

Fennimore Police Department		
<b>Seatbelts</b>		
First Issued: 12/09/2013	Last Updated: 09/20/2020	Total Pages: 3
Policy Source: Chief of Police		Special Instructions: Amends all previous versions

**PURPOSE AND POLICY**

The use of seatbelts and other safety restraints significantly reduces the chance of death or injury in case of a traffic crash. This policy establishes guidelines for seatbelt and child safety seat use to promote maximum operator and passenger safety, thus reducing the possibility of death or injury as the result of a motor vehicle crash. This policy will apply to all employees operating or riding in department vehicles.

**DEFINITIONS**

- **Child passenger safety seat system:** An infant or child passenger restraint system that meets Federal Motor Vehicle Safety Standards set forth in 49 CFR 571.

**PROCEDURE**

**Wearing of Safety Restraints**

All department employees shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this department while on or off duty, or in any privately owned vehicle while on-duty. The employee driving such a vehicle shall ensure that all other occupants, including non-employees, are also properly restrained, Wis. Stat. § 347.48(2m).

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seatbelt would endanger the employee or the public. Employees must be prepared to justify any deviation from this requirement, Wis. Stat. § 347.48(2m)(dm).

## **Transporting Children**

Children under the age of 8 should be transported in compliance with Wisconsin's child safety restraint system requirements, Wis. Stat. § 347.48(4)(am). The Fennimore Police Department will maintain a rear facing car seat, a forward facing car seat and a booster seat for officer use. Fennimore Police Officers will receive training in the proper installation and use of the child car seats.

When the physical or medical needs of a child at least 4 years old make restraint by safety belt unreasonable, the child may be transported in an authorized emergency vehicle when the vehicle is being operated in the performance of official duties, Wis. Admin. Code Trans § 315.03(2). Employees should deactivate, if available, the passenger side airbag when appropriate, such as when transporting a rear-facing infant or child in the front seat.

## **Transporting Prisoners**

Whenever possible, prisoners should be secured in the prisoner restraint system in the rear seat of the patrol vehicle or, when a prisoner restraint system is not available, by seatbelts. The prisoner should be in a seating position for which seatbelts have been provided by the vehicle manufacturer. The prisoner restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

## **Inoperable Seatbelts**

No person shall operate a department vehicle in which the seatbelt in the driver's position is inoperable. No person shall be transported in a seating position in which the seatbelt is inoperable.

No person shall modify, remove, deactivate or otherwise tamper with the vehicle safety belt system, except for vehicle maintenance and repair staff, who shall do so only with the express authorization of the Chief of Police.

Employees who discover an inoperable restraint system shall promptly report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

## **Vehicles Manufactures Without Seatbelts**

Vehicles manufactured and certified for use without seatbelts or other restraint systems are subject to the manufacturer's operating requirements for safe use.

### **DISCLAIMER**

This policy is for internal use only and does not enlarge an officer's civil or criminal liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this policy may form the basis for departmental administrative action, but it is not intended for use in courts of civil or criminal jurisdiction.

/s/ Christopher J. French

09/21/2020

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Christopher J. French  
Chief of Police

Date