

**SAN DIEGO POLICE DEPARTMENT
ORDER**

DATE/TIME: JULY 3, 2024 1530 HOURS
NUMBER: OR 24-22
SUBJECT: USE OF ALL TOLL ROADS
SCOPE: ALL MEMBERS OF THE DEPARTMENT

DEPARTMENT PROCEDURE AFFECTED: 1.12

Portions of this document are deemed by the San Diego Police Department to be records of security procedures and are exempt from disclosure under the California Public Records Act (CPRA), Government Code Section 7923.600.

Toll fees are collected for all vehicles on all California toll roads. Drivers of any San Diego Police Department vehicle or any other City vehicle, including emergency vehicles and those with “exempt” license plates must pay a toll fee, except in certain limited circumstances.

California Vehicle Code 23301.5, exempts an authorized emergency vehicle from any requirement to pay a toll or other charge on a vehicular crossing, toll highway, or high-occupancy toll (HOT) lane, including the requirements of Section 23301, if **all** of the following conditions are satisfied:

1. The authorized emergency vehicle is properly displaying an exempt California license plate and is properly identified or marked as an authorized emergency vehicle, including, but not limited to, displaying an external surface-mounted red warning light, blue warning light, or both, and displaying public agency identification.
2. The vehicle is being driven while responding to or returning from an urgent or emergency call, engaged in an urgent or emergency response, or engaging in a fire station coverage assignment directly related to an emergency response. An “urgent” response or call means an incident or circumstance that requires an immediate response to a public safety-related incident, but does not warrant the use of emergency warning lights. “Urgent” does not include any personal use, commuting, training, or administrative uses.
3. The driver of the vehicle determines that the use of the toll facility shall likely improve the availability or response and arrival time of the authorized emergency vehicle and its delivery of essential public safety services.

NOTE: An authorized emergency vehicle, when returning from an urgent or emergency call, or from being engaged in an urgent or emergency response, or from engaging in a fire station coverage assignment directly related to an emergency response, shall not be exempt from any requirement to pay a toll or other charge imposed while traveling on a HOT lane.

Department personnel meeting the criteria of 23301.5 CVC who use The South Bay Expressway (SBE) toll road shall do the following when practical:

1. Department personnel shall notify Communications of the SBE use and enter that information into the CAD incident report. In addition, the driver shall notify Operational Support via e-mail (**Deleted – records of security**) within **four days** after SBE use so the Department can rectify invalid violations and associated fees.
2. Department personnel may use the SBE in an unmarked department vehicle during surveillance operations or in emergency situations. Department personnel shall notify their supervisor and the driver of the vehicle shall notify Operational Support via e-mail within four days after SBE use so the Department can rectify invalid violations and associated fees.

Effective immediately, all Department personnel shall comply with these requirements. Personnel who do not comply are subject to discipline.

If you have any questions, please contact Operational Support at (**Deleted – records of security**).

Department Procedure 1.12 is being updated to reflect these changes.

Please read at squad conferences and give a copy to all personnel.