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| Policy Name: | INTERSECTION SAFETY CAMERAS – EMPLOYEE VIOLATION TICKETS | | |
| Policy #: | OP 4.36.6 | Last Updated: | 2022-06-08 |
| Issued By: | COMMUNITY POLICING BUREAU | Approved By: | SURREY POLICE BOARD |
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RELATED POLICIES

OP 4.36.1 *Emergency Vehicle Operations (EVO)*

OP 4.36.2 *Police Pursuits*

1. PURPOSE

- 1.1. To ensure Members comply with the British Columbia (BC) *Motor Vehicle Act* (MVA), BC *Emergency Vehicle Driving Regulation* (EVDR), and BC Provincial Policing Standards in the operation of emergency vehicles.
- 1.2. To ensure Employees are accountable for their driving behaviour while operating a Surrey Police Service (SPS) Vehicle.

2. SCOPE

- 2.1. This policy applies to all Employees.

3. POLICY

- 3.1. To reduce the number of motor vehicle collisions at intersections, police agencies throughout the province, the provincial government, and the Insurance Corporation of BC (ICBC) coordinate the Intersection Safety Camera Program. As a result, the provincial integrated Traffic Camera Unit has installed Intersection Safety Cameras (ISC) at intersections throughout the Lower Mainland.
- 3.2. During their duties, Members may be required to respond to urgent calls for service in an emergency manner that would normally violate the rules of the MVA. If an emergency vehicle is driven a Member and it exceeds the speed limit and/or disobeys a red light and the event is captured by an ISC, the Member operating the vehicle may be required to explain the reasons and

provide justification for their driving decisions and actions in exercising the exemptions for emergency vehicle operation granted under section 122(1) of the MVA.

- 3.3. Employees operating an SPS Vehicle that exceeds the speed limit and/or disobeys a red light and the event is captured by an ISC and are not authorized to exercise the privileges for emergency vehicle operation granted by section 122(1) of the MVA will be held accountable for the Violation Ticket.

4. PROCEDURE

Authority

- 4.1. Members operating SPS Vehicles are required to do so with consideration for public safety and drive in accordance with the rules of the MVA.

- 4.2. In accordance with the provisions of the EVDR, Members may respond Code 3 and exercise the privileges granted in section 122(1) MVA if:

- i. the Member has reasonable grounds to believe that the risk of harm to the public from the exercise of those privileges is less than the risk of harm to the public should those privileges not be exercised; and
- ii. operates emergency equipment.

- 4.3. The privileges granted under section 122(1) MVA allow a Member operating an emergency vehicle to:

- i. exceed the speed limit;
- ii. proceed past a red traffic control signal or stop sign without stopping;
- iii. disregard rules and traffic control devices governing the movement or turning in specified directions; and
- iv. stop or stand.

- 4.4. If a Member is exercising privileges granted in section 122(1) MVA and operating an emergency vehicle without equipment activated, the Member must stop at a red light and may then disregard the red light and proceed through the intersection if the Member has reasonable grounds to believe it is safe to do so (see policy OP 4.36.1 *Emergency Vehicle Operations (EVO)*).

Member

- 4.5. Upon being notified that an SPS emergency vehicle that a Member operated was involved in an ISC Incident (speeding and/or red light violation), the Member may be required to provide a Duty Report to their Supervisor explaining their actions if it cannot be readily determined that the Member was justified in exercising the privileges granted in section 122(1) MVA.

4.6. If it is determined that the Member was not justified in their actions at the intersection, the Member may be required to pay the fine associated with the ISC Incident and/or be named as a Respondent in a *Police Act* investigation.

Civilian Employee

4.7. If a civilian Employee operates an SPS Vehicle while on duty and the vehicle is associated to an ISC Incident, the civilian Employee will be accountable for paying the Violation Ticket.

Supervisor

4.8. Upon being notified by the Inspector, Road Safety Section or designate that a Member under the Supervisor's command was believed to have operated a motor vehicle involved in an ISC Incident and it cannot be determined from the ISC images or other means (e.g., Computer Aided Dispatch (CAD) call) that a Member was justified in exercising the privileges granted under section 122(1) of the MVA, the Supervisor must:

- i. take the necessary steps to identify the driver of the vehicle;
- ii. once identified, notify the Member of the ISC Incident and request that the Member provide a Duty Report explaining their actions;
- iii. provide the Member with five (5) business days to complete the Duty Report;
- iv. once the Duty Report is received from the Member, review the Member's reason(s) for committing the infraction; and
- v. forward the Duty Report along with the Supervisor's recommendations Inspector, Road Safety Section.

4.9. If the Supervisor is informed that the Member was found to not be justified in exercising the privileges granted in section 122(1) MVA, the incident will form part of the Member's annual Performance Evaluation.

Civilian Supervisor

4.10. A civilian Supervisor will be informed when an Employee whom the Supervisor is responsible for receives an ISC Violation Ticket. The incident will form part of the Employee's annual Performance Evaluation.

Inspector, Road Safety

4.11. The Inspector, Road Safety Section is responsible for receiving ISC Violation Tickets registered to SPS Vehicles from the provincial integrated Traffic Camera Unit.

4.12. Upon receipt of an ISC Violation Ticket, the Inspector, Road Safety or designate, will:

- i. determine the person who had signed out the vehicle at the time of the incident and whether the person is a civilian Employee or Member;

- a. if the vehicle was operated by a Member attempt to determine if the Member was operating the emergency vehicle in compliance with the exemptions granted under section 122(1)MVA (e.g., emergency lights activated, CAD call review, etc.);
- b. if the vehicle was operated by a civilian Employee, notify the Employee's Supervisor and Human Resources that the Employee is responsible for the Violation Ticket;
- ii. If the vehicle was operated by a Member and it could not be determined whether the Member was justified in operating the vehicle in accordance with the privileges granted in section 122(1) MVA, inform the Member's Supervisor, requiring the Member to provide a Duty Report explaining their actions.

4.13. Upon receipt of a Member's Duty Report, with the Supervisor's recommendations, the Inspector, Road Safety will review the report and:

- i. if satisfied the Member was justified in exercising the privileges granted in section 122(1) MVA, inform the provincial Integrated Traffic Camera Unit requesting the Violation Ticket be cancelled;
- ii. if the Inspector, Road Safety is not satisfied that the Member was justified in their actions, and the Member is responsible for paying the ticket, notify in writing the:
 - a. Member;
 - b. Member's Supervisor; and
 - c. Employee Services Section.
- iii. if the violation was egregious (e.g., excessive speeding, red light in high traffic/pedestrian volume, public put at risk, etc.), notify Professional Standards Section for further review.

APPENDIX A: DEFINITIONS

“CAD” means Computer Aided Dispatch.

“Code 3” means an urgent response in an emergency vehicle while operating emergency equipment (emergency lights and siren). Members shall only exercise the privileges granted by section 122(1) of the *Motor Vehicle Act* and respond without the use of full emergency equipment when an operational need requires such a response, and they comply with section 4(2) of the *Emergency Vehicle Driving Regulation*.

“Duty Report” means a report directed by a Supervisor for a Member to complete that accounts for the circumstances and the Member’s actions in relation to a matter.

“Employee” means a sworn Member or Civilian Employee appointed by the Surrey Police Board.

“EVO” means emergency vehicle operation.

“ICBC” means the Insurance Corporation of British Columbia.

“ISC” means Intersection Safety Camera.

“ISC Incident” means a Violation Ticket issued for speeding and / or disobey red light captured on an Intersection Safety Camera.

“Member” means a sworn Police Officer appointed by the Surrey Police Board.

“SPS Vehicle” means a motor vehicle or emergency vehicle that is owned or leased by Surrey Police Service.

“Supervisor” means a Team Leader, Manager, Sergeant, Staff Sergeant, Inspector, Superintendent, Deputy Chief Constable, Chief Constable, and any other person acting in a Supervisory capacity who is accountable for a particular area or shift on behalf of SPS.

APPENDIX B: REFERENCES

BC Provincial Policing Standards - *Emergency Vehicle Operations*, Section 3.2.4

Motor Vehicle Act, R.S.B.C. 1996, c. 318

Motor Vehicle Act Regulations, B.C. Regulation 26/58

Emergency Vehicle Driving Regulation, B.C. Regulation 133/98