

MODEL SAFETY BELT USE POLICY

The following model safety belt use policy has been provided by The IACP for use in developing of an agency policy.

Purpose:

To establish a policy to assure maximum operator and passenger safety, thus minimizing the possibility of death or injury as a result of motor vehicle crashes. This policy will apply to ALL personnel operating or riding in Departmental vehicles.

Discussion:

Research clearly indicates that the use of safety belts has significant effect in reducing the number of deaths and the severity of injuries resulting from traffic crashes. A law enforcement officer's chance of being involved in a motor vehicle crash is approximately two to ten times greater than that of the general public. The use of safety restraints reduces this risk to death and serious injury and assists officers in maintaining proper control of their vehicles.

Model Policy:

To assure the safety of all personnel, safety belts shall be worn by drivers and passengers in all vehicles owned, leased or rented by the department at all times. This also applies to the operation of privately owned or other vehicles if used on-duty.

Recommendation:

It is strongly recommended that safety belts be utilized by department personnel and their families at all times in vehicles while in an off-duty capacity to further reduce the risk of death and injury.

Procedure:

- A. Department personnel shall use the safety belts installed by the vehicle manufacturer properly adjusted and securely fastened when operating or riding in any vehicle so equipped if used while on-duty.
- B. Lap belts shall be properly secured in those vehicles equipped with automatic safety belt systems that require the lap portion of the belt be manually secured.
- C. The driver of the vehicle is responsible for insuring compliance by all occupants of the vehicle they are operating. Approved child safety restraints shall be used for all children of age, size, or weight for which such restraints are prescribed by law. (Pursuant to FMVSS 213: Child safety restraints used in enforcement vehicles with molded prisoner seats and prisoner barterers can not meet the FMVSS 213 head and leg excursion limits and therefore should never be used in these seating positions)

- D. No person shall operate a departmental vehicle in which any safety belt in the drivers seating position is inoperable. No person shall be transported in a seating position in which the safety restraint is inoperable.
- E. No person shall modify, remove, deactivate or otherwise tamper with the vehicle safety belts except for vehicle maintenance and repair and not without the express authorization of the Chief of Police.
- F. Personnel who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.
- G. Any person(s) under arrest and being transported in departmental vehicles are required to be secured in the vehicle by a safety belt in ALL seating positions for which safety belts are provided by the vehicle manufacturer. Caution: Prisoners that are handcuffed in front have the ability to release the handcuffs using the safety restraints latch plate.
- H. An officer operating in an undercover capacity may be exempt ONLY if the officer believes the use of the safety belt will compromise their identity.
- I. When arriving at an emergency call or making a vehicle traffic stop, the operator may remove the safety restraint just prior to stopping for quick exit. Caution should be exercised to insure that during the traffic stop the violator is indeed going to stop. This prevents becoming involved in a pursuit without the use of a safety belt.

DRIVER AND/OR PASSENGER NEGLIGENCE

If negligence or noncompliance with the requirements of this order is displayed, appropriate corrective or disciplinary action shall be initiated as prescribed by department policies.

**MODEL SAFETY BELT ENFORCEMENT GUIDELINES &
TRAFFIC ENFORCEMENT OBJECTIVES
(SPEED-DUI-OCCUPANT PROTECTION)**

Model Traffic Enforcement Objectives

Purpose:

These guidelines are designed to assist you in achieving uniform enforcement of the safety belt law in your jurisdiction. It is hoped that uniform enforcement of this law will result in voluntary compliance by the motoring public. The intent is not to supplant the judgment of your officers for it is impossible to foresee every conceivable situation involving traffic violations.

These enforcement guidelines are intended to heighten the awareness of the importance of occupant restraint systems use within your agency and the community. By promoting a uniform approach and outlining some enforcement activities, the goal of reducing fatalities and injuries in traffic crashes can be realized.

Discussion:

Research clearly indicates that the use of safety belts has significant effect in reducing the number of deaths and the severity of injuries resulting from traffic crashes. Strong evidence also indicates that the level of public compliance with a law of this nature has a direct relationship to the number of persons who will survive a serious traffic crash. Therefore, enforcement is considered essential in achieving citizen compliance.

Officer Guidelines:

- Each officer should insure that at every traffic enforcement contact, the use of safety restraints is addressed, to include positive reinforcement if proper use of the safety restraint is observed. ALL vehicle occupants should be checked for compliance.
- When safety restraints are not being used correctly, officers should provide the appropriate educational information to encourage their proper use.
- If the non-use or intentional misuse of safety restraints is noted, the appropriate enforcement action should be taken.
- ALL enforcement actions should be accomplished in a firm, fair, impartial and courteous manner using one of the following methods:
 - Verbal Warning
 - Citation (Notice to appear)
 - Written Warning

- The officer's action should demonstrate a professional attitude and serve to improve the relationship between the public and the department.

Addressing the Need:

Attention must be given to the manner in which these guidelines are transmitted through the agencies various leaders.

- The chief or director should provide positive direction for implementing the enforcement guidelines agency-wide.
- An enforcement directive should be issued to command staff personnel actively encouraging the enforcement actions.
- The chief or director should outline the need for these guidelines.

Model Traffic Enforcement Objectives

Each agency should define traffic enforcement expectations and goals by developing enforcement objectives.

Personnel should define these expectations and develop enforcement objectives targeting specific areas where this enforcement can make an impact in the community.

Sample Objectives:

To achieve the overall goal of reducing injuries and deaths in motor vehicle crashes the department should set an objective of at least ____% occupant protection compliance by the motoring public. (The state objective is 82% by 2007) Once the objective is achieved the department should strive to set a new compliance level objective greater than the current level, and prioritize occupant protection enforcement accordingly to achieve and maintain these levels.

Traffic enforcement should be provided by all uniformed personnel within the police department with specific emphasis on the following traffic violations:

- *Drunk or drugged driving*
- *Speeding*
- *Non-use of safety belts*
- *Non-use or incorrect use of child safety seats*

An effectiveness indicator should be developed. As an example, the department should maintain the number of targeted traffic violations in this calendar year at levels equal to or greater than the last calendar year with an appropriate percentage of the total number of summonses issued being safety belt and/or child safety seat use violations.

Performance standards and the appropriate percentage of summonses to be written should be determined by the agency after the appropriate evaluation of the jurisdictions fatal/injury crash data. Factors to be included in determining the amount of enforcement are:

- Current rate of safety belt/child safety restraint use.
- Current number of safety belt/child restraint violations.
- Current number of fatal/injury traffic crashes
- Projected safety belt/child restraint use effectiveness in these crashes.

These factors should be continuously evaluated so that the department can effectively determine the specific number of speeding, DUI and occupant protection enforcement actions that need to be taken in order to meet the departments goals and objectives.

Several performance standard examples:

- At least 20% of any departments total citations should include safety belt violations until safety belt use reaches ____%.
- At least 2% of the departments total citations should include child safety restraint violations until the use rate reaches ____%.

These standards and objectives should be reviewed each calendar year. All personnel assigned should be issued a copy of these objectives and briefed on there implementation.

The performance objectives are to be reasonable, attainable, quantifiable, measurable, and sufficiently flexible to permit change, as needed.