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**Testimony to the Senate Transportation Committee
In Support of SB62
February 7, 2019**

Chairman Petersen and Committee members:

SB62 is offered with the support of our three associations. This is an issue that we have heard raised more frequently in recent years.

Key provisions you will find in the bill are in subsection (a)(1) through (a)(5) [Page 1, lines 13-28] that provides the circumstances where the exemptions apply. It is not open ended but related to certain police activities. The most important one is on page 2, lines 9-11, which clearly “shall not relieve the driver of an authorized emergency vehicle from the consequences of reckless disregard for the safety of others.” This is very important. We train our officers to conduct operations safely and reasonably. If an officer acts unreasonably or recklessly the officer can and should be held accountable.

When our members started inquiring about proposing this bill, we found other states had implemented similar statutes in various forms and various breadth of application. We fashioned this proposal after the S. Carolina statute. In working with revisors it was suggested we establish a separate statute rather than blend the proposal with the emergency vehicle operation statute like S. Carolina had done. We agreed the revisor’s suggestion added clarity. It also allows to be slightly more restrictive in the case of certain exempted statutes.

The situations this bill is intended to address is what experts refer to as acceptable police practices. They include actions that enhance officer and public safety when responding to certain calls and surveillance of suspected violators. These situations included very basic traffic activity to responding to criminal activity. They include:

- Stopping or Parking
 - In median of divided highway for traffic enforcement.
 - In parking restricted zone when responding to calls for service.
- Red lights, with added provision the vehicle must be brought to a stop before safely proceeding.
 - Responding to and in the proximity of calls such as prowlers, home invasions, crimes in progress.
 - Attempting to keep a suspect under observation.
 - Surveillance operations.

- Speeding when done reasonably and not endangering life or property.
 - Catching up with traffic violator.
- Early activation of emergency equipment may induce a pursuit.
 - Expediting a response when in the proximity of calls such as prowlers, home invasions, crimes in progress.
- Turning and directional movements.
 - U-turns to pursue violators.
 - Turning movements to pursue violators more quickly arrive at call.
 - Short distances on one-way street to approach calls such as prowlers, home invasions, crimes in progress.
- Toll Booths
 - Surveillance operations
 - Catching up with violator
- Lighting equipment
 - Surveillance vehicles
 - Brake light cutout

We believe these exceptions are reasonable and are in line with common and acceptable police practices and are proposed with proper balance with officer responsibility to act in a reasonable and safe manner.

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