# Police driving

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This authorised professional practice (APP) relates to the use of police vehicles (including those on hire or lease) for operational purposes.

## Introduction

Driving a police vehicle (especially a marked/liveried one) will inherently result in exposure to areas of high-risk activity, nearly always conducted in view of the general public. As such, all driving activity must be carefully considered and managed by the force. Police drivers should take responsibility for conducting themselves professionally and setting an example in the way they drive or ride.

The <u>national decision model (NDM)</u> underpins all decision making for operational officers, planners, advisers and commanders, allowing them to manage their response to a situation in a reasonable and proportionate manner. There may, however, be occurrences where a police driver's behaviour or their decision making is called into question. The public, police officers and police staff need assurances that, where necessary, driving incidents are investigated with a fair and balanced approach to the circumstances, taking into account the driver's training and experience and the relevant legal requirements while applying the NDM.

Use of legal exemptions are an everyday occurrence for drivers and, where applied, the driver must be able to readily and proportionately justify their actions in the pursuance of their duty.

#### Governance

This guidance is developed collaboratively by the College of Policing and the National Police Chiefs' Council (NPCC) Police Driving Lead. The development and maintenance of police drivingrelated curricula and supporting resources is the responsibility of the College of Policing, with

support from the national Police Driving Strategic Group, (chaired by the NPCC police driving lead) and the Police Driving Practitioner Group.

## **Terminology**

The use of the terms 'drive', 'driver' or 'driving' in this document apply equally to 'ride', 'rider' or 'riding'. The term 'police vehicle' is used generically where possible and applies to any vehicle used for a policing purpose.

# Legal framework

There are various aspects of legislation which cover police driving and in particular response driving. The main Act is the **Road Traffic Act 1988**.

## **Legal exemptions**

Qualified and authorised members of statutory services and/or other organisations prescribed by the Department of Transport (DfT) have specific exemptions to lawfully undertake their duties. These exemptions are set out in the <a href="Road Traffic Regulation Act 1984">Road Traffic Regulation Act 1984</a>, the <a href="Traffic Signs Regulations and General Directions 2016">Traffic Regulation Act 1984</a>, the <a href="Traffic Signs Regulations and General Directions 2016">Traffic Regulation Act 1984</a>, the <a href="Traffic Signs Regulations and General Directions 2016">Traffic (England and Wales)</a> Regulations 1982. These exempt emergency vehicles driven by qualified and authorised personnel from:

- observing speed limits
- observing keep left/right signs
- complying with traffic lights (including pedestrian controlled crossings and red X matrix signs)

Even where a statutory exemption exists, the police driver must always give due regard to their driving manner and behaviour.

Police drivers may find themselves considering contravening road signs and regulations where no statutory exemption exists. Drivers should make decisions on such matters in accordance with the specific circumstances and using professional judgement. Due consideration should be given to the NDM, which should ensure all decisions are appropriate and used only in circumstances that can be justified.

# **Driver training unit**

Driver training units (DTU) must have a minimum of a chief driving instructor (CDI) and two police driving instructors, one of whom must fulfil the role of deputy chief driving instructor (DCDI). They are responsible for delivering courses in accordance with the Police Driving Programme Specification and the Road Traffic Act 1988 (Police Driving: Prescribed Training) Regulations 2023.

Each DTU must secure the support of a qualified internal quality assurance of assessment (IQA) officer who should check the compliance of each course with the curricula. The CDI must ensure:

- courses are delivered in compliance with the Police Driving Curriculum, Programme Specification and the Road Traffic Act 1988 (Police Driving: Prescribed Training) Regulations 2023
- there are suitable standard operating procedures/policies, risk assessments and safety briefings in place for police driver training activities
- completion of the annual police driver training licensing quality assurance process

Police driving instructors must be qualified in accordance with the Programme Specification and authorised to deliver courses detailed in the curricula.

## **Driving standards**

Police drivers must receive comprehensive training at various levels throughout their career relevant to their role within the organisation. Police drivers have a duty to ensure that their standard of driving is consistent with their training and that they set an example to other road users.

### **Prescribed training**

The Police, Crime, Sentencing and Courts Act 2022 amended the Road Traffic Act (RTA) 1988, effective from 30 November 2022. This amend introduced a new test to assess the standard of a police officer's driving, including when deciding if a constable or other designated person has been driving carelessly or dangerously.

The test allows the courts to judge their standard of driving against a competent and careful peer with the same prescribed training. Previously this was compared with a member of the public.

This new test can only be used if they are driving for police purposes and have undertaken prescribed initial and refresher training in accordance with the **Road Traffic Act 1988 (Police Driving: Prescribed Training) Regulations 2022**.

### **Driver levels**

There are three levels of police driver. These are:

- basic
- response
- advanced

In addition to these, there are also specialist police vehicles and roles that are set out in the Police Driving Curriculum.

#### **Basic**

All police drivers must hold a full Driver and Vehicle Licensing Agency (DVLA) licence for the category of vehicle being driven. Individual forces have discretion to determine whether a practical assessment is also required.

A basic police driver:

- must be trained to stop vehicles in routine circumstances (should force policy permit)
- must drive within the constraints of the Highway Code
- does not have authority to use emergency ancillary equipment (for example, blue lights, sirens) to facilitate progress

### Response

A response driver:

- must be qualified and authorised to the standards prescribed in the Police Driving Curriculum to enable them to respond safely to incidents using response performance vehicles
- may use emergency ancillary equipment when the specific circumstances warrant it

#### **Advanced**

An advanced police driver:

 must be qualified and authorised to the standards prescribed in the Police Driving Curriculum to enable them to respond safely to incidents using advanced performance vehicles

may use emergency ancillary equipment when the specific circumstances warrant it

### On-call vehicle use

Officers who are on call sometimes use emergency equipped vehicles (marked or unmarked) to respond using exemptions to return to duty. These on-call officers can make use of standard or advanced vehicles, providing all the following criteria are satisfied.

- They are currently qualified and in 'refresher date' as response drivers (minimum).
- If they make use of an advanced vehicle for on-call use they have had a familiarisation and/or refresher drive in a vehicle of similar classification.
- The relevant force chief officer is satisfied that the above criteria is met and authorises each individual to make use of this provision.

This option is intended for officers who will infrequently need to use exemptions working in roles that require on-call emergency recall provision.

## Categories of police vehicles

The National Association of Police Fleet Managers (NAPFM) and the College of Policing use a calculated assessment to determine a vehicle's overall performance. This results in a performance value (PV) which is used to categorise response and advanced cars, motorcycles, and vans up to 3.5 tonnes.

See an explanation of the assessment and calculation method.

### **Performance Values**

Cars and vans (up to 3.5 tonnes)

Category	Response	Advanced
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#### Electric vehicles/hybrid vehicles (cars and vans (up to 3.5 tonnes))

Category	Response	Advanced
Performance value (PV)	2.5 PV and above	Below 2.5 PV

#### Motorcycles – including electric motorcycles

Category	Response	Advanced
Performance value (PV)	1.5 PV and above	Below 1.5 PV

The force driver training lead, must jointly with the head of fleet, must provide clarification where any uncertainty exists or clarification required. Decisions should prioritise safety and compliance with legislation and the police driving curricula.

### **Medical standards**

Police drivers must comply with eyesight standards and medical guidelines set out by the Association of Local Authority Medical Advisors (ALAMA) panel.

It is recommended that forces should also expect response and advanced drivers to meet the DVLA group 2 medical standards, irrespective of any disability. Any questions over the ability of an individual to meet these, or any other standards of medical fitness for emergency response driving, must be referred to the relevant force department for a professional medical opinion.

To protect the individual, organisation, and members of the public, drivers of police vehicles must declare any medical situation or condition that may affect or prevent them from undertaking any police-related driving duties safely or legally. This includes any medical condition, fatigue, fitness, prescribed medication or any other condition that may affect their ability to drive. Drivers must notify a supervisor or suitable person in their force. On receipt of such a report the person receiving the report should consult with the occupational health department in order to determine jointly the right course of action.

# **Police pursuits**

The <u>APP on police pursuits</u>, including the tactics directory, sets the standards that must be adhered to.

## Police vehicle incidents

Police drivers must always drive in a manner which promotes public confidence. Where driving falls below the expected standards, resulting in an incident, forces should investigate, review, act proportionately and make any necessary interventions.

Forces should take into account the implications of any emerging police collision/incident reviews or trends, along with internal investigations, court proceedings, coroner's rulings or recommendations made following Independent Office for Police Conduct (IOPC) reviews.

## Tags

Roads policing