

## **Rules and Procedures**

### **Rule 314**

**January 16, 2004**

#### **Rule 314 - TRAFFIC ENFORCEMENT**

This rule is issued to provide guidelines governing the enforcement of traffic regulations. It is effective immediately, superseding all previously issued rules, regulations, orders, and other directives relating to traffic enforcement by officers of the department.

##### **Sec. 1 GENERAL CONSIDERATIONS:**

The patrol force is the most visible segment of the department and must play a primary role in traffic enforcement. The overall objectives of traffic enforcement shall be achieved through the fair and equitable enforcement of the motor vehicle laws. Officers on routine patrol are to be attentive to the movement of vehicles and traffic conditions in their area. When a motor vehicle violation is observed, after notifying the dispatcher and stopping the offender, the police officer is expected to take an appropriate enforcement action. The immediate objective of traffic enforcement is to lessen the number of accidents and the attendant injuries and damages. The long-range goal is to increase the level of voluntary compliance. This can only be accomplished through diligent and consistent enforcement of the traffic laws by all members of the department.

##### **Sec. 2 RESPONSIBILITY OF DISTRICT COMMANDERS:**

District Commanders are responsible for ensuring that these traffic enforcement guidelines are met by all personnel in their commands. In addition, it is the District Commander's responsibility to evaluate the requests made by supervisory personnel for additional assistance and if appropriate, request that the Mobile Operations Division provide such assistance. The District Commander must make the determination of proper resource allocation within their district. Fixed locations for selective traffic enforcement activities shall be determined by the District Commander or by the Chief, Bureau of Field Services (or designee). The identification of such locations shall be based on information or data that indicates a particular location or area may be experiencing a high number of motor vehicle accidents, fatalities, speeding, or other traffic related quality of life issues. The information used in selecting these enforcement locations may be derived from a variety of sources, including but not limited to; internal and/or external sources of accident information, community complaints or concerns, and patterns of reported or observed traffic incidents.

It is expected that District Commanders will ensure that all personnel in their commands take immediate, self-initiated action to enforce traffic laws and that their personnel report all special problems or conditions. Commanders will be held strictly accountable for the performance of their subordinates.

### Sec. 3 RESPONSIBILITY OF SUPERIOR OFFICERS:

Superior officers are responsible for ensuring that patrol officers adhere to the traffic enforcement performance guidelines and that officers under their command are taking appropriate action when violations occur in their presence.

Superior officers are expected to take note when frequent problems exist on their area, for example, an intersection where cars continually run a red light or a frequent accident site. They should direct patrol officers to observe closely such areas and situations. If at a particular location a sector car spends a disproportionate amount of time on traffic enforcement or if repeated violations occur without enforcement it is the responsibility of the sergeant to notify his District Commander that additional assistance may be required for selective enforcement at that location.

During each tour of duty, when inspecting sector cars and foot patrols, the sergeant will make sure that all officers have citation books.

### Sec. 4 ENFORCEMENT OPTIONS:

Officers are reminded that the primary purpose of enforcement action is to protect the public safety by correcting dangerous driver behaviors and ensuring voluntary driver compliance with the traffic laws. Toward this end, officers may use their discretion in choosing an appropriate enforcement action based on the operator's driving behavior, seriousness of the offense, danger created by the violation, or other information relevant to the infraction. Traffic enforcement options available to officers include:

1. Verbal warning to the driver that such conduct is illegal and dangerous.
2. Written warning notice on citation form.
3. Civil citation.
4. Complaint notice on citation form.
5. Arrest of operator.

Written warnings, citations and complaint notices are to be submitted at the end of the tour of duty. Traffic arrests are to be handled according to proper arrest procedures. When a taxicab is stopped for a violation, a Hackney Carriage violation tag is to be issued in addition to any other enforcement which is taken. The pink copy shall be turned in to the district at the end of the tour and shall then be forwarded to the Hackney Carriage Unit.

#### Sec. 5 HIGH PRIORITY VIOLATIONS:

Those violations which substantially increase the risk of causing serious motor vehicle accidents or pedestrian injury are to be considered high priority violations. Any officer who observes a high priority violation shall, whenever practicable, take immediate enforcement action. While mitigating circumstances may be considered, civil citations should generally be the enforcement action taken for high priority violations. High priority violations shall include the following:

- (1) Speeding (particularly violations 10mph or more over the speed limit)
- (2) Failure to stop for a red light (particularly violations that create a substantial hazard)
- (3) Failure to stop for stop signs (particularly violations that create a substantial hazard)
- (4) Failure to yield to pedestrians in a crosswalk
- (5) Improper passing of a school bus

#### Sec. 6 PRE-EMPTING ASSIGNED CALLS:

Officers who observe a traffic violation while on assignment must decide whether it is serious enough to preempt the assigned call. If they believe it is, they must notify the dispatcher of the nature of the violation. The dispatcher will have the final authority of the assignment.

#### Sec. 7 OFFICERS ASSIGNED TO WALKING BEATS:

Officers on walking patrol or traffic duty who observe a motor vehicle violation will signal the driver to stop if it is safe to do so. The officer will then take appropriate enforcement action. All officers shall have their motor vehicle citation books readily available.

James M. Hussey

Acting Police Commissioner