

# Peoria Police Department Policy and Procedure Manual

## Policy 408.A Emergency Vehicle Code 3 Driving



**“Our Community...  
Our Commitment”**

### I. POLICY

A. The Peoria Police Department’s primary concern in emergency driving situations is the protection of the lives and safety of all citizens and officers. During emergency driving situations, officers will comply with the provisions regulating the use of emergency vehicles. Driving under emergency conditions does not relieve the officer from the responsibility to drive with due regard for the safety of all persons, nor will these provisions protect the driver from the consequences of their disregard for the safety of others. (41.2.1)

B. It is the policy of the Peoria Police Department that officers resort to emergency driving only in those cases where there are specific and articulable reasons for believing that a life-threatening situation exists or a violent crime is occurring.

### II. PURPOSE

A. This policy provides guidelines which will reduce hazards to officers engaged in emergency driving, and the ensuing public concern that follows when an officer is involved in a traffic collision when so driving. It is not intended to create doubt in an officer’s mind at a moment when action is critical, and there is little time for mediation or reflection.

B. It is not the purpose of this policy to provide Peoria Police Department personnel with guidelines regarding the operation of City vehicles while engaged in pursuits. Those are addressed in a policy specific to that circumstance.

### III. LAW

Arizona Revised Statutes (ARS) designates police vehicles as emergency vehicles when operated by sworn police personnel. ARS § 28-775 requires roadway traffic and pedestrians to yield to an emergency vehicle, and ARS § 28-624 exempts the driver of an authorized emergency vehicle with emergency equipment in operation from the general rules of the road. However, the driver of an emergency vehicle is never relieved from the duty to drive with due regard for the safety of all persons and/or property.

### IV. DEFINITIONS

A. Emergency Driving: Emergency driving is defined as the operation of an authorized emergency motor vehicle by a law enforcement officer, in response to a life-threatening situation, or a violent crime in progress, while utilizing the privileges afforded by law, in lawful disregard of traffic law and/or traffic control devices, but complying with Peoria Police Department policy to drive with due regard for the safety of all persons on the roadway.

B. Authorized Emergency Vehicle: A vehicle being driven in response to an emergency call, operating at least one red light or red and blue light.

C. Code "0" (Zero) or "No Code:" Shall refer to any routine call to which an officer responds, obeying all traffic laws and speed limits en route.

D. Code 1: Shall refer to any call which an officer responds to immediately. The officer shall temporarily drop whatever activity they are engaged in and respond directly to the call, obeying all traffic and speed laws while en route. The use of emergency equipment shall not be used during Code 1.

E. Code 2: Officers responding to certain emergency calls may respond using emergency lights only. However, the use of emergency lights only does not require other motorists to yield their right of way, nor does it exempt the driver from the provisions of Arizona Revised Statutes. The decision to utilize "Code 2" can only be made by the responding officer, who holds sole responsibility for that decision. The use of "lights only" alerts other motorists that the vehicle is responding to an emergency call and grants no privileges or immunities.

F. Code 3: Shall refer to any call which the officer responds to with lights and siren (as necessary) as an emergency vehicle utilizing the privileges authorized by law, but complying with Department policy to drive with due regard for the safety of all persons on the roadway.

G. Expedite: The word "expedite" shall not designate a code but may be considered when deciding whether or not to respond Code 3.

H. Life-Threatening Situations: These include, but are not limited to:

1. Other Peoria Police Department officer requests for immediate and urgent help.
2. Other law enforcement agency requests for immediate and urgent help.
3. Response to certain medical emergency follow-up calls with life-threatening implications, i.e., subject not breathing, heart attack, drowning, only when the Emergency Medical Services unit/s being dispatched (both ambulance and Fire Department) are delayed or unavailable for response at that time.
4. Other dispatched life-threatening calls, which by the exigent, unique, and specifically articulable nature of the circumstances require an emergency response.
5. Responses to all traffic collisions shall be Code 1 or Code 2, except when the Emergency Medical Services unit/s being dispatched (both ambulance and Fire Department) are delayed or unavailable for response at that time. Communications shall notify dispatched personnel of the status of Fire/EMS at the time of dispatch.

## V. PROCEDURES (CODE 3 DRIVING PRACTICES)

### A. Decision Responsibility

1. The decision to drive under emergency conditions will be discretionary with each individual officer. However, the unit responding to an emergency must base their decision to operate a vehicle under emergency driving conditions on the totality of the information received, and not solely upon the type of call dispatched, or whatever the emergency tone is utilized to dispatch the call. Officers will take into consideration additional information provided that would make the call a valid life-threatening situation or a valid violent crime in progress.

2. When deciding to initiate or continue driving under emergency conditions, officers will consider such factors as traffic volume, time of day, the type of crime in progress and potential hazard or liability to themselves and the public. Officers will have sufficient information to justify the decision to drive under emergency conditions and will advise Communications of their intent. (41.2.2.a)

B. Supervisory Responsibility: Watch Commanders and Field Supervisors are responsible to monitor and exercise appropriate management control of Code 3 responses and shall conduct training and handle violations of this policy on a case by case basis.

C. Due Regard: Pursuant to the ARS, all officers shall drive with due regard for the safety of other persons and/or property.

D. Speed: As a general rule, speeds will vary in accordance with road and traffic conditions and any other pertinent factors.

E. Intersections: When responding Code 3, no officer shall enter an intersection until they determine that it is safe to do so. No officer shall enter an intersection against traffic signals until they determine that it is reasonably safe, even if the officer must stop to ensure safety.

### F. Passing Emergency Vehicles:

1. No officer who is responding Code 3 to a call shall pass any other officer who is also responding Code 3 to a call unless requested to do so.

2. No officer who is responding Code 3 shall pass any Fire Department vehicles or ambulances except under exigent circumstances.

G. Robbery/Burglary Responses: Some situations are normally inappropriate for emergency driving, such as armed robbery or burglary alarm calls. These calls require the officer to handle the situation as if in progress; but an emergency response (rather than urgent) would be inappropriate and unduly dangerous. In calls such as an

armed robbery or burglary alarm call, the officer should respond as quickly as possible, but not under emergency driving conditions. Then, upon arrival at the call, the officer should handle the situation as if it is in progress.

H. Notification

1. Officers responding under emergency conditions (Code 3) to a dispatched call shall notify Communications via radio that they are responding Code 3 and give their present location.

2. The dispatcher will not designate Code 3 runs. The assigned officer or Field Supervisor will make a determination upon receipt of the call as to whether or not to respond Code 3.

I. Emergency Back-Up: Officers responding to assist another officer will bear in mind that even though a rapid response is essential, they must arrive at the scene safely and drive with due regard for the safety of others in order to be of assistance.

J. Number of Units

1. Except in a dire emergency, only the primary dispatched officer, and their immediate assigned back-up officer, should respond to a call Code 3.

2. In the event that the primary dispatched officer, the back-up officer, or the on-duty supervisor believes that a third unit, or additional Code 3 responses are needed, approval shall be obtained from a sworn supervisor prior to initiating the additional Code 3 response.

3. If a Peoria Police Officer calls for a 998 or a 999, all available officers may choose to respond Code 3, following the notification requirement listed above.

4. If a law enforcement officer from an outside agency calls for a 999, the level of Code 3 responses will be determined by the on-duty sworn Supervisor.

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**Driving**  
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