
SENATE COMMITTEE ON PUBLIC SAFETY

Senator Nancy Skinner, Chair

2017 - 2018 Regular

Bill No: SB 587 **Hearing Date:** April 18, 2017
Author: Atkins
Version: February 17, 2017
Urgency: No **Fiscal:** Yes
Consultant: JRD

Subject: *Emergency Vehicles: Blue Warning Lights*

HISTORY

Source: State Coalition of Probation Organizations

Prior Legislation: AB 2224 (Achadjian) Died in Assembly Transportation, 2016

Support: Association for Los Angeles Deputy Sheriffs; Association of Deputy District Attorneys; Association of Orange County Deputy Sheriffs; California Association of Code Enforcement Officers; California College and University Police Chiefs Association; California Narcotic Officers Association; California State Sheriffs' Association; Chief Probation Officers of California; California Statewide Law Enforcement Association; Fraternal Order of Police; Kern County Probation Officers Association; Long Beach Police Officers Association; Los Angeles County Professional Peace Officers Association; Los Angeles Deputy Probation Officers Union; Los Angeles Police Protective League; Orange County Employees Association; Riverside Sheriffs Association; Sacramento County Deputy Sheriffs Association; Sacramento County Probation Association; San Joaquin County Probation Officers Association; Ventura County Professional Peace Officers' Association

Opposition: None known

PURPOSE

The purpose of this legislation is to authorize probation officers to display a blue warning light on their authorized emergency vehicles if the officer completes an emergency vehicle operations course certified by the Commission on Peace Officer Standards and Training (POST).

Existing law defines an "authorized emergency vehicle" to include "[a]ny vehicle owned or operated by any department or agency of the United States government when the vehicle is used in responding to emergency fire, ambulance, or lifesaving calls or is actively engaged in law enforcement work." (Vehicle Code § 165.)

Existing law states that the driver of an authorized emergency vehicle is exempt from a variety of vehicle code requirements, under all of the following conditions:

- If the vehicle is being driven in response to an emergency call or while engaged in rescue operations or is being used in the immediate pursuit of an actual or suspected violator of the law or is responding to, but not returning from, a fire alarm, except that fire department vehicles are exempt whether directly responding to an emergency call or operated from one place to another as rendered desirable or necessary by reason of an emergency call and operated to the scene of the emergency or operated from one fire station to another or to some other location by reason of the emergency call.
- If the driver of the vehicle sounds a siren as may be reasonably necessary and the vehicle displays a lighted red lamp visible from the front as a warning to other drivers and pedestrians.

(Vehicle Code § 21055.)

Existing law provides that Section 21055 does not relieve the driver of a vehicle from the duty to drive with due regard for the safety of all persons using the highway, nor protect him from the consequences of an arbitrary exercise of the privileges granted in that section. (Vehicle Code § 21056.)

Existing law requires that every authorized emergency vehicle be equipped with at least one steady burning red warning lamp visible from at least 1,000 feet to the front of the vehicle to be used as provided in this code. In addition, authorized emergency vehicles may display revolving, flashing, or steady red warning lights to the front, sides or rear of the vehicles. (Vehicle Code § 25252.)

Existing law provides that every authorized emergency vehicle may be equipped with a system which flashes the upper-beam headlamps of the vehicle with the flashes occurring alternately from the front headlamp on one side of the vehicle to the front headlamp on the other side of the vehicle. The flashing of the headlamps must consist only of upper-beam flashing, and not the flashing of any other light beam. This system can only be used when an authorized emergency vehicle is being operated pursuant to Section 21055. (Vehicle Code 25252.5.)

Existing law allows an authorized emergency vehicle operating under the conditions specified in Section 21055 to display a flashing white light from a gaseous discharge lamp designed and used for the purpose of controlling official traffic control signals. (Vehicle Code § 25258(a).)

Existing law allows authorized emergency vehicle used by a peace officer, as defined, in the performance of the peace officer's duties, to, in addition, display a steady or flashing blue warning light visible from the front, sides, or rear of the vehicle. (Vehicle Code § 25258(b).)

Existing law allows any authorized emergency vehicle to display flashing amber warning lights to the front, sides, or rear. A vehicle operated by a police or traffic officer while in the actual performance of his or her duties may display steady burning or flashing white lights to either side mounted above the roofline of the vehicle. Any authorized emergency vehicle may display not more than two flashing white warning lights to the front mounted above the roofline of the vehicle and not more than two flashing white warning lights to the front mounted below the roofline of the vehicle. (Vehicle Code § 25259.)

Existing law requires POST to implement a course or courses of instruction for the regular and periodic training of law enforcement officers in the handling of high-speed vehicle pursuits and shall also develop uniform, minimum guidelines for adoption and promulgation by California law enforcement agencies for response to high-speed vehicle pursuits. The guidelines and course of instruction are required to stress the importance of vehicle safety and protecting the public at all times, include a regular assessment of law enforcement's vehicle pursuit policies, practices, and training, and recognize the need to balance the known offense and the need for immediate capture against the risks to officers and other citizens of a high-speed pursuit. These guidelines must also be a resource for each agency executive to use in the creation of a specific pursuit policy that the agency is encouraged to adopt and promulgate, and that reflects the needs of the agency, the jurisdiction it serves, and the law. (Penal Code § 13519.8.)

This bill authorizes probation officers to display a blue warning light on their authorized emergency vehicles if the officer completes an emergency vehicle operations course certified by POST.

COMMENTS

1. Need for Legislation

According to the author:

Although probation peace officers are authorized to display red, white, and yellow lights, current law does not authorize them to display emergency blue warning lights on authorized emergency vehicles. This is a critical gap in officer safety and emergency response.

Probation officers apprehend and transport probationers and persons arrested for new crimes in situations in which a blue warning light could be used to alert other officers and the public to their presence. Probation peace officers also are called upon for assistance by other law enforcement agencies during emergencies but cannot display blue warning lights to alert those officers on scene.

Probation peace officers serve on multiple task forces throughout the State, including High Tech Crime, Sex Offender, Vehicle Theft, Post Release Community Supervision “PRCS,” and the U.S Marshals. In the taskforce setting, probation officers need to be able to display emergency blue lights to alert other officers and the public to their presence.

In many instances, probation peace officers are first on the scene of major emergencies. When terrorists attacked in San Bernardino County in 2015, probation officers were first to respond. Emergency blue warning lights would have facilitated those officers’ efforts to recover bodies, transport victims to medical care, and assist in securing the perimeter.

Without blue warning lights on probation emergency vehicles, other local law enforcement agencies are less likely to recognize, assist and support probation peace officers in the performance of these many critical duties.

SB 587 would allow emergency vehicles operated by probation peace officers to display blue warning lights upon the officer's completion of a POST- certified course. This change would allow all law enforcement officials, and the members of the public to identify probation officers immediately as law enforcement officers when they are present in an emergency or dangerous situation.

2. Effect of this Legislation

As stated above, this legislation authorizes probation officers to display a blue warning light on their authorized emergency vehicles if the officer completes an emergency vehicle operations course certified by POST.

POST currently provides 40 hours of vehicle operations training as part of the Regular Basic Course. This course teaches officers to, among other things:

- Determine a safe distance when following another vehicle
- Identify the effect of speed on a driver's peripheral vision
- Discuss how perception and reaction time affects a vehicle's total stopping distance
- Demonstrate appropriate actions to prevent intersection collisions
- Recognize potential hazards of freeway driving and appropriate actions to prevent collisions
- Demonstrate appropriate actions to prevent collisions when operating a vehicle in reverse
- Demonstrate the importance and proper use of safety belts in a law enforcement vehicle
- Identify psychological and physiological factors that may have an effect on a peace officer's driving
- Identify hazards of various road conditions
- Discuss the components of a vehicle inspection
- Demonstrate proper techniques for recognizing and coping with distractions while operating a law enforcement vehicle
- Identify the objectives of emergency response driving
- Explain the importance of agency-specific policies and guidelines regarding emergency response driving
- Identify the statutory responsibilities of non-law enforcement vehicle drivers when driving in the presence of emergency vehicles operated under emergency response conditions
- Demonstrate the use of emergency warning devices available on law enforcement vehicles
- Identify factors that can limit the effectiveness of a vehicle's emergency warning devices
- Demonstrate the use of communication equipment
- Identify the effects of siren syndrome
- Recognize guidelines for entering an intersection when driving under emergency response conditions

(Learning Domain 19; <https://post.ca.gov/regular-basic-course-training-specifications.aspx>.)

Probation officers do not currently receive this POST training – but, under this legislation would be required to have a version of this course in order to display blue lights. According to the sponsor, the training required by this legislation would not include training on high-speed vehicle

pursuits because probation officers do not engage in high-speed vehicle pursuits. That said, under existing law, probation officers arguably could be authorized by their agencies to engage in high-speed vehicle pursuits and members may wish to consider an amendment stating: “If a probation department authorizes its officers to conduct high-speed vehicle pursuits the training shall comply with Penal Code 13519.8.”

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