



**BY-LAW NO. 257 - 2003
A BY-LAW RESPECTING
MARKED GENERAL PATROL VEHICLES
(AI-008)**

1. PREAMBLE

- 1.1 WHEREAS subsection 31(1) of the *Police Services Act* provides that a Board is responsible for the provision of police services and for law enforcement and crime prevention in the municipality and shall:
- b. generally determine after consultation with the Chief of Police, objectives and priorities with respect to police service in the municipality;
 - c. establish priorities for the effective management of the police service, and
 - e. direct the Chief of Police and monitor his or her performance;
- 1.2 AND whereas subsection 4 (3) of the *Police Services Act* provides that the municipality is responsible for providing the infrastructure necessary to support adequate and effective police services, including vehicles;
- 1.3 AND whereas subsection 31(6) of the *Police Services Act* provides that the Board may, by by-law, make rules for the effective management of the police service;
- 1.4 AND whereas O. Reg. 3/99 prescribes standards for adequacy and effectiveness of police services;
- 1.5 AND whereas Part AI-008 of the Policing Standards Manual (2000), a copy of which is attached hereto as Appendix A, contains guidelines directing the Board, the Chief and members relative to marked general patrol vehicles;
- 1.6 AND whereas section 15 of O. Reg. 926 *Equipment and Use of Force Regulation* sets out what type of vehicle is not permitted to be used for general patrol vehicles.

NOW THEREFORE THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD ENACTS AS FOLLOWS:

2 DEFINITIONS

- 2.1 “Act” means *Police Services Act*, R.S.O. 1990, c.P.15, as amended;
- 2.2 “Board” means the Regional Municipality of Niagara Police Services Board;
- 2.3 “Chief” means the Chief of the Niagara Regional Police Service;
- 2.4 “Member” means a member of the Niagara Regional Police Service;
- 2.5 “Ministry” means the Ministry of the Public Safety and Security;

2.6 “Service” means the Niagara Regional Police Service;

2.7 “Marked Patrol Vehicle” means a vehicle used primarily for patrol/uniform function, which is conspicuously marked with police decals.

3 BOARD POLICY

3.1 The Board recognizes that issues relating to the function of marked patrol vehicles are an important component of the provision of police services and it is therefore the policy of this Board that marked general patrol vehicles be governed by and used only in accordance with the procedure set out by the Chief of Police as directed in this By-law.

4 DIRECTION TO THE CHIEF

4.1 PROCEDURES

4.1.1 The Chief of Police shall develop and maintain written procedures that govern the use and function of marked general patrol vehicles.

4.1.2 The procedures referred to above shall:

- (a) address the functions of marked general patrol vehicles;
- (b) ensure that all marked general patrol vehicles meet required specifications;
- (c) ensure that regular maintenance, inspection and replacement of the Service’s marked general patrol vehicles;
- (d) ensure that marked patrol vehicle equipment is maintained in operable condition;
- (e) address the acquisition of patrol vehicles and related equipment;
- (f) ensure the resources required for marked patrol vehicles are within budgetary requirements;
- (g) ensure that any markings are limited to required police markings, Niagara Regional Police division, unit and operational markings, emblems in honour of the country and/or the province; and emblems in recognition of the Niagara Regional Police honours; and
- (h) that alterations to the markings on patrol vehicles as set out in sub-section (g) not be permitted without prior approval of the Board.

4.1.3. The procedures referred to above shall be in accordance with Appendix A.

4.2 EQUIPMENT

4.2.1 The Chief shall ensure that Members involved with operating marked general patrol vehicles have available and use appropriate tools and equipment in performing this function.

4.2.2 The procedures established above shall be in accordance with Appendix A.

5 REPORT TO THE BOARD

5.1 ANNUAL REPORTING REQUIREMENTS

5.1.1 The Chief shall make a written report to the Board on or before August 30 of each year. The report shall include:

- a. a summary of the written procedures regarding marked general patrol vehicles;
- b. the status of Service compliance with said procedures;
- c. the total number of police vehicles and kilometers travelled; and
- d. as part of the budget and procurement process, the Chief shall report on the acquisition of police vehicles.

6 IMPLEMENTATION

6.1 This By-law shall come into force upon the date of its passage.

6.2 The Chief shall implement this By-law, where applicable, through general order.

ENACTED AND PASSED this day of 2003.

THE REGIONAL MUNICIPALITY OF NIAGARA POLICE SERVICES BOARD

Signed Original on File
Chairperson

Signed Original on File
Executive Director

Legislative/Regulatory Requirements

Under the *Police Services Act (PSA)*, municipalities are responsible for providing the infrastructure necessary to support adequate and effective police services, including vehicles.

Section 15 of the *Equipment and Use of Force Regulation* sets out what type of vehicle is not permitted to be used for general police patrol purposes.

In addition, the *Occupational Health and Safety Act* defines the responsibilities of employers, supervisors and workers with respect to the use of equipment related to the workplace.

Note: The subject of this guideline is limited to marked general patrol vehicles and does not address vehicles utilized for specialized functions (e.g., supervision, surveillance, canines). In these areas, police services maintain full flexibility and discretion in their choice of vehicles.

Sample Board Policy

Board Policy # _____

It is the policy of the _____ Police Services Board with respect to marked general patrol vehicles that the Chief of Police will:

- a) establish procedures that set out the functions of marked general patrol vehicles;
- b) ensure that the police service's marked general patrol vehicles meet required specifications;
- c) ensure the regular maintenance, inspection and replacement of the police service's marked general patrol vehicles; and
- d) consult with designated employee representatives regarding the acquisition of patrol vehicles and related equipment.

Police Service Guidelines

- Procedures*
1. Every police services procedures should address the functions of marked general patrol vehicles, including the following:
 - a) general patrol and general calls for service;
 - b) emergency response;
 - c) transportation of personnel and equipment;
 - d) suspect apprehension pursuit;
 - e) protection, including protection of a vehicle collision scene;

- f) provision of sufficient space to allow for interviewing and report preparation; and
- g) temporary detention.

Equipment

2. Every Chief of Police should ensure that all marked general patrol vehicles acquired by the police service, and utilized for the functions set out in section 1, meet the following specifications:
 - a) the vehicle is designated by the manufacturer as a “*police package*“, and that compact and sub-compact vehicles (as defined by the U.S. Environmental Protection Agency) should not be operated as patrol vehicles;
 - b) the vehicle is solid white in colour, clearly marked and identifiable as a police vehicle (i.e., with the word “*police*” appearing on the vehicle);
 - c) municipal police services are to utilize a combination of blue and red reflective striping and the Ontario Provincial Police are to utilize a combination of blue and gold reflective striping for the purposes of identification and visibility;
 - d) standard equipment should include, but not be limited to, police service compatible, and heavy duty, where applicable:
 - i) engine;
 - ii) automatic transmission;
 - iii) power steering and police suspension;
 - iv) power hydraulic ABS braking system;
 - v) highest output alternator available;
 - vi) highest amp-hr, CCA, battery available;
 - vii) cooling system;
 - viii) engine and transmission coolers;
 - ix) frame, body mounts, and/or unibody undercarriage;
 - x) police speed rated tires;
 - xi) tilt/adjustable steering wheel;
 - xii) air conditioning;
 - xiii) dual airbags;
 - xiv) dash-mounted driver and passenger accessible deck lid release;
 - xv) power door locks and windows;
 - xvi) electric remote outside mirrors;
 - xvii) trim panel mounted door front/window lock controls front-operated only, with rear locks inoperative;
 - xviii) certified speedometer calibration;
 - xix) police radio frequency/electronic equipment interference protection; and
 - xx) high quality driver and passenger seats with individual 6-way adjustable power controls, where available;
 - e) where applicable, police services that typically utilize single-officer patrols may choose to equip only the driver’s seat to the specifications set out in section d);
 - f) the vehicle is equipped with adequate emergency lighting visible from 360 degrees in accordance with the provisions of the *Highway Traffic Act*;

- g) the vehicle is equipped with 100 watt minimum, forward-facing siren that is situated ahead of the vehicle's front wheels and positioned in such a way as not to interfere with air flow to the radiator;
 - h) the vehicle is equipped with a public address system (i.e., loud hailer);
 - i) equipment and controls in the vehicle are properly secured and mounted/installed in such a way as not to interfere with the safe operation of the vehicle, including the deployment of airbags; and
 - j) the vehicle is supplied with safety equipment to fulfill general patrol functions.
3. Every Chief of Police should ensure that:
- a) the police service meets or exceeds the manufacturer's maintenance schedule in servicing and maintaining its vehicles.
 - b) accurate and up-to-date maintenance, servicing and accident damage records are maintained;
 - c) emergency equipment is inspected and tested regularly;
 - d) inspections are performed on a regular basis by a qualified technician;
 - e) replaced parts meet or exceed the Original Equipment Manufacturer (OEM) police package designation for the specific vehicle model; and
 - f) the speed rating of replacement tires meet or exceed the vehicle performance capabilities as indicated by the manufacturer in relation to the specific vehicle model.
4. Every Chief of Police should ensure that, prior to making a final decision regarding the acquisition of patrol vehicles and related equipment, designated employee representatives are consulted.

