

Lansing Community College Police Department  
General Orders

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Vehicle Operations

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## Vehicle Operations

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### PURPOSE:

The purpose of this General Order is to establish guidelines regarding the operation of police vehicles by LCC PD officers.

### GENERAL PROVISIONS:

The following general provisions apply to all forms of police vehicle operation described in this General Order.

- a. College vehicles will only be driven by personnel possessing a valid Michigan Operator's License. The driver will have their license in possession at all times while operating a college vehicle.
- b. Officers are to notify the Chief of Police as soon as possible if they receive a traffic citation. Officers are to keep the Chief of Police informed of the status of any court proceedings related to the citation and will inform the Chief of Police of the final disposition of the citation. Departmental action may be taken against the officer depending on the circumstances and nature of the violation, the final court disposition, and any points assessed against an officer's Operator's License.
- c. Officers will operate police vehicles in a safe, courteous manner and in compliance with applicable local ordinances and the Michigan Motor Vehicle Code. Police vehicles shall not be operated at such a rate of speed or in any manner that may cause the officer to lose control over the operation and/or direction of the vehicle. Officers must drive defensively, attempting to anticipate the conduct of other drivers or pedestrians and take measures to prevent the foreseeable negligent conduct of others.
- d. Whenever a college vehicle is parked or stopped beyond the physical control of an officer, the keys shall be removed, the windows rolled up, and the doors locked, unless an emergency requires otherwise.
- e. Safety restraints shall be properly worn by officers, passengers and prisoners at all times when the police vehicle is in operation. Rapidly evolving tactical or emergency situations may necessitate a temporary exception to this requirement.
- f. The use of tobacco products in any college vehicle is prohibited.

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- g. The use of cellular phones by officers driving patrol vehicles should be limited to only absolutely necessary calls. An officer talking on a cell phone while on patrol presents an unprofessional image to the public and could diminish the officer's observation abilities. Under no circumstances will an officer use a cell phone while engaged in traffic enforcement driving, emergency driving or pursuit driving.
- h. Every officer has the responsibility to leave their patrol vehicle clean and in good working order for the next officer who will use the vehicle. If the exterior of the vehicle becomes dirty, when it is convenient and not in interference with responsibilities on campus, the vehicle should be taken to the car wash facility designated by the department to be washed.
- i. Any damaged or malfunctioning equipment should be reported to a Command officer as soon as possible, preferably in writing. If damage or an equipment malfunction prevents the vehicle from being utilized for patrol, the vehicle shall be taken out of service, and a note should be placed in Line-Up in addition to notifying a command officer in writing.
- j. Weekly inspections and inventories will be conducted by officers working on Sunday each week, documenting the inspection and inventory on the appropriate departmental form. Any damage, malfunctioning equipment, or supplies in need of replenishment will be noted on the form. The form will be turned in to a Command officer, who shall be responsible to address any noted deficiencies.

### PATROL DRIVING:

Patrol driving is defined as operating a police vehicle in the course of non-emergency duties, including but not limited to driving on and around College properties and within the LCC PD patrol district to provide a visible police presence, traveling between College properties, patrolling for traffic violations on streets adjacent to campus, patrolling campus parking areas for parking ordinance violations, or other non-emergency duties.

A police vehicle with defective or non-operational emergency equipment should not be used for patrol activities.

LCC PD owned police vehicles should normally be parked in those areas designated for police vehicle parking. When responding to a call on campus

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property and depending on the seriousness of the call, vehicles may be parked on College owned property irrespective of parking area designations.

When the academic terms are in session, the driving of and parking of LCC PD vehicles on the Washington Mall for routine matters should be avoided. This provision does not apply during the night hours when no students are on campus.

### EMERGENCY DRIVING:

Emergency driving is defined as the use of emergency lights and siren to respond to a situation the officer reasonably believes involves the current existence of a potential threat to life, personal injury accident, medical illness/trauma, potential infliction of serious injury, serious damage or loss to property, or potential escape of a perpetrator who poses a significant threat to the life or safety of others following the commission of a crime.

MCL 257.603(5) provides for emergency driving without the use of a siren when the nature of the emergency run requires silence. Examples of emergency runs requiring silence could include, but not limited to, active violence incidents, armed robberies in progress, burglaries in progress, alarms at financial institutions (LCC Cash Operations; CASE Credit Union on Main Campus) or ATM's, crimes in progress in which the perpetrator could take a hostage.

Police vehicles equipped with red and/or blue emergency warning lights and a siren may be used for emergency driving. Any vehicle not so equipped may not be used for emergency driving.

A police vehicle with defective or non-operational emergency equipment shall not become involved in emergency driving. If a police vehicle involved in emergency driving has a failure of any emergency equipment, the officer will immediately terminate running emergency and proceed to the call in non-emergency mode.

When engaged in emergency driving, an officer may:

- a. Park or stand, irrespective of Michigan Motor Vehicle Code or local ordinance provisions.
- b. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
- c. Exceed the prima facie speed limits so long as he or she does not endanger life or property.
- d. Disregard regulations governing direction of movement or turning in a specified direction.

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When evaluating whether to engage in emergency driving, the following factors should be taken into consideration in addition to the nature of the emergency call.

- a. Time of day.
- b. Lighting conditions.
- c. Weather conditions.
- d. Vehicle and pedestrian traffic volumes.
- e. Type of roadways (residential, business, cross streets, traffic lights, multi-lane, highway, etc.)
- f. How familiar the officer is with the area.
- g. Roadway conditions.
- h. The officer's driving capability and police vehicle capability.

An officer transporting a civilian (not including authorized ride-along civilians) or a prisoner shall not engage in emergency driving.

An officer transporting an authorized ride-along civilian shall use discretion when deciding whether to engage in emergency driving, taking into consideration factors such as the nature of the emergency and the safety of the civilian ride-along.

#### **TRAFFIC ENFORCEMENT DRIVING:**

Traffic enforcement driving is defined as the effort to pace a vehicle suspected of speeding in order to verify the speeding violation, or the effort to apprehend a driver who has committed or is committing an infraction or violation of local ordinance or state law (hereafter referred to as a violator), and where the offending driver is not making an effort commit the act of fleeing and eluding as defined in MCL 257.602a, MCL 750.479a.

Police vehicles equipped with red and/or blue emergency warning lights and a siren may be used for traffic enforcement driving. Any vehicle not so equipped may not be used for traffic enforcement driving.

Pacing a vehicle suspected of violating the speed limit is allowed, provided this can be done without reckless disregard for the safety of others (MCL 257.632). The use of emergency lights and siren during pacing is not required, provided the only Michigan Motor Vehicle Code violation being committed by the officer is speeding.

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An officer has authority to exceed the speed limit in order catch up to a vehicle which has committed a violation of the Michigan Motor Vehicle Code or similar local ordinances. If an officer must commit Michigan Motor Vehicle Code violations other than speeding during the effort to catch up to and apprehend a violator, emergency lights and siren must be activated as reasonably necessary to alert other drivers. Note that “this exemption shall not however protect the driver of the vehicle from the consequences of a reckless disregard of the safety of others.” (MCL 257.632) The action of catching up to a violator does not mean the officer is engaging in a pursuit. A pursuit, as defined by this General Order, would also require the violator to commit the offense of fleeing and eluding.

When operating a police vehicle in this manner, the provisions of MCL 257.603 apply, allowing the officer to:

- a. Park or stand, irrespective of Michigan Motor Vehicle Code or local ordinance provisions.
- b. Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
- c. Exceed the prima facie speed limits so long as he or she does not endanger life or property.
- d. Disregard regulations governing direction of movement or turning in a specified direction.

When evaluating whether to attempt to pace a suspected speed violator, or to catch up to a vehicle which has committed a violation of the Michigan Motor Vehicle Code or similar local ordinances, the following factors should be taken into consideration.

- a. Time of day.
- b. Lighting conditions.
- c. Weather conditions.
- d. Vehicle and pedestrian traffic volumes.
- e. Type of roadways (residential, business, cross streets, traffic lights, multi-lane, highway, etc.)
- f. How familiar the officer is with the area.
- g. Roadway conditions.
- h. Speeds involved.
- i. Apparent driving capability of the violator and the violator’s vehicle.
- j. The officer’s driving capability and police vehicle capability.
- k. Driving behavior of the violator.

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An officer transporting a civilian (not including authorized ride-along civilians) or prisoner shall not engage in traffic enforcement driving.

An officer transporting an authorized ride-along civilian shall use discretion when engaging in traffic enforcement driving, taking into consideration factors such as the nature of the traffic violation and the safety of the civilian ride-along.

### PURSUIT DRIVING:

A pursuit is defined for purposes of this General Order as the active effort of a LCC PD officer to apprehend a violator to whom the officer “acting in the lawful performance of his or her duty” has given a “visual or audible signal” directing them to stop and who is actively committing the offense of fleeing and eluding “by increasing the speed of the vehicle, extinguishing the lights of the vehicle, or otherwise attempting to flee or elude the officer.” (MCL 257.602a, MCL 750.479a) A pursuit not involving speeds exceeding the legal limit must still be conducted according to the guidelines contained in this General Order.

**LCC PD officers shall only initiate or assist in pursuits resulting from situations which involve the attempted apprehension of persons wanted for the commission of felonious acts that have threatened, currently threaten, or will threaten the health, life or safety of a person or persons.**

LCC PD officers are not under any circumstance to engage in the pursuit of motorcycles, three or four wheel all-terrain vehicles, snowmobiles, dune buggies, or similar ORV's/all-terrain vehicles.

To engage in a pursuit, an officer must be wearing an officially issued police uniform of the LCC PD and be driving an official vehicle owned by LCC PD identified and equipped as an official police vehicle.

Police vehicles equipped with red and/or blue emergency warning lights and a siren with LCC PD insignia on the driver and passenger front doors may be used for pursuit driving. Any vehicle not so equipped shall not be used for pursuit driving.

A police vehicle with defective or non-operational emergency equipment shall not become involved in a pursuit. If a police vehicle involved in a pursuit has a failure of any emergency equipment, the officer will immediately terminate involvement in the pursuit.

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An officer transporting a civilian (including authorized ride-along civilians) or prisoner shall not engage in a pursuit.

An officer must take into consideration the following factors in combination when making the decision to initiate a pursuit:

- a. The seriousness of the offense(s) known by the officer to have been committed by the violator.
- b. The need to immediately arrest the violator.
- c. The active threat of the violator to the safety of the officer or others.
- d. The active resistance to arrest or attempt of the violator to escape.

When evaluating these factors, only that information known to the officer at the time the violator initiates the act of fleeing and eluding can be considered. It cannot be assumed the violator's act of fleeing and eluding is evidence the violator must have committed a more serious violation.

Information to consider when evaluating these factors include:

- a. Whether the identity of the violator is known to the officer.
- b. Whether the actions of the violator are an immediate danger to the public.
- c. Whether the escape of the violator would pose an immediate danger to the public.

The actions of the violator and other decision factors are taken into consideration and weighed in a continuum manner. For example, less serious violations and more serious driving actions of the violator could equate to an officer deciding not to pursue the violator. Or, more serious violations and less serious driving actions of the violator could equate to an officer deciding to continue pursuit of the violator.

Once a pursuit is initiated, the officer is to notify LCC PD Dispatch by radio as quickly as possible of the pursuit. This notification shall include the following information:

- a. Location of the pursuit.
- b. Direction of travel.
- c. Description of the vehicle and occupants.
- d. Reason for the pursuit (nature of the violation(s)).
- e. Speeds involved in the pursuit.
- f. Roadway, traffic and pedestrian conditions.

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- g. Weapons involved (if applicable).

The officer should notify LCC PD Dispatch when switching to another agency's radio channel.

- a. For pursuits initiated on or near Main Campus, officers should use Ingham County Central Dispatch primary dispatch channel.
- b. For pursuits initiated on or near West Campus, officers should use the Eaton County Sheriff's Department primary dispatch channel.

The LCC PD Dispatcher is to ensure that an on-duty Command officer is aware of and monitoring the pursuit by radio. In the event an on-duty LCC PD Command officer cannot be contacted, or if there is no Command officer on-duty, the LCC PD Dispatcher will notify the officer that a Command officer is not available to monitor the pursuit.

When a LCC PD Command officer is not available to monitor the pursuit for any reason, the officer will take that condition into strong consideration as a factor weighing heavily in favor of terminating the pursuit.

The following factors should be continually taken into consideration by the officer (and Command officer, if available) during the progress of a pursuit in order to evaluate whether to continue a pursuit, or not.

- a. Time of day.
- b. Lighting conditions.
- c. Weather conditions.
- d. Vehicle and pedestrian traffic volumes.
- e. Type of roadways (residential, business, cross streets, traffic lights, multi-lane, highway, etc.)
- f. How familiar the officer is with the area.
- g. Roadway conditions.
- h. Speeds involved.
- i. Apparent driving capability of the violator and the violator's vehicle.
- j. The officer's driving capability and police vehicle capability.
- k. Driving behavior of the violator.
- l. Length of the pursuit.
- m. Distance away from LCC PD patrol area.

Termination of a pursuit may represent the best judgment and most professional course of action and does not signify a lack of courage or perseverance. An officer

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deciding not to initiate a pursuit or to abandon a pursuit based upon a sincere belief that engaging in or continuing a pursuit will unnecessarily endanger them or others may not be disciplined for that decision. Officers shall terminate a pursuit for the following reasons.

- a. The officer reasonably believes that the risk to themselves and others outweighs the benefit of apprehension or when ordered to terminate the pursuit by a Command officer.
- b. When environmental, road or traffic conditions indicate the futility of or enhanced danger of continuing the pursuit.
- c. When the offender's identity is known and the original offense was not life threatening.
- d. When it is known by the officer that the driver of the fleeing vehicle is a juvenile and the original offense is not life threatening.
- e. When a traffic accident is observed during the course of the pursuit and there is no other unit reasonably available to render aid to any injured individuals.
- f. When an emergency call on campus is received there is no other unit reasonably available to respond.
- g. When an officer from another agency drives in a manner that recklessly endangers life or property, utilizes tactics inconsistent with this General Order, or otherwise unnecessarily endangers our officers, the public, or the violator.
- h. When more units join a pursuit than authorized by this General Order.
- i. The distance between the primary police vehicle and the violator is such that sight is not maintained with the violator.
- j. The violator drives in manner as to recklessly endanger others such that continuing the pursuit is inherently more dangerous to the public than the danger posed by allowing the violator not to be apprehended.

Officers may not pursue a violator the wrong way on any interstate, limited access, or divided highway.

During a pursuit, the officer should utilize the following tactics.

- a. When driving as the Primary Unit, communicate with Dispatch, Command officer (if available), and any assisting units. Radio communication responsibility should be deferred to a Back-up Unit, if possible.
- b. Maintain, to the best of the officer's ability, a safe following distance (approximately 3 to 5 seconds) behind the violator. This is to avoid "pushing" the violator into more drastic behavior, give the violator the

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opportunity to give up, and allow the officer room to react and maneuver as necessary.

No more than one Back-up Unit will actively participate in the pursuit. The Back-up Unit will utilize the following tactics.

NOTE: The following apply only to LCC PD officers. An officer from another agency assisting in a LCC PD initiated chase would be governed by that agency's guidelines. If an officer from another agency engages in tactics contrary to this General Order, the LCC PD officers are to immediately terminate their involvement in the pursuit.

- a. Take over radio communications from the Primary Unit officer.
- b. Maintain a safe distance (approximately 5 or more seconds) behind the Primary Unit, but close enough to render assistance as needed.
- c. Be prepared to take over the Primary Unit responsibility, if requested by the Primary Unit.

Officers other than the Primary Unit and Back-up Unit may act as assisting officers, but should not operate in emergency run mode, unless instructed by a Command officer. Tactics such as paralleling a pursuit in emergency run mode should not be utilized. An example of an acceptable assisting officer action would be to hold traffic at an intersection in an effort to keep the traveling public from crossing in front of a pursuit.

LCC PD officers shall not join in another agency's pursuit unless specifically authorized by a LCC PD Command officer. In the event an LCC PD Command officer is not available, LCC PD officers shall not join another agency's pursuit unless ALL of the following factors are met.

- a. There are no other units from any other police agency available to assist.
- b. The violator being pursued is wanted for a felonious crime of violence and poses an immediate threat to the safety of the public if not arrested.
- c. The pursuit is or will be passing through the immediate vicinity of campus.

Officers must be aware that in some instances a motor vehicle could be viewed as an instrument of force. As a result, tactics such as intentional collisions, partial or complete roadblocks, or other similar actions could be viewed as the use of deadly force.

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Officers should not pull alongside of or attempt to overtake or pass a fleeing suspect. "Boxing in" maneuvers and so called "rolling roadblocks" create a high probability of contact between the officer's and subject's vehicle. As a result, these techniques are prohibited except in such circumstances in which deadly force is justified.

The use of a roadblock as a pursuit tactic means the establishment of a barrier across a part or the whole of the traveled portion of a roadway, either as a moving barrier (as in the case of vehicles placed in front of a fleeing vehicle) or stationary. LCC PD officers shall not establish, or assist in the establishment, of a roadblock except in circumstances in which deadly force is justified.

The use of intentional collision pursuit tactics (commonly known as a "PIT maneuver" – or precision immobilization technique, pursuit immobilization technique, pursuit intervention technique, or similar terms) with a violator vehicle by an officer's vehicle as a pursuit tactic to cause the fleeing vehicle's operator to stop is prohibited.

If an officer could use their patrol vehicle in some way to save another officer or an innocent civilian from imminent death or serious physical injury, the circumstances must justify the use of deadly force AND all other reasonable means of intervention or apprehension have been exhausted unless time does not allow.

Discharging a firearm at a moving vehicle is prohibited, except:

- a. If the use of deadly force is justified, AND
- b. All other means of apprehension of the violator are either unavailable or have been exhausted, AND
- c. The risk of harm to innocent persons can be reasonably avoided should the moving vehicle fail to stop or lose control.

An Incident Report will be completed any time an officer stops or attempts to stop a violator and that violator commits or attempts to commit the offense of fleeing and eluding as defined by MCL 257.602a(1). An Incident Report will be completed any time an officer assists another agency to any degree with another agency's pursuit. All LCC PD officers involved in a pursuit shall either write the initial report or a supplemental report detailing their involvement in the pursuit.

An Internal Investigation will be conducted each time a LCC PD officer is involved in or assists in a pursuit, regardless of whether the pursuit was initiated

by LCC PD or another agency. The purpose of the Internal Investigation is to determine if any violations of this General Order occurred, to determine if the pursuit revealed any modifications needed to existing General Orders, to identify the need for additional training of the officers involved, review the effectiveness of Command officer involvement in the pursuit or the officer's effectiveness in the absence of Command officer involvement, and to determine if any modifications to departmental training are in order.

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