**5919.E AMH RULE H2977.1 - NOT FOR FLOOR USE**

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

By Representative Rule

**ADOPTED 03/04/2022**

On page 1, beginning on line 20, after "circumstances;" strike all material through "pursuit" on line 29 and insert "and

((~~(d)~~)) (c)(i) Except as provided in ((~~(d)~~))(c)(ii) of this subsection, the ((~~officer has received authorization to engage in the pursuit from~~)) pursuing officer notifies a supervising officer ((~~and~~)) immediately upon initiating the vehicular pursuit; there is supervisory ((~~control~~)) oversight of the pursuit((~~. The~~)); and the pursuing officer, in consultation with the supervising officer ((~~must consider~~)), considers alternatives to the vehicular pursuit((~~. The supervisor must consider~~)), the justification for the vehicular pursuit,"

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

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

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

(2) ((~~A~~)) In any vehicular pursuit under this section:

(a) The pursuing officer and supervising officer, if applicable, shall comply"

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

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

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

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

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

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

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

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

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

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

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

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

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.