

TRAFFIC MANAGEMENT AND ENFORCEMENT

<b>FRAMINGHAM POLICE DEPARTMENT</b>		Next Review Date: Annually
<b>Subject: Traffic Management and Enforcement</b>		Effective Date: 10/28/2009; Rev. 06/24/2014; 12/01/2022
<b>Category: 300 – Traffic &amp; Parking</b>		Expiration Date: Indefinite
MASSACHUSETTS POLICE ACCREDITATION STANDARDS REFERENCED: <b>Chapter 61, 82.3.4</b>		<b>POLICY</b>  <b>300-4</b>
Distribution:  Sworn Personnel Communications Specialist Parking Enforcement Officers Records Personnel	<b>Issuing Authority</b> <i>Lester Baker</i> <b>Lester Baker</b> <b>Chief of Police</b>	

## Policy Statement

It is the policy of the Framingham Police Department to achieve roadway safety through voluntary compliance, education and enforcement. Our goal is the reduction of traffic collisions, fatalities and injuries through the safe and expeditious movement of vehicular and pedestrian traffic.

Enforcement activities will be conducted in a consistent and uniform manner, and will not give preference to either local residents or non-residents. It should be directed against the violations, which cause the largest number of collisions and against the group of drivers who are responsible for the majority of the violations and constitute the greatest hazard to the community. Traffic law enforcement will not be used to generate revenues for the Department or the City of Framingham.

Except in “suspect specific incidents”, where race is part of the description of an alleged perpetrator, officers shall not consider the race, gender, national or ethnic origin; sexual orientation; religion, economic status, age or cultural group of a member of the public when deciding to detain a person or to stop a motor vehicle; or when deciding the scope or substance of any law enforcement action. (Refer to Policy on Identification and Prevention of Racial and Gender Profiling #10-7.)

## References

None

## Policy

### I. Selective Enforcement / Assignment of Personnel

- A. Selective Enforcement: To ensure maximum reduction of collisions, enforcement pressure should be applied in proportion to need, locations, and at the hours of greatest collision expectancy.
1. Deployment: The deployment of selective enforcement patrol and traffic unit personnel will be based on an analysis of traffic collisions, traffic volume, citation volume, citizen complaints and officer's knowledge. The Crime Analysis Unit analyzes vehicle collision sites and traffic enforcement activity by time and geographic location. The Crime Analysis Unit will distribute maps to Shift Commanders on a monthly basis and/or by special request. The maps depict the location, time and day of vehicle collisions/ citation activity. These locations and factors should serve as a basis for assignment of motor vehicle selective enforcement efforts. The data from the records management system is accessed by geographic mapping software. The software compares locations and collisions with other factors. Other factors can include but not limited to:
    - a. time of year
    - b. type of collision
    - c. other factors if needed.
  2. Assignment: Assignment of traffic enforcement personnel will be based on principles of selective enforcement. Resources will be directed toward specific violations, in specific locations, based primarily on statistical data of traffic collision experience.
  3. Evaluation: The Commander of the Safety Division or his/her designee shall at least monthly evaluate the results of the selective enforcement efforts. The evaluation should include but not limited to a review of citation times, locations and offences; and collision locations.

## **II. Motor Vehicle Stops**

- A. Every precaution should be taken in stopping a motor vehicle as described below: Officers shall notify the dispatcher of the following:
  - Location of the stop
  - Registration plate # and State
  - If possible, a description of its occupants and motor vehicle
  - Unusual or furtive movements by the operator or occupants
- B. Select a suitable location for making the stop, preferably a well-lit area.
- C. In stopping the suspect vehicle, guard against any evasive action by its operator. Request back-up officer(s) when necessary
- D. As you approach the vehicle remain cognizant of your surroundings to include traffic and roadway hazards.
- E. Leave the emergency lights of the police vehicle flashing to warn traffic and to assist any back-up officers responding to the scene.

## **III. Felony or High-risk Vehicle Stops**

In addition to the above a-e, Felony stops shall be conducted in accordance with established training, guidelines and proper procedures of "Contact-Cover."

Make every effort to conduct the stop in an area of advantage with necessary back up support

Position cruiser in a manner that provides protection and cover

Give clear, verbal commands

## **IV. Procedures for Dealing with Violators**

- A. Officers should conduct themselves in a courteous and professional manner, keeping in mind the use of proper language, and emotional stability.
- B. Officers should:

## TRAFFIC MANAGEMENT AND ENFORCEMENT

1. be certain of their observations of the alleged violation,
  2. have the necessary forms and equipment to deal with the situation,
  3. greet the violator with the appropriate title in a courteous manner when requesting driver and vehicle identification, and
  4. explain to the violator the reason for him/her being stopped.
- C. Officers must keep in mind that some violators encountered will show signs of emotional distress. Officers should deal with these individuals in a calm, courteous manner to relieve them of any anxiety.
- D. Traffic enforcement action will be taken without regard for such factors as attitude, intent, or excuse.
- E. Upon completion of the required forms, officers will ensure that the violator safely re-enters the flow of traffic.
- F. All enforcement actions will be accomplished by using one of the following four methods:
1. Verbal Warnings: A verbal warning is appropriate only when the violator commits a minor act which may be due to ignorance of a particular law. However, a written warning is recommended since it provides written documentation justifying the stop.
  2. Written Warnings: A written warning is a proper alternative by officers in response to a minor traffic infraction. If used properly, warnings can effectively be used as a means of educating the public because they involve less emotional stress, and are also considered to be an effective public relations tool. However, the excessive use of warnings should be avoided; otherwise, it could create a feeling of lack of commitment by the police department to enforce motor vehicle safety within the community.

## TRAFFIC MANAGEMENT AND ENFORCEMENT

3. Citations: Citations are the backbone of the police traffic enforcement effort. An officer's discretion plays a big part in the decision to take punitive action against a violator. However, this discretion should be based on a combination of experience, training, and common sense. The traffic citation should be issued to all violators who jeopardize the safe and efficient flow of vehicular and pedestrian traffic.

- a. Whenever legally and practically possible, officers shall issue citations where circumstances dictate the creation of deterrents to unsafe conduct by users of the roadway.
- b. Before releasing the traffic violator, the officer shall provide him/her the following information as appropriate:
  - i. Notice that the motorist can either pay the fine by mail/phone/internet or contest the citation at a hearing;
  - ii. Court appearance schedule.
  - iii. Optional or mandatory nature of court appearance; and
  - iv. Mailing envelope provided with citation
  - v. It is essential officers fully explain the motorist's rights and requirements upon arrest or issuance of a citation. The officer should advise the violator that these rights are outlined on the back of the citation.
- c. All Officers shall comply with G.L. c. 90C, which enumerates the uniform procedure for handling motorvehicle offenses.

G. Arrest: Officers may arrest any person in violation of those traffic laws allowing an arrest, and shall arrest for any law mandating such. Whenever an arrest results from the issuance of a motor vehicle citation, the "Arrest" box on the citation shall be checked. The departmental policies on Arrest and Transporting Prisoners shall be followed.

1. When circumstances warrant that the arrestee's vehicle be towed (see policy on Towing), the vehicle shall be inventoried, towed and secured.

## **V. Accountability of Citations**

- A. Traffic citations are received from the Registry of Motor Vehicles. They are secured in the Safety Division before issuance to individual officers. When the Safety Division is closed, access to vehicle citation books shall be made available by the Commanding Officer.
- B. Citation Index Log: A receipt is filled out by the Commanding Officer when a citation book has been issued to an officer. The Receipt will contain the citation book number, officer's name and date of issue. The Commanding Officer will then forward the receipt to the Records Division. The Records Division will maintain a record indicating whom each citation book is issued.
- C. Audit Sheet: An audit sheet is prepared in the Safety Division. The sheet contains the citation number, date issued, citation code, and the officer's name. This audit sheet when filled is sent to the Registry of Motor Vehicles by the Records Department.
- D. Lost/Voided Citations: Officers shall write a report concerning lost citations or when requesting that a citation be voided. In the case of voiding citations, the violator should be given the corrected copy. The original citation shall be signed and turned in to the Safety Division with the report for correct administrative disposal by Safety Division personnel.
- E. Amendments to Citations: Amendments to citations or dismissal of charges shall be processed by the prosecutor's office.
- F. Completed citations shall be turned in to the Commanding Office at the end of the officer's tour of duty.
  - Arrest citations will be attached to the booking sheet and placed in the booking sheet rack outside of the Commanding Officer's office.

## TRAFFIC MANAGEMENT AND ENFORCEMENT

- Criminal citations will be attached to the complaint application and required written report, both the report and citation will be placed into the file drawer in the Records folder.
- All warnings and civil citations will be placed in the secured Citation Box located at the side counter.

### **VI. Interfering with the Citation Process**

- A. The State Ethics Commission has ruled that requests by police officers for consideration of dismissal of traffic citations based on the violator's personal connection with a police officer violate the conflict of interest law (MGL268A s23).
- B. Members of this department are hereby informed that this activity is unlawful.

### **VII. Speed Violations**

Speed is one of the main causes of accidents. Officers shall take appropriate enforcement action for speeding violations. Officers should use the written warning, or citation to have motorists voluntarily comply with traffic laws and regulations to ensure maximum reduction of accidents.

- A. All members of this department shall adhere to the following guidelines, which govern the use of speed measuring devices in traffic law enforcement:
  1. Covert enforcement (unmarked vehicles) should be utilized where overt enforcement has failed and as determined by the shift Commanding Officer, the Field Operations Commander, or the Safety Division.
  2. Equipment Specifications: Members of this department shall use mobile radar and handheld radar/lidar units. Specific information on these units may be found in the operators' manual which accompanies each unit.
  3. Operations: The operational procedures for these units shall be adhered to, as provided in the operator's manual for this unit.

## TRAFFIC MANAGEMENT AND ENFORCEMENT

4. Care: All officers using the Radar/Lidar units of this department are responsible for the proper care and upkeep of the unit(s) they use. Such care and upkeep shall be done in accordance with the directions given them during their original training in the use of the equipment.
5. Maintenance: The Commanding Officer - Safety Division, or his/her designee, shall schedule maintenance inspections of each Radar and Lidar unit at least as often as the units are calibrated. A record of all maintenance on each Radar and Lidar unit shall be maintained by the Commanding Officer - Safety Division.
6. Calibration: Each Radar unit shall be calibrated as needed, and at least once a year. A record of calibrations shall be kept by the Commanding Officer – Safety Division. If calibration of Lidar units is necessary, it will be coordinated by the Commanding Officer - Safety Division, or his designee. Each officer shall check the calibration of the Radar unit each time it is used during his tour of duty.
7. Training: All members of the Patrol Division, and any other officer wishing to use the Radar/Lidar equipment, shall receive the full training outlined by the Massachusetts Criminal Justice Training Council, prior to using the equipment. The training standards shall be equivalent to the model standards promulgated by the National Highway Traffic Safety Administration (NHTSA).

### **VIII. License Suspensions/Revocations**

- A. Verified: (through RMV): If the officer has probable cause that the operator's license is suspended/revoked and observes operation, [s]he should arrest the operator. The vehicle shall be handled in accordance with the policy on towing of motor vehicles.
- B. Not Verified: If the officer is unsure of the actual status (RMV records not unavailable), a written citation for operation without license in possession should be issued to the violator, with consideration of future complaint amendment.

- C. In no circumstances shall an officer allow an unlicensed operator to continue operation of a motor vehicle.
- D. Request a certified copy of the Suspension/ Revocation from the RMV and attach a printed receipt to the case report.

## **IX. Operating Under the Influence of Alcohol or Drugs**

- A. Many traffic collisions, particularly those involving a fatality or personal injury, are directly attributable to persons driving under the influence of alcohol and/or drugs. If the officer determines that the operator is under the influence of alcohol or drugs, appropriate enforcement action shall be taken. Appropriate enforcement action consists of arrest or, if circumstances do not allow for an arrest, issuance of a citation; for example, if an operator is admitted to a hospital and the officer has no means to effect an arrest. Officers should be aware, though, that arrest should be a priority for this offense. The Department will ensure that sworn officers are trained in the detection of driving under the influence of alcohol or drug enforcement procedures, and will cooperate with other agencies and community groups to reduce and control this problem.
- B. On occasion, this department will conduct traffic enforcement programs that are aimed at reducing alcohol and/or collision related vehicle offenses. These programs shall consist of, but are not limited to:
  - 1. Directed Enforcement : Placement of personnel at the specific times and locations where analysis have shown a significant number of violations/collisions involving impaired drivers have occurred
  - 2. Directed Surveillance: Patrol of roadways on which there have been an unusual incidence of operator impaired related violations/collisions.
  - 3. Selective Enforcement: targeting violations and behavior that is consistent with impaired operation.
- C. Shift Commanders will have the authority to re-assign officers involved in any of these programs - providing there is an emergency situation which requires a need for additional personnel. These situations will include only those instances whereby regular patrols are unable to clear from an incident to respond to another serious call or when more assistance is needed at an incident and

there are no other officers available.

- D. Sobriety checkpoints and/or roadblocks are not permitted.  
However, FPD may assist Massachusetts State Police.

## **X. Detecting the Impaired Operator**

- A. The NHTSA identifies three phases in the detection of impaired drivers:
1. The suspect's driving behavior.
  2. The suspect's physical and mental characteristics during police contact.
  3. The suspect's performance on field sobriety tests.
- B. NHTSA has validated the following three field sobriety tests:
1. Walk and Turn
  2. One leg stand
  3. HGN (requires expert testimony)
- C. Other field sobriety tests not validated by NHTSA may be used i.e alphabet, finger to nose.

**NOTE:** Field sobriety tests will be conducted in a safe location.

- D. Recognize, identify and note specific characteristics, attitudes, and actions commonly manifested by impaired drivers (e.g. speech impaired, strong odor of alcohol, glassy eyes, lack of ability to be attentive, etc.).
- E. Select and administer the standardized National Highway Transportation and Safety Administration (NHTSA) field sobriety evaluations to assess impairment. Any one or more of the following tests are acceptable:
- Walk and turn
  - Standing on one leg; and,
  - Horizontal Gaze Nystagmus (HGN)
- NOTE:** expert testimony required at prosecution
- F. Reciting the alphabet and/or touching the nose are other forms of sobriety tests, however they are not validated by NHTSA.

## TRAFFIC MANAGEMENT AND ENFORCEMENT

- G. Whenever possible, officers (who have been trained) should administer a "Preliminary Breath Test" utilizing the P.B.T. devices, as part of their roadside sobriety tests. In doing so the following applies:
1. The officer must be trained in the use of the P.B.T. devices, in accordance with the guidelines promulgated by the Office of Alcohol Testing (O.A.T.) and/or the MPTC.
  2. The Officer in Charge of the P.B.T. shall adhere to the maintenance and use guidelines as promulgated by O.A.T.
  3. The P.B.T. is to be the **last** field sobriety test offered.
  4. The P.B.T. can be administered only with the suspects consent.
  5. All P.B.T. tests must be entered in the P.B.T. log
  6. Officers shall note the use or refusal of the P.B.T. and will include the results in their arrest report narrative.
  7. The P.B.T. is only for use in the field and shall not be used at the booking desk.
- H. Do not allow the operator to move or drive the vehicle if ultimately an opinion is made that he/she is impaired.
- I. While not required, it is still advisable to use the **Miranda Warning** prior to asking questions of an incriminating nature.

## **XI. OUI Arrest and Processing**

- A. Upon arrival at the station the subject shall be booked according to established Booking policy.
- B. If the subject takes a *Breathalyzer* test and the results do not confirm impairment, the officer should consider if drugs were the cause of impairment before the subject is released from custody.
- C. Completed tests and refusals shall be handled in accordance with applicable statutes and OAT guidelines.

- D. The Shift Commander will contact the Bail Commissioner for release conditions as soon as possible after the subject is booked.
- E. Melanie's law has eliminated the 15-day temporary driver's license. The operator's license is therefore immediately suspended upon written notification from a police officer.
- F. An arrestee's vehicle shall be impounded for 12 hours following an arrest. The Booking Officer shall contact the Tow company and advise them of the 12-hour rule.
- G. Officer's must be familiar with the provisions set forth under Melanie's law within MGL Ch90. [..Policy Addendums\melanies law.pdf](#)

## **XII. Chemical Breath Test Operation**

- A. Chemical breath test shall only be administered by a trained and certified operator. Examinations shall be according to Massachusetts law for persons arrested for operating a motor vehicle under the influence of intoxicating liquor.
- B. Under 21 years of age: If a person under the age of 21 has a reading of at least .02%, his/her driver's license shall be taken by the arresting officer and said person shall be processed according to law.
- C. Commercial Drivers License: Any person who is:
  - 1. operating a CDL vehicle
  - 2. with a CDL license
  - 3. who has a reading of .04%,

is in violation of operating under the influence of alcohol. The arresting officer shall take said person's license, and said person shall be processed according to law.

**NOTE:** MGL Ch90f s10 requires that a CDL licensee operating a CDL vehicle with **any** alcohol in his/her system shall be placed out of service for 24 hours.

### **XIII. Blood Tests**

- A. Blood tests shall be administered in conformity with MGL Ch90 s24e.
- B. **NOTE:** If the doctor treating the defendant orders a blood test as part of a routine medical procedure, the test does not have to conform to s24 (e) requirements.

### **XIV. Other Enforcement Violations**

- A. Equipment Violation: When a vehicle is found to be in violation, officers should consider issuance of a citation for any essential equipment defects.
- B. Public Carrier/Commercial Vehicle Violation: Officers should enforce commercial motor vehicles in the same manner as passenger vehicles. Special attention should be given to equipment violations. Officers should consult or enlist the assistance of a member of the Traffic Unit. For weight restrictions and/or hazmat compliance.
- C. Other Hazardous Moving Violations: The citation is preferred for these violations. There are two general types:
  - 1. Unsafe Behavior: An action or omission which is hazardous even when vehicles, streets or highways, and people involved are in legal condition.
  - 2. Unsafe Condition: Causing or permitting an illegal and possibly hazardous condition of a driver or vehicle.
- D. Non-Hazardous Violations: Officers should consider warnings unless repetitive or flagrant.
- E. Multiple Violations: Generally one citation will be issued in the case of multiple violations stemming from the same operation. The exception is when a warning and citation are issued as a result of the same traffic stop. The warning must be issued on a separate citation.
- F. Newly Enacted Laws and/or Regulations: These cases should be treated on a case-by-case basis depending

## TRAFFIC MANAGEMENT AND ENFORCEMENT

on the severity and nature of the offense.

- G. Bicycles/Motorized Scooters: Officers should exercise discretion in the application of those laws regarding the safe operation of bicycles/scooters. Where frequency of collisions involving bicycles/scooters have been frequent, those laws and or town bylaws laws pertaining to their safe operation should be enforced.
- H. Pedestrians: The Pedestrian Control Regulations in accordance with the provisions of G.L. c. 90, §18A and the Town of Framingham's Pedestrian Bylaw Article V §19 (NOTE: For town bylaw violation use "Notice of Violation of a Town Ordinance" citation). Officers should enforce these pedestrian control regulations.
- I. Recreational and Snow Vehicles: Officers shall take appropriate enforcement action against operators of off-road recreational vehicles (e.g., snowmobiles, dirt bikes, ATV's) committing violations that are either observed by them or reported to them. All rules pertaining to Recreational and Snow Vehicles can be found in G.L. c. 90B, § 20-34 inclusive.
- J. College Campus Police: Members of the Framingham Police Department will cooperate and assist Framingham State University campus police department in meeting a common goal of public safety. Campus police will at times need our assistance in the performance of their duties.
  - 1. If requested by a campus police department, an officer will respond to the scene of the incident.

## **XV. Problem Drivers**

- A. Driver Incompetence or those who pose an immediate threat.
  - 1. Routine enforcement, collision investigation, and related activities frequently leads to the discovery of drivers who have displayed a suspected incompetence or pose an immediate threat. This condition may prevent the person from exercising reasonable and ordinary care over a motor vehicle.
  - 2. In addition to reports concerning the original incident, the officers shall notify the Registry of Motor Vehicles regarding the removal of that person from the roadway. Mass DOT form

#20385 (immediate threat) is located on S drive.

## **XVI. Special Categories of Drivers**

- A. Non-Residents: Enforcement activities shall be consistent and in a uniform manner, that does not give preference to local residents or non-residents.
- B. Juveniles: There are no special procedures dealing with juvenile offenders of the traffic laws and in the issuance of citations. When an arrest of a juvenile is warranted, officers are to be guided by the policy outlined in Handling Juveniles.
- C. Legislators: State and U.S Legislators are immune from arrest while attending, going to, or returning from a session of their respective houses.
- D. Diplomatic and Consular Officers: These officials should be accorded their respective privileges, rights, and immunities as directed by international law and federal statute.
  - 1. Diplomatic officers, their families, official staff and servants are protected by unlimited immunity from arrest (except for the commission of a felonious crime where public safety is endangered), detention, or prosecution with respect to any civil or criminal offense.
  - 2. Traffic citations may be issued.
  - 3. Any citations shall be reported to the U.S. Department of State. The State Department maintains driver histories and may subject these subjects to license suspensions or revocations.
  - 4. Consular officers are entitled to limited immunity and are not liable to arrest or detention pending trial, except, as above, for the commission of a grave crime. Family members of consular officers do not enjoy the same privileges and immunities with respect to the civil and criminal jurisdictions, as do consular officers.
- E. Military Personnel: When an active duty military member is arrested, a supervisor shall notify the liaison officer of the

nearest armed forces investigative headquarters. Traffic citations may be issued when appropriate.

**XVII. Hazardous Roadway or Environmental Conditions**

Upon discovery of a hazardous highway or environmental condition (e.g. malfunctioning lights, downed wires, etc.) the officer shall notify the station and request that the appropriate agency be contacted. The Dispatcher/Office Clerk will contact the appropriate agency and make a log entry of the hazard. The officer will protect bystanders, the scene, and direct traffic if necessary

**XVIII. Traffic Control**

The department shall perform traffic direction and control functions to ensure the safe and efficient movement of vehicles and pedestrians when necessary, which will include accident scenes.

**XIX. High-Visibility Clothing**

Officers are to have high-visibility outerwear in accordance with department uniform specifications when assigned to perform manual traffic direction and control functions.

**XX. Manual Direction of Traffic-Location**

Officers shall employ uniform procedures (signals, gestures, etc.) to enhance driver and pedestrian recognition and response to their direction.

**XXI. Manual Operation of Traffic Control Devices**

A. On occasion, officers must manually operate traffic control signal lights. Traffic lights may be operated manually to:

1. To facilitate movement at the scene of a traffic accident or other emergency;
2. To provide a thoroughfare for a motorcade, funeral procession, etc.; and

3. To alleviate congestion resulting from use of automatic controls, particularly during planned special events or traffic collisions.

## **XXII. Temporary Traffic Control Devices**

- A. The department will have use of temporary traffic control devices, including movable barriers, portable signs, and other apparatus intended for temporary deployment, to assist the safe and efficient movement and control of vehicular and pedestrian traffic. The signs/ barriers are obtained from the DPW. Supervisory approval is required to erect temporary traffic control devices.
- B. As soon as practical following termination of the need for the temporary traffic control device, the supervisor authorizing deployment of the device will see to its removal.

## **XXIII. Traffic Control at Fire Scenes**

The department shall continue to work closely with the fire department and other emergency services organizations in order to maintain access and egress at fire scenes by emergency vehicles. Officers responding to fire scenes shall follow the departmental policy on **Structure Fires**.

## **XXIV. Adverse Road and Weather Conditions**

- A. The officer-in-charge shall determine whether notifying the local newspapers, radio stations, public works, and fire department of the adverse road condition(s) will have a desired effect.
- B. The officer-in-charge shall notify the Field Operations Commander and advise him/her of the circumstance, which may require the closing of a street, if, in his/her opinion, the surface conditions and terrain creates an unusually hazardous condition. [S]he shall also request assistance from the Department of Public Works.

## **XXV. Parking Enforcement**

- a. **PARKING CONTROL:** All officers shall enforce parking regulations with reasonableness and impartiality in all areas of

the community.

- b. The Parking Enforcement Officer (PEO) falls under the direction of the Commander- Safety Division. The PEO shall wear an approved uniform identifying him/her. The PEO is also responsible for turning over the Department's completed parking citations to the Town's Tax Collector's Office.

## **XXVI. Escorts (Traffic Management)**

The department recognizes that there are legitimate and reasonable requests for police escort services to ensure safe, orderly, and efficient movement of special traffic or to expedite delivery of special items. The Shift Commander or his/her designee shall review and approve all requests for escorts or relay. These events should comply with best practices as outlined by Safety Division.

- a. Officers shall not initiate escorts without first obtaining permission from the Shift Commander.
- b. Requests for escorts that may be obliged may include, but are not limited to, the following:
  - Funerals;
  - Motorcades;
  - Emergency vehicles, particularly ambulances, shall not be escorted by officers, except under specific circumstances approved by the Shift Commander
- c. Except in unusual medical emergencies, officers shall not escort civilian vehicles. The driver of a civilian vehicle requesting an escort should be directed to proceed to the emergency medical facility at normal speed in compliance with all traffic regulations.

## **XXVII. Requests for Service Vehicles**

- a. The public, when utilizing public highways, may encounter mechanical or other difficulties requiring assistance from the police. When outside assistance is needed, the officer shall notify the dispatcher of:

## TRAFFIC MANAGEMENT AND ENFORCEMENT

1. Type of Service Needed (i.e. Tow truck, Fuel, Repair/service, Medical)
  2. Location (street name and number) that service is to be dispatched to; and
- b. It is the policy of the department not to advise any citizen where to conduct business. When asked, officers should advise citizens of several businesses in the area and let them decide.
- c. Stranded Motorists: If the officer believes it is necessary to transport a stranded person in his/her police vehicle, [s]he shall first obtain permission from a supervisor. Prior to such transport, the officer shall advise dispatch of his/her location, destination, reason for the transport, and odometer reading at start and conclusion of transport.

### **XXVIII. Abandoned Motor Vehicles**

Abandoned Motor Vehicle: when a motor vehicle has been apparently abandoned by its owner and left standing for more than 72 hours on a public or private way, or on any property without the permission of the property owner or lessee.

All vehicles towed will be documented. Any inventory shall be done in accordance with the departmental policy on **Motor Vehicle Inventories**. The following procedure shall be followed during an investigation for an Abandoned Motor Vehicle.

- a. Initial Investigation:
  1. Officer will be dispatched (if called in by citizen).
  2. Officer will attempt to contact owner of vehicle
  3. If successful in contacting owner, officer will advise same to have vehicle removed within 72 hours, or be charged with abandonment.
  4. The investigating officer will transmit the registration number or VIN #, make, model, description, condition and location to the dispatcher. The Dispatcher (or Officer Clerk) will enter the information into the Abandoned Vehicle Log.
  5. Officer will affix an abandoned vehicle notice

## TRAFFIC MANAGEMENT AND ENFORCEMENT

containing the date to the upper right-hand corner of the driver's window.

6. Whenever possible, citations for abandonment of a motor vehicle should be issued.

### b. Follow- Up Investigation:

1. The officer assigned to conduct the follow-up investigation may be different than the one who initiated it.
2. The officer assigned at the time of towing will request a casenumber and document the tow on a standard offense report. The report will include an inventory of the vehicle's contents and damage (if any).
3. A daily log entry will be made at the time of the tow.

### c. Duties of Commanding Officer:

1. The Commanding Officer (Patrol Division) of each shift, will on a daily basis, check the Abandoned Vehicle Log.
2. The Commanding Officer will assign an officer to investigate any vehicle listed in the book for more than 72 hours.
3. The Commanding Officer or Patrol Supervisor may authorize the towing of abandoned motor vehicles when appropriate.

### d. Private Property Abandonment

1. The property owner will contact the tow company and arrange to have the vehicle towed off his/her property.
2. Notification: Before a vehicle can be towed from private property for abandonment, the tow company must provide the following information in writing (to be entered into the daily log).
  - a. The address from which the motor vehicle is being removed;

## TRAFFIC MANAGEMENT AND ENFORCEMENT

- b. The address to which the motor vehicle will be moved;
- c. The registration number;
- d. The name of the person or tow company that will be towing the motor vehicle.

### **XXIX. Reports**

- a. Accurate, timely, and complete reports are fundamental to the department's efficient and effective operation, as these form the basis for prosecution and ultimate adjudication of traffic offenses.
- b. Officers shall therefore, complete all traffic citations and reports (when necessary), as well as arrest reports, to the best of their ability, and submit them through the proper channels as quickly as possible.

### **XXX. Educational Material**

The department should prepare and disseminate traffic safety educational materials to the public. Such materials support enforcement efforts and enhance public understanding of traffic safety programs.