



# NEW ORLEANS POLICE DEPARTMENT OPERATIONS MANUAL

## CHAPTER: 41.3.3

### TITLE: SEAT BELTS

**EFFECTIVE: 01/14/2018**

**REVISED: Replaces Policy 1022**

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#### PURPOSE

The use of seat belts and other safety restraints significantly reduces the chance of death or injury in case of a motor vehicle crash. This Chapter establishes guidelines for seat belt 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 Chapter will apply to all members operating or riding in department vehicles.

#### DEFINITIONS

**Child restraint system**—A lap belt, a shoulder harness or an age- or size-appropriate child safety seat that meets Federal Motor Vehicle Safety Standards and Regulations (49 CFR 571; R.S. 32:295(B)(2)).

**Safety belt system**—A manual restraint system installed by the manufacturer that conforms to Federal Motor Vehicle Safety Standards and Regulations (49 CFR 571; R.S. 32:1(62.1)).

#### WEARING OF SAFETY RESTRAINTS

1. All members 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, or when in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including non-members, are also properly restrained.
2. Officers who are responding to a Code 2 or 3 call for service or a crime in progress call may un-clip or remove his/her seatbelt prior to coming to a full stop but not until the vehicle is moving less than 5 mph or they are within 100 feet of the call.

#### TRANSPORTING CHILDREN

3. To be restrained properly as required in this Chapter, child passengers shall be transported using an approved child restraint system for all children younger than 13 years of age. Children shall be transported in compliance with Louisiana's restraint system requirements based on the age and weight of the child (R.S. 32:295(A)).
4. Rear seat passengers in a cage-equipped vehicle may have reduced clearance

that requires careful seating and positioning of seat belts. If permitted by law, children and any child restraint system may be secured in the front seat of vehicles provided this positioning meets the vehicle and federal safety standards and, if the child is under 13, the seat is pushed back as far as possible and the passenger-side air bag deactivated. If this is not possible, officers should arrange alternative transportation.

### **TRANSPORTING PRISONERS**

5. Prisoners shall be secured in the rear seat of the patrol vehicle by seat belts. The prisoner should be in a seating position for which seat belts have been provided by the vehicle manufacturer. (See: **Chapter 71.1 – Prisoner Transportation and Guarding.**)

### **INOPERABLE SEAT BELTS**

6. No department vehicle shall be operated if the seat belt for the driver's is inoperable.
7. In any vehicle equipped with seat belts, no person shall be transported if an operable seatbelt is not available.
8. No person shall modify, remove, deactivate or otherwise tamper with the vehicle safety belt system, except for certified vehicle maintenance and repair staff, who shall do so only with the express authorization of the Superintendent of Police or his/her designee. All members shall hook seatbelts properly around themselves and not behind his/her back or in a way that does not provide the designed protection.
9. Members who discover an inoperable restraint system shall promptly report the defect to his/her supervisor and the NOPD Fleet Manager, and find other means of transportation.
10. The vehicle shall be removed from service until action is taken to replace or repair the system.

### **VEHICLES MANUFACTURED WITHOUT SEAT BELTS**

11. Specialized vehicles manufactured and certified for use without seat belts or other restraint systems are subject to the manufacturer's operating requirements for safe use.