



DEPARTMENT NOTICE

24-153

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Reckless Driving Incidents Involving Off Highway Vehicles (OHVs)

Dirt Bikes and ATVs that are lacking necessary safety equipment and registration are classified as “*Off-Highway Vehicles*” also known as OHVs. These types of vehicles are illegal to operate on public highways and create a hazard to the operator, other motorists, and pedestrians.

In situations where officers encounter OHVs being ridden or parked in a group on city streets, the following actions should be taken:

Incident

- When a group of OHVs or other types of motorcycles have converged in an intersection, from a safe distance, inform DEM and patrol supervisors of the event.
- Activate Body Worn Cameras as soon as possible.
- *If and when safe and practical*, attempt to affect a traffic stop in accordance with current department policy.
- Should the OHV flee, barring any applicable department policy exceptions, do not pursue it.
- SFPD drones may be utilized to follow the movement of groups of OHVs that are creating risks to public safety as a means of identifying and apprehending individuals as well as collecting key intel for follow up investigations.

Reporting & Documentation

- Document the evading (2800 CVC) and/or reckless driving (23103 CVC) incident via Crime Data Warehouse.
- Utilize the title "*Driving, Reckless, Motorcycle Takeover (Dirt bike, ATV, OHV)*" as the initial title.
- Include identification of the driver should it be possible to obtain such information. If the driver flees, include as detailed description of the driver as possible as well as a detailed description of the OHV.
- Ensure BWC footage of the encounter is uploaded, along with any other video evidence collected.
- Should the driver of the OHV remain on scene for a traffic stop, cite the driver for 38025 VC (operation of an OHV upon a highway) and/or the appropriate traffic violations and tow the OHV (see below).

Towing

- Should the OHV be abandoned following attempted police action, or the driver stopped via traffic stop, the below listed tow authorities can be used to tow, impound, and hold the OHV:
 - 22651(b) VC - public hazard
 - 22651(o)(1)(A)(i) VC – unregistered vehicle
 - 22655.3 VC- vehicle abandoned post-pursuit
 - 22655.5 VC- crime investigation impound
 - 23109.2(a) VC - arrests for violations of 23103(a) or (b) or 23109(a) or (c)
- Place a hold on the OHV for SDRU (Stunt Driving Response Unit).
- Prior to towing, ensure the VIN matches the OHV to determine whether or not it is stolen. In the event that no VIN is found, tow the OHV per section 22651(j) VC (no identification) and place a hold for “NO ID / SDRU.”
- Remain on scene for the duration of the tow until the tow truck leaves the scene (riders and associates have attempted to confiscate OHVs from tow trucks in the past).


WILLIAM SCOTT
Chief of Police

Per DN 23-152, all sworn & non-sworn Members shall electronically acknowledge this Department document in PowerDMS within (30) thirty calendar days of issuance. Members whose duties are relevant to this document shall be held responsible for compliance. Any questions regarding this policy should be sent to sfpd.writtendirectives@sfgov.org who will provide additional information.