

Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for improving public safety through education and enforcement of traffic-related laws.

500.2 DEPLOYMENT

Enforcement efforts may include such techniques as geographic/temporal assignment of department members and equipment, the establishment of preventive patrols to deal with specific categories of unlawful driving, and a variety of educational activities. These activities should incorporate methods that are suitable to the situation; timed to events, seasons, past traffic problems or locations; and, whenever practicable, preceded by enforcement activities.

Several factors are considered in the development of deployment schedules for department members. State and local data on traffic accidents are a valuable resource. Factors for analysis include but are not limited to:

- Location.
- Time.
- Day.
- Violation factors.
- Requests from the public.
- Construction zones.
- School zones.
- Special events.

Department members assigned to uniformed patrol or traffic enforcement functions will emphasize the enforcement of violations that contribute to traffic accidents, and also will consider the hours and locations where traffic accidents tend to occur. Members will take directed enforcement action on request, and random enforcement action when appropriate. Members shall maintain high visibility while working general enforcement, especially in areas where traffic accidents frequently occur.

500.3 ENFORCEMENT

Contacts for violations of the law, absent of emergency situations, will result in a written or verbal warning, citation, or arrest. Enforcement actions are commensurate with applicable laws and take into account the degree and severity of the violation committed, the influence of the enforcement action to deter similar future violations on the recipient, extreme weather, or other circumstances. Any reduction in the violation(s) charged versus the initial violation(s) (i.e. driver is stopped for speeding 13 miles over the speed limit,

Traffic Function and Responsibility

and the officer elects to charge speeding 1-9 miles over the speed limit,) shall be noted in the officer notes section on the citation. Officers may not reduce violations charged in traffic accidents. Further, private property does not in and of itself preclude the enforcement of applicable ordinances or laws. The department does not establish ticket quotas and the number of written or verbal warnings, citations, or arrests issued by any officer shall not be used as the sole criterion for evaluating officer overall performance. Officers are reminded that discretion requires analysis of the situation and ultimately a decision based on the totality of the circumstances. Officers must be able to justify their decisions, and are accountable for their actions. The visibility and quality of an officer's work effort will be commensurate with the philosophy of this policy. Several methods are effective in the reduction of collisions (CRS § 42-4-101 and CRS § 42-4-104):

500.3.1 WARNINGS AND STOPS WITHOUT CITATION OR ARREST

Written or verbal warnings should be considered in minor traffic infractions and substituted for arrests or citations when circumstances warrant. Circumstances that do not result in a citation, arrest, or written warning require providing a business card in compliance with the law, as outlined in the Bias-Based Policing Policy.

500.3.2 TRAFFIC CITATIONS

Traffic citations may be issued when an officer believes it is appropriate. It is essential that officers fully explain the rights and requirements imposed on motorists upon issuance of a citation for a traffic violation. Officers should provide the following information at minimum:

- a. Explanation of the violation or charge
- b. Court appearance procedure, including the optional or mandatory appearance by the motorist
- c. Notice of whether the motorist can enter a plea and pay the fine by mail or at the court
- d. The court contact information

500.3.3 TRAFFIC CITATION COURT JURISDICTION

An officer who issues a traffic citation shall ensure that the place specified in the summons, complaint or penalty assessment notice is a county court within the county in which the offense is alleged to have been committed (CRS § 42-4-1707(5)). Municipal violations will be written into Louisville Municipal Court.

500.3.4 PHYSICAL ARREST

Physical arrest can be made on a number of criminal traffic offenses. These physical arrest cases usually deal with but are not limited to (CRS § 42-4-1705(1)):

- a. Vehicular homicide.
- b. Driving under the influence of alcohol/drugs.
- c. Hit-and-run resulting in serious injury or death.
- d. Hit-and-run resulting in damage to any vehicle or property.

Traffic Function and Responsibility

- e. Reasonable cause to believe the violator may leave the state.
- f. Any Class 1 or Class 2 misdemeanor traffic offense.

500.4 SUSPENDED OR REVOKED DRIVER'S LICENSE

If an officer contacts a traffic violator also driving on a suspended or revoked license, the officer should issue a traffic citation or make an arrest as appropriate.

500.5 HIGH-VISIBILITY VESTS

The Department has provided American National Standards Institute (ANSI) Class II high-visibility vests to reduce the danger to employees who may be exposed to hazards presented by passing traffic, construction vehicles and disaster recovery equipment (Federal Manual on Uniform Traffic Control Devices, 23 CFR 655.601).

Although intended primarily for use while performing traffic-related assignments, high-visibility vests should be worn at any time increased visibility would improve the safety or efficiency of the employee.

500.5.1 REQUIRED USE

Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn at any time it is anticipated that an employee will be exposed to the hazards of approaching traffic or construction and recovery equipment. Examples of when high-visibility vests should be worn include traffic control duties, accident investigations, lane closures and while at disaster scenes, or anytime high visibility is desirable. When emergency conditions preclude the immediate donning of the vest, officers should retrieve and wear the vest as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

Vests maintained in the investigation units may be used anytime a plainclothes officer might benefit from being readily identified as an officer.

500.5.2 CARE AND STORAGE OF HIGH-VISIBILITY VESTS

High-visibility vests shall be maintained in the trunk of each patrol and investigation unit. Each vest should be stored inside the resealable plastic bag provided to protect and maintain the vest in a serviceable condition. Before going into service, each employee shall ensure a serviceable high-visibility vest is properly stored.

Additional high-visibility vests will be maintained in the equipment room for replacement of damaged or unserviceable vests. The Deputy Chief should be promptly notified whenever the supply of vests in the equipment room needs replenishing.

500.6 DRIVER LICENSE RE-EXAMINATION

If during a traffic stop or accident investigation an officer believes that an individual may be an unsafe driver or their ability to operate a motor vehicle safely is impaired by a physical or medical condition, the officer shall submit a request for driver license re-examination to the Colorado Department of Revenue.

Traffic Function and Responsibility

500.7 POLICY

It is the policy of the Louisville Police Department to educate the public on traffic-related issues and to enforce traffic laws. The efforts of the Department will be driven by such factors as the location and/or number of traffic accidents, civilian complaints, traffic volume, traffic conditions, and other traffic-related needs. The ultimate goal of traffic law enforcement and education is to increase public safety.

