

GENERAL ORDER

08/10/94

SEAT BELT POLICY

This order establishes policy to help ensure maximum operator and passenger safety, minimizing the possibility of death or injury resulting from motor vehicle crashes.

I. INTRODUCTION

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

II. POLICY

- A. USE OF SEAT BELTS.** It is the policy of the San Francisco Police Department to ensure the safety of all personnel and their families. In accordance with California Vehicle Code Section 27315, safety belts shall be worn by drivers and passengers in all vehicles owned, leased or rented by the Department when in motion. This also applies to the operation of privately owned or other vehicles used on duty. Department personnel shall use properly adjusted and securely fastened safety belts when operating or riding in any vehicle so equipped.
- B. DRIVER'S RESPONSIBILITY.** The vehicle's driver is responsible for ensuring compliance by all passengers.
- C. TRANSPORTING CHILDREN.** Approved child safety restraints shall be used when transporting children under the age of four years or weighing less than 40 pounds.
- D. OPERATION OF DEPARTMENT VEHICLES.** No person shall operate a Department vehicle or transport anyone when he/she does not have an operable seat belt.

E. TRANSPORTING ARRESTED PERSONS. A person under arrest and being transported in a Department vehicle is required to be secured by a safety belt where provided by the vehicle manufacturer. Officers are exempt from this policy when:

1. The rear seat belts have been removed.
2. The prisoner is resisting or combative and the officer's safety would be jeopardized by attempting to secure a safety belt around the prisoner. If available, a wagon should be used to transport such prisoners.
3. The prisoner's size or build, coupled with vehicle configuration, create a hardship to accomplish the securing of the safety belt around the prisoner.

F. REMOVAL OF SEAT BELTS. When arriving at an emergency call, a potentially dangerous situation or making a vehicle traffic stop, officers may remove the safety restraint for a quick exit just prior to stopping. In traffic stops, the officer must be reasonably sure that the violator is going to stop before removing the safety restraint to prevent the officer's entering into a pursuit without using the safety belt.

G. EXEMPTIONS FOR UNDERCOVER OFFICERS

1. Officers functioning in an undercover capacity are exempt from this policy when:
 - a. The wearing of the belt could pose safety problems when the officer anticipates being in proximity to a suspect while conducting undercover operations.
 - b. The wearing of the belt could compromise the officer's identity.
2. This exemption is intended to facilitate the undercover narcotic or vice officers in conducting their duties when they are about to contact street dealers, prostitutes, etc. Officers working a plainclothes detail or on routine patrol are not exempted. Undercover officers merely in transit or on an administrative assignment are not exempted.

- H. TRAINING.** Roll call video training will be provided prior to implementation of this order. A practical application training regarding seat belt usage will be provided in conjunction with roll call training to be conducted at the unit level. Additional training will be provided in future in-service training sessions.
- I. VIOLATIONS.** Noncompliance with the requirements of this order will result in appropriate corrective or disciplinary action, as follows:
- 1. Verbal reminders for initial incidents.**
 - 2. Formal counseling, which could be included in PIP for repeated violations.**
 - 3. Recommendation of discipline for patterns of noncompliance or refusal to wear a safety belt.**
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