

	Abbotsford Police Department Policy	
	Operations	Officer Survival/Safety
	II.G.015	Use of Electronic Devices While Driving

PREAMBLE

Any person operating a motor vehicle in BC must comply with the provisions of the *Motor Vehicle Act* (MVA). Part 3.1 of the MVA addresses the use of Electronic Devices while driving.

Although the MVA provides a specific exemption for peace officers carrying out police duties, this policy imposes restrictions on Abbotsford Police Department (“AbbyPD”) employees which are intended to enhance the safe operation of Police Vehicles when using Electronic Devices.

PURPOSE

- (1) To provide direction to all AbbyPD employees regarding the use of Electronic Devices during the operation of a motor vehicle while carrying out their duties.

DEFINITIONS

- (2) **Code 3** – for the purposes of this policy, operating an Emergency Vehicle with Emergency Equipment engaged, while exercising any or all of the privileges granted under s.122 (1) (a)-(c) of the *Motor Vehicle Act*.

122 (1) Despite anything in this Part, but subject to subsections (2) and (4), a driver of an emergency vehicle may do the following:

- (a) exceed the speed limit;*
- (b) proceed past a red traffic control signal or stop sign without stopping;*
- (c) disregard rules and traffic control devices governing direction of movement or turning in specified directions;*

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- (3) **Electronic Device** - for the purposes of this policy, any electronic device requiring user input or manipulation, including, but not limited to a:

- (a) hand-held mobile telephone, including those capable of transmitting or receiving Messages;
 - (b) mobile data terminal;
 - (c) hand-held audio recording and playback device; and
 - (d) tablet.
- (4) **Hand Microphone** – a communication device consisting of a hand-held unit that:
- (a) is both receiver and microphone;
 - (b) is operated by a push and hold-to-talk function; and
 - (c) does not permit the simultaneous transmission and receipt of oral communication.
- For the purposes of this policy, a Hand Microphone is not considered a Hand-held Device.
- (5) **Hand-held Use** - in relation to an electronic device, holding the device (“**Hand-held Device**”) in a position in which it may be used for any function.
- (6) **Hands-free Device** – a secondary device enabling the user to send and receive telephone calls and/or Messages without holding the Electronic Device.
- (7) **Message** –text-based communication sent or received by computer, MDT or mobile phone.
- (8) **Mobile Data Terminal (MDT)** - a computerized device used in Police Vehicles to communicate with a central dispatch office or offices, to display mapping and to provide information relevant to the tasks and actions performed by the employee. For the purposes of this policy, an MDT is not considered a Hand-Held Device.
- (9) **Police Vehicle** – any vehicle owned, leased or rented by the AbbyPD, or otherwise under the control of the AbbyPD, including, but not limited to, marked and unmarked police cars, trucks, vans and motorcycles, and includes vehicles belonging to other police agencies which are under the control of AbbyPD employees.

POLICY

- (10) No portion of this policy is intended to prohibit or limit an employee from making safety-conscious decisions. When driving a vehicle, the safe operation of the vehicle is the employee’s primary responsibility.

- (11) Employees must be able to respond to other sounds, tones or radio calls and are therefore prohibited from using more than one ear-mounted listening device at a time.

Example: An employee using an earpiece in conjunction with hands-free technology is not permitted to use an earpiece in the other ear which is linked to a portable radio.

MOBILE DATA TERMINAL ("MDT")

- (12) If safe to do so, police officers and Operational Support Officers may use an MDT while driving a Police Vehicle at speeds up to 50 km/h.
- (a) EXCEPTION: In exigent circumstances, or when accessing the GPS map and select keyboard shortcuts, the MDT may be operated by the driver at speeds over 50 km/h.
- (13) Use of the MDT is of secondary importance to the safe operation of the vehicle. The operator will consider the need to safely stop the vehicle before using the MDT if such use could divert the operator's attention from the safe operation of the vehicle. When driving, the operator must continually assess current circumstances, including pedestrian and vehicle traffic, weather and road conditions, and will not operate the MDT when unsafe to do so. If there could be a compromise of safety, perceived or real, in any situation related to the use of an MDT, the operator is expected to use voice communications via a Hands-free Device or radio with Hand Microphone.
- (14) Except in exigent circumstances, police officers are prohibited from using an MDT while driving to an incident Code 3.

HANDS-FREE DEVICE

- (15) While driving a Police Vehicle, employees may make and receive audio- and text-based communications while using a Hands-free Device. Except in exigent circumstances, driver use of other Hand-held Devices while the vehicle is in motion is prohibited.