

USE OF BLUE LIGHTS ON PERSONAL VEHICLES

EVERETT POLICE DEPARTMENT POLICY & PROCEDURE NO. 4.39	ISSUE DATE: 02/02/16
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: x.x.x; x.x.x	EFFECTIVE DATE: 02/02/16
	REVISION DATE: _____

I. POLICY

II. The purpose of this policy is to ensure that all sworn members of the Everett Police Department are both thoroughly familiar with the existing statutory provisions of MGL Chapter 90 §7E (**Blue Light Permits**) and are also afforded the proper guidance as it pertains to the specific application process, issuance of the permits, appropriate and exclusive usage of blue lights and the possible revocation of the permits (if circumstances dictate) for privately owned motor vehicles by department personnel.

III. PROCEDURES

- These **Blue Light Permits** are issued **solely for the purpose** of Everett Police Officers utilizing employee purchased blue lights (at their own expense) while performing paid **police details** on busy roadways, especially under low light conditions.
- They are **not to be utilized to conduct motor vehicle stops** either within or outside the city of Everett.
- They are **not to be used to disregard existing traffic laws** or city ordinances (as outlined below); Owners of these permits **shall not be authorized** to disregard or violate any statute, ordinance, by-law, rule or

regulation regarding motor vehicles or their use on ways of the commonwealth

- They may be used if the Officer to whom the permit has been issued comes across the scene of a motor vehicle accident and while simultaneously notifying the appropriate responding police agency via phone or radio activates the blue lights in the vehicle to protect the scene;
- The use of **police sirens** in privately owned motor vehicles **is not authorized** by this permit or department policy.
- **Blue Light Permits** must be renewed with the vehicle registration **every two (2) years** or in the case of vanity plates every year.

III.) MGL Chapter 90 Section 7E:

Pursuant to MGL **Chapter 90 Section 7E**, “[...] No motor vehicle or trailer shall mount or display a flashing, rotating or **oscillating blue light** in any direction. **Except the following:**

- (i) a vehicle used solely for official business by any police department of the commonwealth or its political subdivisions [...];
- (ii) **[EPD Exemption]: a vehicle owned and operated by a police officer of any town or any agency of the commonwealth while on official duty and when authorized by the officer’s police chief or agency head and only by authority of a permit issued by the registrar;**
- (iii) a vehicle operated by a duly appointed medical examiner or a physician or surgeon attached to a police department of any city or town only while on official duty and only by authority of a permit issued by the registrar;
- (iv) a vehicle operated by a police commissioner of a police department of any city only while on official duty and only by authority of a permit issued by the registrar;
- (v) a vehicle actually being used for the transportation of persons who are under arrest, or in lawful custody under authority of any court, or committed to penal or mental institutions, and only by authority of a permit issued by the registrar; Or

- (vi) a vehicle operated by a chaplain of a municipal police department while on official duty and only by authority of a permit issued by the registrar.

(i) Permit Required: No motor vehicle, as hereinbefore provided, **requiring a permit from the registrar**, shall mount or display a **blue light** on such vehicle until proper application has been made to the registrar **by the head of the police department** and such **written permit has been issued and delivered to the owner and operator**.

(ii) Owner/Vehicle Info: Such notice shall include the place of residence and address of the owner and operator of the vehicle for which such permit is issued and the name of the make, vehicle identification number and the registration number of the vehicle for which such permit authorizes the display of blue lights.

(iii) Permit to be Kept in Vehicle: Any person operating a vehicle upon which blue lights have been authorized to be mounted or displayed, by permit, **shall carry such permit for said lights upon his person or in the vehicle** in some easily accessible place.

(iv) Separation from Service: Upon **termination of the duties of such person which warranted the issuance of the permit** (including retirement), the Chief of Police shall immediately notify the registrar, who shall **forthwith revoke such blue light permit**.

(v) Revocation Procedure: Upon the written request of the chief of police of the town in which such permitted vehicle is registered the registrar **may revoke such permit**. The registrar shall revoke such permit for the **unauthorized use of such blue lights** and the owner and operator shall be **subject to a fine** of not less than \$100 or not more than \$300. Upon revocation, the registrar of motor vehicles shall notify forthwith the owner and operator of the vehicle for which such permit was issued and the head of the police department of the city or town in which such permitted vehicle is registered. Upon receipt of his notice of revocation, such owner and operator shall forthwith deliver such blue light permit to the registrar and he shall not be eligible for reissuance of such permit without consent of the head of the police department of the town in which his original permit was issued.

- (vii) **Obey all Traffic Laws**: Nothing in this section shall authorize any owner or operator to disregard or violate any statute, ordinance, by-law, rule or regulation regarding motor vehicles or their use on ways of the commonwealth.

A list of permit holders will be maintained by the Chiefs Office.