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# Emergency Response Cost Recovery Program

## **511.1 PURPOSE AND SCOPE**

The Emergency Response Cost Recovery Program is authorized pursuant to California Government Code Sections §53150-53159. The City's program shall allow for the collection of emergency response costs against any person who negligently operates a motor vehicle while under the influence of an alcoholic beverage or drug, and whose intentionally wrongful misconduct proximately causes any incident resulting in an emergency response by the City of Irvine Police Department.

## **511.2 UNDER THE INFLUENCE**

Under the Influence will be determined by the test results from the driver's blood or breath.

## **511.3 EMERGENCY RESPONSE**

An "emergency response" is defined as a response to a traffic collision, or incident (other than a simple Driving Under the Influence (DUI) stop/arrest), which causes department personnel to respond with or without the use of emergency lights and/or siren. Types of responses covered would include, but not be limited to: DUI collisions, evading arrest, police pursuits, or any activity initiated by the intoxicated driver requiring an immediate response by the department or other emergency service providers.

## **511.4 BILLING**

The City's Finance Department will handle the billing.

## **511.5 REQUESTS FOR BILLING**

It is the responsibility of the arresting officer to complete a billing request, attach it to the arrest report and submit it to police records. The Records Bureau will make the necessary copies, sending the original to Finance.

The following are ways an arresting officer can assist in the billing:

- (a) Generally, do not clear the call until all processing is complete.
- (b) List the time of the call and completion time on the DUI forms.
- (c) List in the report whether the police vehicle's emergency lights and or the siren were used.
- (d) If responding for traffic control or other assistance, make sure Communications records all the police vehicle numbers and personnel at the scene in the call history.
- (e) Include the time spent by other City Departments at the scene of a collision involving a DUI driver.
- (f) Count the number of road flares, city oil absorbent or other consumable products used at the scene or incident to the call.

# Irvine Police Department

Policies

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### **511.6 APPEAL PROCESS**

The Traffic Lieutenant or his/her designee will act as the arbitrator should a bill be disputed. Each case will be reviewed for accuracy and fairness, based upon the law. Should the bill be found to be in error, the bill will be corrected or, if appropriate, dismissed.