



*Kern County Sheriff's Office*  
**Policies and Procedures**

<b>TITLE: Emergency Driving</b>		<b>NO: E-0100</b>	
<b>APPROVED: Donny Youngblood, Sheriff-Coroner</b>			
<b>EFFECTIVE:</b> <b>February 12, 2005</b>	<b>REVIEWED:</b> <b>5/15/2020</b>	<b>REVISED:</b> <b>10/01/2008</b>	<b>UPDATED:</b> <b>5/15/2020</b>

**REFERENCE:**

CVC 21052: Vehicle Code provisions apply to all operators of all vehicles.<sup>i</sup>

CVC 21055: Authorized Emergency vehicles are exempt from the rules of the road when responding to fire, emergency, rescue, or pursuit, and the operator displays a solid forward facing red lamp and activates a siren as necessary.<sup>ii</sup>

CVC 21056: Emergency vehicle operators must show due regard for the safety of all persons using the highway.<sup>iii</sup>

CVC 21806: Pedestrians, other vehicle operators to yield to emergency vehicle by moving to the right.<sup>iv</sup>

**POLICY:**

The fundamental purpose of Code 3 operations is to enable peace officers to arrive quickly and safely at a scene of an emergency. It shall be the policy of the Sheriff's Office that Code 3 operations (red light and siren) be strictly limited to emergency situations and pursuits. The safety of the deputy and the public must be the primary concern when driving under emergency conditions. The purpose of this policy is to establish guidelines that will enable deputies to arrive at the scene of an emergency in a manner consistent with the safety and well being of all parties involved. The final responsibility for the safe operation of the vehicle will rest with the deputy operating the vehicle.

Generally, no operator of a Sheriff's Office vehicle shall violate any traffic law except:

- When done in a safe manner; and
- During Code 3 operations or;
- While practicing generally approved patrol procedures including but not limited to;
  - o Approaching a prowler call with lights out;
  - o Driving on the wrong side of a roadway to safely approach a robbery in progress, etc.
  - o Pacing a vehicle to establish speed or overtaking a vehicle to initiate a stop.

- ◆ “Closing the distance” means maneuvering an emergency vehicle into closer proximity of a violator or suspected violator vehicle for law enforcement purposes. “Closing the distance” has a number of valid law enforcement purposes, and is an appropriate tactic to reduce the possibility that an attempt to stop will escalate into a pursuit. However, when traffic conditions or offender vehicle speeds create safety concerns, emergency lights and siren should be used pursuant to CVC 21055.

Along with the tactical considerations the officer must consider his/her safety and the safety of others.

Deputies are never excused from exercising due care for the safety of others or themselves. Deputies shall not drive a vehicle at a speed greater than is reasonable or prudent having due regard for weather, visibility, the traffic on, and the surface and width of the highway, and in no event at a speed that endangers the safety of persons or property. (CVC 22350)

- The purpose of the red light and siren is to warn other motorists and pedestrians, and to minimize traffic delay.
- Deputies should consider the light and siren a request for right-of-way and should exercise the utmost caution and care during their driving.
  - Speeds above posted speed limits are rarely necessary or justified.
- Deputies should endeavor to use the lane closest to the center of the roadway wherever possible to provide maximum visibility for themselves and for other drivers.
- Deputies should periodically vary the siren tone from wail to yelp to improve siren audibility for other motorists and pedestrians. This is particularly true at intersections.
  - The “Wail” and “Yelp” modes are the only authorized sirens.
- When entering intersections against a traffic control device, or when crossing blind intersections, deputies shall slow their vehicles to a point that they will be able to safely stop for any cross traffic that fails to yield the right-of-way. Deputies shall only continue through the intersection after clearing each lane individually.
- Deputies should remain aware that another driver might not be able to hear the siren until the emergency vehicle is in close proximity. Deputies should give other motorists adequate time to hear the siren and to yield the right-of-way.
- Deputies should avoid passing to the right of other motor vehicles, except as a last resort and where it is done in a safe manner.
  - Deputies passing other vehicles on the right should proceed slowly and with extreme caution, making sure to watch other drivers and be prepared to avoid a driver pulling to the right.

E-0100-2

<b>EFFECTIVE:</b> February 12, 2005	<b>REVIEWED:</b> 5/15/2020	<b>REVISED:</b> 10/01/2008	<b>UPDATED:</b> 5/15/2020
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- o Deputies passing on the right should consider turning off lights and siren to avoid confusing other motorists, then proceed slowly and follow the rules of the road.
- Deputies should maintain an appropriate space cushion (3 to 5 seconds) between their vehicle and other vehicles to allow room for evasive maneuvers in the event of an unexpected act on the part of another motorist.
- Deputies operating unmarked vehicles should be aware of the reduced identifiability of their vehicle and be prepared for other motorists to fail to yield right-of-way.

**DEFINITIONS:**

**Code 3 operation:** Means a deputy sheriff operating an authorized emergency vehicle sounds a siren as may be reasonably necessary and the vehicle displays a steadily lighted red lamp visible from the front as a warning to other drivers and pedestrians, and the deputy is responding to an emergency call or engaged in rescue operations or is in the immediate pursuit of an actual or suspected violator of the law.

Use of lights and/or siren to effect or facilitate a vehicle or pedestrian stop, or as a traffic warning device, does not constitute a Code 3 operation within the meaning of this policy.

**Emergency:** A situation where there exists a reasonable likelihood of death or serious bodily injury to humans and which requires immediate law enforcement/public safety intervention. The test is not whether an emergency actually exists, but whether the deputy has a reasonably justified belief that an emergency exists.

- An emergency may include, but is not limited to any of the following conditions:
  - o A serious public hazard;
  - o A crime of violence in progress;
  - o The prevention of a crime of violence;
  - o An officer needing immediate assistance;
  - o A medical emergency;
  - o A fire;
  - o A rescue emergency;
  - o A pursuit as described in section E-200 of this manual.

Generally, misdemeanors do not meet the criteria for an emergency response.

E-0100-3

<b>EFFECTIVE:</b> February 12, 2005	<b>REVIEWED:</b> 5/15/2020	<b>REVISED:</b> 10/01/2008	<b>UPDATED:</b> 5/15/2020
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**PROCEDURE:**

A deputy may initiate a Code 3 response:

- When the information directly provided to the deputy via radio dispatch provides a reasonable basis for the belief that an emergency exists within the meaning of this policy;
  - Only deputies directly dispatched to the emergency are authorized to respond Code 3 to the emergency.
    - ◆ Deputies who are in closer proximity to an emergency than a dispatched deputy will notify the dispatcher prior to initiating a Code 3 response.
    - ◆ The dispatcher may elect to cancel one or more of the responding units and opt for the closest units.
- When the deputy receives information from any other source and the information is sufficient to justify the reasonable belief that an emergency exists within the meaning of this policy. This may include prior knowledge of circumstances related to the specific emergency, or a reasonable belief that the situation will require more resources than have been allocated to the situation.
  - When the deputy receives such information from a source other than radio dispatch, the deputy will, as soon as practical, advise the dispatcher of the source and nature of the information.
  - Generally, two (2) units respond.
- When an emergency situation dictates the immediate need for multiple units at the scene, such as an officer needing immediate assistance, a physical struggle, a situation involving weapons, or other reasonably similar circumstance. Only those units with a reasonable response time are authorized an immediate response.
- When in pursuit pursuant to section E-200 of this manual.

A command officer or supervisor may initiate a Code 3 response when he or she has reason to believe he or she is responding to an emergency as defined in this chapter.

A deputy will discontinue a Code 3 response when:

- He/She becomes aware of information which would reasonably justify the belief that the emergency no longer exists; or
- When the dispatcher has pre-empted the response by sending a closer deputy; or
- When ordered to do so by a ranking officer.

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The Dispatcher upon dispatching/or learning of a Code 3 response, will:

- Immediately notify the Field Supervisor
- Quickly brief the Communications O.I.C. of the situation

The Field Supervisor and/or Watch Commander, upon learning of a Code 3 Response, will:

- Quickly obtain as much information on the circumstance as possible;
- Determine if Code 3 is justified;
  - Order Code 3 terminated, or
  - Allow the Code 3 to continue
  - Determine how many units will operate under Code 3 conditions

Field Supervisors and/or Watch Commanders will monitor radio traffic and ensure that deputies are acting within the intent of this policy.

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<sup>i</sup> VC§ 21052. Public Officers and Employees

The provisions of this code applicable to the drivers of vehicles upon the highways apply to the drivers of all vehicles while engaged in the course of employment by this State, any political subdivision thereof, any municipal corporation, or any district, including authorized emergency vehicles subject to those exemptions granted such authorized emergency vehicles in this code.

(Enacted by Stats. 1959, Ch. 3.)

<sup>ii</sup> VC§ 21055. Exemption of Authorized Emergency Vehicles

The driver of an authorized emergency vehicle is exempt from Chapter 2 (commencing with Section 21350), Chapter 3 (commencing with Section 21650), Chapter 4 (commencing with Section 21800), Chapter 5 (commencing with Section 21950), Chapter 6 (commencing with Section 22100), Chapter 7 (commencing with Section 22348), Chapter 8 (commencing with Section 22450), Chapter 9 (commencing with Section 22500), and Chapter 10 (commencing with Section 22650) of this division, and Article 3 (commencing with Section 38305) and Article 4 (commencing with Section 38312) of Chapter 5 of Division 16.5, under all of the following conditions:

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(a) If the vehicle is being driven in response to an emergency call or while engaged in rescue operations or is being used in the immediate pursuit of an actual or suspected violator of the law or is responding to, but not returning from, a fire alarm, except that fire Sheriff's Office vehicles are exempt whether directly responding to an emergency call or operated from one place to another as rendered desirable or necessary by reason of an emergency call and operated to the scene of the emergency or operated from one fire station to another or to some other location by reason of the emergency call.

(b) If the driver of the vehicle sounds a siren as may be reasonably necessary and the vehicle displays a lighted red lamp visible from the front as a warning to other drivers and pedestrians.

A siren shall not be sounded by an authorized emergency vehicle except when required under this section.

(Amended by Stats. 1977, Ch. 1017.)

iii VC§ 21056. Effect of Exemption

Section 21055 does not relieve the driver of a vehicle from the duty to drive with due regard for the safety of all persons using the highway, nor protect him from the consequences of an arbitrary exercise of the privileges granted in that section.

(Enacted by Stats. 1959, Ch. 3.)

iv VC§ 21806. Authorized Emergency Vehicles

Upon the immediate approach of an authorized emergency vehicle which is sounding a siren and which has at least one lighted lamp exhibiting red light that is visible, under normal atmospheric conditions, from a distance of 1,000 feet to the front of the vehicle, the surrounding traffic shall, except as otherwise directed by a traffic officer, do the following:

(a) (1) Except as required under paragraph (2), the driver of every other vehicle shall yield the right-of-way and shall immediately drive to the right-hand edge or curb of the highway, clear of any intersection, and thereupon shall stop and remain stopped until the authorized emergency vehicle has passed.

(2) A person driving a vehicle in an exclusive or preferential use lane shall exit that lane immediately upon determining that the exit can be accomplished with reasonable safety.

(b) The operator of every street car shall immediately stop the street car, clear of any intersection, and remain stopped until the authorized emergency vehicle has passed.

E-0100-6

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(c) All pedestrians upon the highway shall proceed to the nearest curb or place of safety and remain there until the authorized emergency vehicle has passed.

(Amended by Stats. 1996, Ch. 1154, Sec. 68. Effective September 30, 1996.)

E-0100-7

<b>EFFECTIVE:</b> February 12, 2005	<b>REVIEWED:</b> 5/15/2020	<b>REVISED:</b> 10/01/2008	<b>UPDATED:</b> 5/15/2020
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