



Lunenburg Police Department

Policy Number: 1.31	Subject: Occupant Safety Restraints
Issue Date: 03/08/2004 Revision Date(s): 05/18/2015; 10/18/2021; 2/3/2022 Effective Date: 03/08/2004	Massachusetts Police Accreditation Standards Referenced: 41.3.3
Issuing Authority: <i>Chief Thomas L. Gammel</i>	

I. 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 Department vehicles.

II. DISCUSSION

Research clearly indicates that the use of safety belts has a 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 of death and serious injury and assists officers in maintaining proper control of their vehicles in pursuit and/or emergency high-speed operations.

III. 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. [41.3.3]

IV. 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. **[41.3.3]**
- 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.
- D. No person shall operate a Departmental vehicle in which any safety belt in the driver's 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 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 Department vehicle(s) 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 restraint latch plate. If officer encounters an unruly prisoner or if the application of the safety belt would jeopardize the safety of the officer, prisoners may be transported without the use of a safety belt.
- H. An officer operating in an undercover capacity may be exempt **only** if the officer believes the use of the safety belt will comprise 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 in fact going to stop. This prevents becoming involved in a pursuit without the use of a safety belt.

V. DRIVER AND/OR PASSENGER NEGLIGENCE

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