

5919.E AMH RULE H2977.1

ESB 5919 - H AMD TO PS COMM AMD (H-2772.2/22) **1369**
By Representative Rule

ADOPTED 03/04/2022

1 On page 1, beginning on line 20, after "circumstances;" strike
2 all material through "pursuit" on line 29 and insert "and
3 ~~((d))~~ (c)(i) Except as provided in ~~((d))~~ (c)(ii) of this
4 subsection, the ~~((officer has received authorization to engage in the~~
5 ~~pursuit from))~~ pursuing officer notifies a supervising officer
6 ~~((and))~~ immediately upon initiating the vehicular pursuit; there is
7 supervisory ~~((control))~~ oversight of the pursuit~~((The));~~ and the
8 pursuing officer, in consultation with the supervising officer ~~((must~~
9 ~~consider))~~, considers alternatives to the vehicular pursuit~~((The~~
10 ~~supervisor must consider))~~, the justification for the vehicular
11 pursuit,"

12 On page 2, beginning on line 2, after "~~not~~" strike all material
13 through "~~The~~" on line 10 and insert "~~not~~");

14 (ii) For those jurisdictions with fewer than 10 commissioned
15 officers, if a supervisor is not on duty at the time, the pursuing
16 officer ~~((will request))~~ requests the on-call supervisor be notified
17 of the pursuit according to the agency's procedures~~((The)),~~ and the
18 pursuing officer ~~((must consider))~~ considers alternatives to the
19 vehicular pursuit, the justification for the vehicular pursuit, and
20 other safety considerations, including but not limited to speed,
21 weather, traffic, road conditions, and the known presence of minors
22 in the vehicle. ~~((The"~~

23 On page 2, beginning on line 12, after "~~not~~" strike all material
24 through "comply" on line 14 and insert "~~not~~");

25 (2) ~~((A))~~ In any vehicular pursuit under this section:
26 (a) The pursuing officer and supervising officer, if applicable,
27 shall comply"

28 On page 2, at the beginning of line 18, strike "~~(f)~~" insert "(b)"

29 On page 2, at the beginning of line 19, strike "notifies" and
30 insert "shall notify"

1 On page 2, line 22, after "officer" insert ", if applicable,
2 shall"

3 On page 2, at the beginning of line 25, strike "(g) The pursuing
4 officer is" and insert "(c) The pursuing officer must be"

5 On page 2, line 26, after "officer," insert "if applicable,"

6 On page 2, at the beginning of line 29, strike "(h)" and insert
7 "(d)"

8 On page 2, line 30, after "supervising officer," insert "if
9 applicable,"

10 On page 2, at the beginning of line 31, strike "develops" and
11 insert "shall develop"

12 On page 2, at the beginning of line 36, strike all of subsection
13 (1)(i) and insert the following:

14 "(e) The pursuing officer must have completed an emergency
15 vehicle operator's course, must have completed updated emergency
16 vehicle operator training in the previous two years, where
17 applicable, and must be certified in at least one pursuit
18 intervention option."

19 On page 3, at the beginning of line 1, strike "(2)" and insert
20 "(3)"

21 Renumber the remaining subsections consecutively and correct any
22 internal references accordingly.

23 On page 3, at the beginning of line 2, strike "subsection (1) of"

EFFECT: Restores the current law that exempts a jurisdiction with fewer than 10 commissioned officers from the supervisory requirements for vehicular pursuits when a supervisor is not on duty. Modifies other safety requirements to account for a pursuit occurring without a supervising officer. Reorganizes subsections.

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