member from the consequences of the reckless disregard for the safety of others. As such, authorized members shall use due care and caution when attempting to catch potential violators.
- B. Emergency response driving in non-vehicle pursuit situations occurs when an authorized member, operating a fully-marked, slick-top, or semi-marked patrol vehicle, is responding to an emergency situation where there is probable cause to believe at least one of the following circumstances exist:
 - (1) The situation involves imminent potential for serious injuries or death to persons.
 - (2) When there is a crime of violence or threat of violence.
 - (3) When there is a serious public safety hazard or a threat of a serious public safety hazard.
- C. Authorized members engaged in emergency driving shall operate the patrol vehicle with due care and caution. Authorized members engaged in emergency driving shall not demonstrate a reckless or careless disregard for the safety of others.
- D. Authorized members engaged in emergency response driving shall activate and continuously operate the patrol vehicle’s emergency lights, siren, and in-car video recording system, except as otherwise provided in this Order. In certain rare circumstances, (e.g., where the responding member has information to believe that alerting a suspect may result in violence toward responding officers or others), the patrol vehicle’s siren may be extinguished during part of the emergency response driving if it may reasonably alert the suspect.

In the event that the siren is not used in emergency response driving, the responding authorized member shall adjust their patrol vehicle operation accordingly to account for the public's inability to hear the patrol vehicle.

- E. An authorized member shall make an objectively reasonable determination to begin or continue emergency response driving based upon the following factors:
- (1) Volume, type, speed, and direction of vehicular traffic on the route to the emergency.
 - (2) Nature of and familiarity with the area (e.g., residential, commercial, school zone, open highway).
 - (3) Environmental factors (e.g., weather, darkness, lighting, visibility).
 - (4) Road conditions (e.g., construction, poor repair, extreme curves, intersections controlled by traffic signals or signs, ice).
 - (5) Population density and volume of pedestrian traffic.
 - (6) Patrol vehicle capability and condition.
 - (7) The risk of harm that continued emergency driving over long distances poses to civilians and members versus the need to immediately apprehend the violator.
- F. Authorized members shall immediately cease emergency response driving if either of the following circumstances exists:
- (1) Any of the patrol vehicle's emergency equipment (emergency lights or siren) fail. Unless advised to disregard the call, they shall continue on to the dispatched location while obeying all traffic laws.
 - (2) Additional information is received negating the reason for emergency response driving.

DIRECTOR

Annual Review Responsibility: Training Division

Accreditation Standards: CALEA 41.2.4