

Senate Fiscal Agency  
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**SFA****BILL ANALYSIS**

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Senate Bill 320 (Substitute S-1 as reported by the Committee of the Whole)

Sponsor: Senator William Van Regenmorter

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" within the Commission on Law Enforcement Standards. The bill would take effect on January 1, 2000, and would be repealed five years after its effective date. The bill is tie-barred to Senate Bill 319.

The advisory panel would consist of the members of the Commission, at least one member of the general public, and at least one member and one alternate member from the Michigan Association of Counties; the Prosecuting Attorneys Association of Michigan; the Michigan Municipal League; the Michigan Townships Association; and organizations of police officers who regularly perform law enforcement duties on urban streets or roads, on suburban streets or roads, on rural streets or roads, and on limited access highways.

With the advice of the panel, the Commission would have to develop a model law enforcement vehicle pursuit and response policy, which would 1) define the policy's coverage; 2) recognize that pursuit or response had the potential for risk or harm; 3) identify the circumstances that would warrant initiation, maintenance, or termination of pursuit or response; 4) identify procedures for initiation, maintenance, and termination of pursuit and response, and authorize an employee not actively engaged in the pursuit or response to prohibit, modify, or terminate it; 5) require a law enforcement agency to monitor the effects of its policy; 6) establish minimum requirements for law enforcement vehicle operators and provide guidelines for training them; and 7) include any other provision the panel considered necessary.

An agency could adopt all or part of the model policy or could develop and adopt its own policy. An agency that adopted the model policy would have to notify the Commission. If an agency adopted part of the model policy and part of its own policy, or an entire policy of its own, it would have to send that policy to the Commission for review and certification. The Commission could not certify the policy if it found that any variance was not reasonably justified, or that the policy did not substantially achieve the objectives of the model policy.

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 Commission on Law Enforcement Standards 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, the Commission would incur administrative costs that could be covered by existing Commission 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.

Date Completed: 3-16-99

Fiscal Analyst: B. Baker