
Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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House Bill 4039 (Substitute S-1 as reported)
Sponsor: Representative Kirk Profit
House Committee: Judiciary
Senate Committee: Judiciary

CONTENT

The bill would create the "Law Enforcement Pursuit and Response Policy Act" to establish a "Law Enforcement Vehicle Pursuit and Response Policy Advisory Panel"; require the Law Enforcement Council to develop, with the panel's advice, a model law enforcement vehicle pursuit and response policy; and authorize a governmental agency to adopt all or part of the model policy or to develop and adopt its own policy. The bill would be repealed five years after its effective date. The bill is tie-barred to Senate Bill 163, which would limit the liability of a governmental agency for injury or damage resulting from the negligent operation of an emergency vehicle.

The model policy would have to define its coverage; recognize that pursuit or response had the potential for risk or harm; identify the circumstances that would warrant initiation, maintenance, or termination of pursuit or response; identify procedures for an agency's initiation, maintenance, and termination of pursuit and response; establish guidelines requiring an agency to monitor the effects of its policy; establish minimum requirements for law enforcement vehicle operators and provide guidelines for training employees; and include any other provision the panel considered necessary.

If a governmental agency adopted the model policy, it would have to notify the Council. If a governmental agency adopted either part of the model policy and part of its own policy or an entire policy of its own, it could send that policy to the Council for review and comment. The Council would have to keep a record of what type of policy each agency adopted.

Legislative Analyst: P. Affholter

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on State and local law enforcement agencies. The bill would require State reimbursement of expenses for the proposed advisory panel, an amount that most likely would not exceed \$10,000 per year. The Law Enforcement Council would be required to assist the panel and to provide facilities for panel meetings as well as necessary office and clerical support. In assisting the panel with its mandate of establishing emergency vehicle operation policies and guidelines, the Council would incur administrative costs which could be covered by existing Council resources.

Local law enforcement agencies could incur additional administrative and training costs should they opt to use, in whole or in part, the policy developed by the panel or to develop their own policy.

Date Completed: 10-24-97

Fiscal Analyst: B. Baker

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