

DALTON POLICE DEPARTMENT

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I. Policy

The policy of the Dalton Police Department is to improve roadway safety for all motorists in Dalton and to reduce the number of injuries caused by motor vehicle collisions through active enforcement of and adherence to occupant protection laws.

II. Definition

Passenger vehicle – Every motor vehicle, including, but not limited to, pickup trucks, vans, and sport utility vehicles, designed to carry fifteen (15) passengers or fewer and used for the transportation of persons. This shall not include motorcycles, motor driven cycles, off-road vehicles, or pickup trucks being used by an owner, driver, or occupant eighteen (18) years of age or older in connection with agricultural pursuits that are usual and normal to the user's farming operations.

III. Enforcement

- A. Enforcement of occupant protection laws is an essential strategy in the reduction of injuries caused by motor vehicle collisions.
- B. All steps should be taken to ensure all persons traveling in passenger vehicles on the roadways of Dalton are properly restrained, in accordance with laws governing the State of Georgia.
- C. As required by O.C.G.A. 40-8-76.1, each occupant of the front seat of a passenger vehicle shall, while such passenger vehicle is being operated on a public road, street, or highway, be restrained by a safety belt approved under Federal Motor Vehicle Safety Standard 208. The following exemptions apply:
 - 1. A driver or passenger frequently stopping and leaving the vehicle or delivering property from the vehicle, if the speed of the vehicle between stops does not exceed fifteen (15) miles per hour
 - 2. A driver operating a passenger vehicle in reverse

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3. A driver or passenger possessing an official certificate or license endorsement issued by the appropriate agency in another state or country indicating that the driver is unable, for medical, physical, or other valid reasons, to wear a seat safety belt
 4. A driver or passenger possessing a written statement from a physician that such person is unable, for medical or physical reasons, to wear a seat safety belt
 5. A passenger vehicle with a model year prior to 1965
 6. A passenger vehicle operated by a rural letter carrier of the United States Postal Service, while performing duties as a rural letter carrier
 7. A passenger vehicle which is not required to be equipped with seat safety belts under federal law
 8. A passenger vehicle from which a person is delivering newspapers
 9. A passenger vehicle performing an emergency service
- D. Children between the ages of eight (8) and seventeen (17) must be restrained by a safety belt in compliance with Federal Motor Vehicle Standard (FMVSS) 208. This applies to all seating positions within all passenger vehicles. (O.C.G.A. 40-8-76)
- E. Children under the age of eight (8) are required to be properly restrained within a child passenger restraining system appropriate for such child's height and weight and approved by Federal Motor Vehicle Safety Standard 213 (O.C.G.A. 40-8-76). All child passenger restraint systems must be utilized correctly per manufacturer instructions. The following are exemptions to the use of child passenger restraining systems:
1. Vehicles for hire
 2. Public transit vehicles
 3. If the child's parent or guardian obtains a physician's written statement that a physical or medical condition of the child prevents placing or restraining him or her in the manner required by O.C.G.A. 40-8-76
 4. If the parent or guardian can show the child's height is over 4 feet and 9 inches, such child shall be restrained in a safety belt, as required in O.C.G.A. 40-8-76.1.

IV. **Departmental Safety Belt Usage**

- A. To reduce the risk of serious injury to all personnel and to comply with Georgia law, safety belts shall be worn by drivers and passengers in all vehicles owned, leased, or rented by the Department at all times.

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- B. All employees shall properly use the safety belts installed by the vehicle manufacturer when operating or riding in any Department vehicle that is so equipped.
- C. The driver of a Department vehicle is responsible for ensuring compliance to all occupant protection laws and policies by all occupants of the vehicle he / she is operating. Approved child safety restraint systems shall be used for all children of age, size, or weight for which such restraints are prescribed by law.
- D. No person shall modify, remove, deactivate, or otherwise tamper with the safety belts of a Department vehicle except for vehicle maintenance and / or repair and not without the express authorization of the Chief of Police.
- E. Any person (arrestee, ride-along, etc.) being transported in a Department vehicle, regardless of seating position, shall be secured in the vehicle by a safety belt.
- F. In the event that a person under arrest or in custody is unable to be properly restrained in a Department vehicle during transport, the transporting Officer shall document in an incident or supplement report the reason for not securing the person in a safety belt.
- G. Exceptions to the Use of Safety Belts by Officers
 - 1. An Officer operating in an undercover capacity may be exempt only if the Officer believes the use of the safety belt will compromise his / her identity during an undercover operation.
 - 2. To provide for a quick exit from the vehicle, an Officer may remove his / her safety belt when arriving at an emergency call or making a traffic stop. Caution should be exercised to ensure that the traffic stop violator is in fact going to stop prior to the Officer removing the safety belt.
 - 3. When on patrol, if a situation arises where an Officer needs flexibility of movement in the vehicle or the ability for immediate exit, the safety belt may be released.

This policy supersedes any previous policies issued.

BY ORDER OF

CHIEF OF POLICE

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