DEPARTMENT OF CORRECTIONS

Policy Number:	**107.060**
Title:	**Vehicle Operation – OSI**
Effective Date:	**1/7/20**

PURPOSE: To set guidelines for safe, proper, and lawful use of Minnesota state-issued vehicles.

APPLICABILITY: Office of special investigations (OSI), fugitive apprehension unit members (FAUMs)

DEFINITIONS:

Authorized emergency vehicle – publicly owned police vehicle used by a police officer for police work under agreement, express or implied, with the local authority to which the officer is responsible.

Fugitive apprehension unit (FAU) – unit comprised of law enforcement officers sworn under oath to the Minnesota Department of Corrections (DOC).

Opticom™ – electrical component that, when activated, emits a strobe light and an infrared pulse that changes traffic lights to give the emergency vehicle the right of way at an intersection.

Unmarked police vehicle – Any FAUM vehicle without identifying markings.

Vehicular pursuit – occurs when a driver or an operator of a motor vehicle, who has been given a visual or audible signal by a FAUM or other law enforcement officer to stop, fails to obey that signal and appears to be attempting to elude or flee the officer.

PROCEDURES:

A. Fugitive apprehension unit members (FAUMs), under normal conditions, operate police vehicles in the same manner as required of the public.

B. Minn. Stat. § 169.541 exempts peace officers from statutes regarding the lighting of vehicles and watercraft.

1. The exemption from statutes regarding such lighting only apply while FAUM are operating a motor vehicle or watercraft owned, leased, or otherwise the property of the state.

2. In operating the vehicle, the FAUM must reasonably believe that operating the vehicle without lights is necessary under the circumstances to investigate a criminal violation or suspected criminal violation of state laws, rules, or orders of local laws, ordinances, or regulations.

3. The FAUM's conduct must be reasonable and consistent with the standards adopted by the Minnesota Peace Officer Standards and Training (POST) Board.

4. FAUMs may not operate without lights on interstate highways at speeds greater than what is reasonable and prudent under existing weather and road conditions.

5. Operation of the vehicle must be consistent with any of the elements listed in Minn. Stat. § 169.541, or any other written DOC policies.

C. MN DOC OSI peace officers who have successfully completed an emergency vehicle operations course (EVOC) with supervisory approval are authorized to operate emergency vehicles during pursuits, or at times which exempt the officer due to official duties.

1. EVOC training must be done by a Minnesota Peace Officers Standards and Training (POST) approved course instructor, and the record retained in the agency-approved electronic training management system.

2. FAUMs who have expired in their training may still operate a Minnesota state-issued vehicle, but may not operate the vehicle in any means outside of required traffic regulations.)

D. FAUMs must comply with DOC Policy 107.061 during any pursuits.

E. FAUMs responding to a "Code 3 emergency" must exercise caution, and due consideration for the safety of the public. Minn. Stat. §§ 169.03 and 169.17 require the use of red lights (to the front) or a siren for emergency vehicles. The speed limitations set forth in Minn. Stat. §§ 169.14 to 169.17 do not apply to authorized emergency vehicles when responding to emergency calls.

F. FAUMs must use one red light (to the front) or a siren in a continuous manner for emergency driving in accordance with Minn. Stat. § 169.17. FAUMs must use Opticoms™ where practical.

G. The driver of any authorized emergency vehicle, when responding to an emergency call, upon approaching a red light or stop sign must slow down as necessary for safety, but may proceed cautiously past such red or stop signs or signals while complying with Minn. Stat. § 169.03, Subd. 2.

INTERNAL CONTROLS:

A. FAUMs training records must be recorded in the training management system and must be approved by the supervisor.

B. A certificate of completion for the EVOC law enforcement pursuit driving course must be maintained by the FAUM, and retained in the agency-approved electronic training management system.

ACA STANDARDS: None

REFERENCES: Minn. Stat. §§ 169.011, subd. 3; 169.03; 169.14; 169.17; and 169.541
Minnesota Peace Officers Standards and Training (POST) Board

REPLACES: Policy 107.060, "Vehicle Operation - OSI," 5/1/18.
All memos or other communications whether verbal, written, or transmitted by electronic means regarding this topic.

ATTACHMENT: None

APPROVALS:
Deputy Commissioner, Community Services
Deputy Commissioner, Facility Services
Assistant Commissioner, Operations Support
Assistant Commissioner, Facility Services