

	POLICY & PROCEDURE	SERIES # 1140	PAGE 1 OF 5
	SUBJECT		EFFECTIVE DATE
	TRAFFIC LAW ENFORCEMENT		03/24/2021
			OVERSIGHT Operations
DISTRIBUTION ALL MANUALS	AMENDS/SUPERSEDES/CANCELS P&P #1140 dated 08/15/98.		

I. PURPOSE:

The purpose of this policy is to establish guidelines for traffic law enforcement.

II. POLICY:

It is the policy of the Hampton Police Division to enforce traffic laws in order to prevent conditions which lead to traffic crashes. Patrol officers shall conduct prevention-oriented traffic enforcement based on data supplied from the Crime Analysis Unit, citizen request, beat profiles and patrol observations.

III. PROCEDURE:

A. Patrol Officers shall:

1. Report to their assigned areas, as specified by their supervisors, during peak hours of violations, maintaining high observation and high visibility.
2. Maintain a visible patrol, whether area, line or directed, especially during heavy moving traffic conditions.
3. While stationary, utilize his vehicle as an overt or covert observation post.
4. Utilize all legal techniques and equipment necessary to deal with unlawful driving behavior.
 - a. Unmarked cars may be utilized for selective enforcement assignments.
 - b. Use of unmarked cars shall be approved by the Operations Branch Commander.
 - c. All unmarked cars used for traffic law enforcement shall be equipped with seat belts, emergency lights and siren as provided in State Code.

APPROVED:
CHIEF OF POLICE



- d. Officers assigned to unmarked units are to exercise extreme care because of the reduced visibility of these vehicles and the higher risks associated with their operation.

B. Use of highway safety checkpoints:

1. All safety checkpoint sites must be previously approved by the Operations Branch Commander or his designee. This requires the submission of a written plan.
2. A supervisor will be in charge of the checkpoint. At least four other officers will be assigned for a minimum of five persons working.
3. Signs alerting motorists of the checkpoint will be set in a manner conspicuous to approaching drivers.
4. Traffic cones and/or barricades will be used to minimize danger to the officers operating the checkpoint by creating a safety zone. Officers will wear their reflectorized vests and hats while working the checkpoint.
5. Motorists contact should be within the guidelines set forth in Policy and Procedure #1114, Section II, "Contact with The Violator".
6. When the checkpoint is closed, it is the responsibility of the officer in charge to:
 - a. Collect and return to storage signs, cones, and barricades.
 - b. Ensure that a written summary of the checkpoints activity is prepared for the Watch Commander by the end of the shift's tour of duty.

C. General Enforcement Practices:

1. Uniform enforcement activities support the goal of traffic law enforcement, which is to achieve voluntary compliance with traffic laws and regulations.
2. This policy is not intended to supplant officer judgment, for it is impossible to foresee every conceivable situation involving traffic violations. In unusual circumstances, the officer must decide what enforcement action is proper based upon a combination of training, experience and common sense.
3. Under normal circumstances the following general types of violations should result in the placing of appropriate charges when violations are observed or established.
 - a. Driving under the influence of alcohol/drugs

Officers are expected to apprehend, arrest and process drunk drivers who come to their attention through routine observation, investigation of enforcement activities. (See Policy and Procedure 1139, Alcohol Enforcement Program).

b. Speeding violations

Accidents resulting from excessive speeds may cause a great deal of property damage, serious injury or even death. The enforcement objective is to establish and charge speeding violations, which are either too fast for road conditions or in excess of posted speed limits.

c. Other hazardous violations

In addition to DUI and speeding violations the National Safety Council has identified the following as principal accident causing violations:

- 1) Failure to yield right of way
- 2) Following another vehicle too closely
- 3) Improper turning movements
- 4) Driving on the center-line
- 5) Failure to heed stop signs
- 6) Improper passing
- 7) Disregarding signals

d. Equipment violations

Although equipment violations may not appear to be as important as the moving violations, many accidents are the direct result of faulty vehicular equipment. As a result of the Police Division's commitment to traffic safety, we must recognize the significance of these violations and our role in reducing them.

e. Public carrier / Commercial vehicle violations

The major concern in dealing with this class of violation is that drivers are properly licensed and qualified to safely operate the vehicle and that the vehicle is properly registered, equipped and insured to legally operate upon the highways of the City.

f. Other non-hazardous violations

Because of the limited relationship of non-hazardous violations to accident causation an officer's law enforcement discretion is greater.

g. Multiple violations

In the event a motorist is stopped and may be charged with more than one violation, a separate summons will be issued for each charge.

h. Newly enacted laws and / or regulations

Officers are not authorized to either initiate or extend legislative periods of grace, however, the best interests of the community may be served through officer judgment and application of appropriate enforcement action.

i. Special enforcement practices

1) Bicycle and Pedestrians

a) Police Officers should control bicycle and pedestrian traffic so as to minimize their interference with and exposure to vehicular traffic.

b) Enforcement action should be taken against bicyclists and pedestrians who recklessly disregard traffic laws and / or create a hazard to themselves and others.

(1) Bicyclists who operate in a careless and reckless manner upon the public streets and roads should be cited, as could any other vehicle operator.

(2) Pedestrians or bicyclists involved in traffic crashes should be charged if it is found, upon investigation that they are at fault.

2) Off-road vehicles

a) The need for enforcement exists with the increase in use and popularity of off-road recreational vehicles while on the public highways.

b) This requires a strict enforcement approach to enforcing licensing, registration, equipment and operations violations committed with off-road recreational vehicles while on the public highways.

c) In accordance with State Code, an exception to such enforcement allows particular type of motorcycles to operate on portions of the public highway while participating in certain approved and sanctioned sporting events.

- d) Accidents involving off-road vehicles are to be investigated in the same manner as any other motor vehicle crash.

4. Selective Enforcement and Saturation Patrols

The ultimate goal of selective traffic law enforcement is to reduce traffic collisions/crashes. This may be achieved through the application of such techniques as geographic/temporal assignment of personnel and equipment and the establishment of preventive patrols to deal with specific categories of unlawful driving behavior.

- a. Selective Enforcement or Saturation Patrols for traffic enforcement may be utilized as a deterrent to traffic violations at High Accident Intersections and other locations where traffic violations are occurring.
- b. These locations can be identified by Shift Commanders, the Traffic Unit or Crime Analysis based on motor vehicle crash statistics.
- c. These locations may also be selected based on citizen complaints of speeding or other traffic violations.
- d. Each Selected Enforcement Activity shall be documented on a Saturation Patrol Activity Report by the Operations Branch. Results of Saturation Patrols shall be forwarded through the Chain of Command to the Operations Branch Commander.
- e. Annually the Operations Branch shall evaluate the effectiveness of Selective Enforcement & Saturation Patrols to include the following:
 - 1) Compilation and review of traffic collision/crash data
 - 2) Compilation and review of traffic enforcement activities data
 - 3) Comparison of collision/crash data and enforcement activities data
 - 4) Implementation of selective enforcement techniques and procedures
 - 5) Deployment of traffic enforcement personnel
 - 6) Documented annual review of selective traffic enforcement activities.

