



<b>Policy Name:</b>	<b>MEMBER USE OF SEAT BELTS</b>		
<b>Policy #:</b>	AD 5.8.4	<b>Last Updated:</b>	2022-05-12
<b>Issued By:</b>	SUPPORT SERVICES BUREAU	<b>Approved By:</b>	SURREY POLICE BOARD
		<b>Review Frequency:</b>	AS REQUIRED

## RELATED POLICIES

### 1. PURPOSE

- 1.1. To provide direction to Surrey Police Service (SPS) Members on the appropriate use of seat belts while operating an Emergency Vehicle.
- 1.2. To ensure SPS Members comply with the *Motor Vehicle Act* and the *Motor Vehicle Act Regulations* regarding the use of seat belts while operating an Emergency Vehicle.

### 2. SCOPE

- 2.1. This policy applies to all SPS Members.

### 3. POLICY

- 3.1. Motor vehicle collisions are consistently amongst the leading causes of serious injury or death for police officers in Canada. The use of seat belts significantly reduces the risk of serious injury or death.
- 3.2. Members must wear their seat belts whenever they are operating or a passenger in an Emergency Vehicle, unless in exceptional circumstances and only as allowed under the *Motor Vehicle Act Regulations*, Section 32.04(3) and (4), which creates the following exemptions for Members' use of a seatbelt:
  - i. A peace officer who, in the lawful performance of the peace officer's duty, is transporting a person in the peace officer's custody or care, is exempt from section 220(3), (4) and (6) of the Act; and
  - ii. When a peace officer has reasonable and probable grounds to believe the use of a seat belt assembly would obstruct the performance of the peace officer's duties, the peace officer and any passenger is exempt from section 220(3), (4) and (6) of the *Motor Vehicle Act*.
- 3.3. Under section 220(5) of the *Motor Vehicle Act*, Members are not required to wear a seat belt if they are driving their vehicle in reverse.

#### 4. PROCEDURE

- 4.1. Members must wear their seat belts while on duty and operating an Emergency Vehicle in accordance with this policy.
- 4.2. Members must ensure that a passenger riding in the front seat of an Emergency Vehicle is wearing their seat belt, unless they are a peace officer, and have reasonable and probable grounds to believe the use of a seat belt assembly would obstruct the performance of the peace officer's duties.
- 4.3. A person who is in the custody or care of a peace officer is exempt from the mandatory seat belt wearing requirement in section 220(4) of the *Motor Vehicle Act*. See the MVAR, section 32.04(2).

## APPENDIX A: DEFINITIONS

"Emergency Vehicle" means as defined in the *Motor Vehicle Act (MVA)*, any of the following:

- i. a motor vehicle, or cycle as defined in Part 3 MVA, carrying rescue or first aid equipment if there is an urgent emergency justifying a rate of speed in excess of any maximum rate of speed provided for in this Act;
- ii. a motor vehicle, or cycle as defined in Part 3 (MVA), driven by a member of a fire department in the discharge of his or her duties;
- iii. a motor vehicle, or cycle as defined in Part 3 (MVA), driven by a peace officer, constable or member of the police branch of Her Majesty's Armed Forces in the discharge of his or her duty;
- iv. a motor vehicle driven by a sheriff, in the discharge of the sheriff's duties under the *Sheriff Act*, while transporting a person in the lawful custody of a sheriff;

"Member" means a sworn Police Officer appointed by the Surrey Police Board.

"MVAR" means *Motor Vehicle Act Regulations*.

## **APPENDIX B: REFERENCES**

*Motor Vehicle Act*, R.S.B.C. 1996, c. 318

*Motor Vehicle Act Regulations (MVAR)*, B.C. Reg. 26/58