



Fitchburg State University Police Department

Subject: USE OF SEATBELTS	
Reference: MPAC: 41.3.3 IACLEA: N/A	
Rescinds: Section 46	
Effective Date: May 19, 2020	Review Date:
By Order of: Michael J Cloutier, Chief of Police	

General Order

9.1.2

PURPOSE:

This policy establishes the procedure for use of seat belts by members of the Fitchburg State University Police Department and others when riding in department vehicles.

POLICY:

The proper use of seat belts by police officers can have a significant effect in reducing the number of police deaths as well as the severity of injuries officers may sustain as the result of traffic accidents. In addition, the regular use of seat belts assists officers in maintaining proper control of their vehicles during pursuit or emergency high-speed operations.

Therefore, it is the policy of this department that all employees, while operating department vehicles, will adhere to all Federal, State, and local regulations governing the use of occupant safety restraint devices. This policy requires the use of seat belts by the driver and all passengers, detainees, and arrestees in all Fitchburg State University Police Department vehicles when the vehicle is in motion. This policy shall also include all private vehicles operated by or used to transport police officers to schools, court, and any other official business authorized by the department, subject to the following:

PROCEDURES:

A. Operator Responsibility

It is the responsibility of the operator of any Fitchburg State University Police Department police vehicle to ensure that he/she, and all passengers, detainees and arrestees, wear a seat belt, with the following exceptions:

1. Officers may remove seat belts when they are within reasonable proximity of the reported location of any call, prior to stopping any motor vehicles, approaching any suspicious activity or other unique, uncommon situation where the individual officer feels wearing the seat belt may create a safety problem for the officer (speed less than 10 MPH).
2. Officers are not required to wear seat belts when they would be required to exit their patrol vehicles frequently within a short distance, e.g., parking tickets, (speeds less than 10 MPH).
3. Officers are not required to wear seat belts when the patrol vehicle is in a parked or stationary position.
4. Officers and their passengers will not be required to wear seat belts when an officer is functioning in an undercover status.
5. When an arrestee/detainee has an injury that may be aggravated by the use of restraint. An ambulance should be strongly considered under these circumstances.
6. When an employee has documentation from a physician, approved by the Chief of Police and with consultation with the Office of Human Resources, stating that the wearing of a seat belt may aggravate an existing injury that the employee has suffered. Consideration should be given to assigning this employee to duties not requiring the utilization of a vehicle requiring the use of seat belts.

B. Equipment

1. The equipping of police vehicles with supplemental restraint systems (air bags) does not replace the use of seat belts.
2. Each patrol officer shall be responsible for reporting in writing, as well as verbally, any seat belt malfunction to the shift supervisor or officer in charge immediately on encountering such malfunction.
3. Upon receiving knowledge that a seat belt is not working properly, the shift supervisor shall then be responsible for reassigning the officer into another vehicle that has a properly working seat belt. Officers will not be allowed to operate a vehicle with a malfunctioning seat belt without permission of the shift supervisor.

C. Responsibility

1. The shift supervisor shall be held directly responsible for compliance of this policy at all times.

D. Violations

1. Any violation of this policy shall not exempt an employee from receiving benefits in relation to an injury sustained on duty in a police vehicle. The employee, however, may be subject to departmental disciplinary action.

Approval:



Chief of Police

05/19/2020

Date