

GENERAL ORDER 61.1.1

Traffic Enforcement

GENERAL ORDER CROSS-REFERENCE: 41.4.10, 61.3.8

SUMMARY

Establishes procedures for traffic enforcement by the Springfield Police Department.

DISCUSSION

The goal of traffic enforcement is to reduce traffic accidents and injuries and to facilitate the safe and expeditious flow of vehicular and pedestrian traffic through the public's voluntary compliance with traffic regulations. The Department seeks to achieve this goal through a combination of education and enforcement.

Voluntary compliance with traffic laws by the motoring public is the most desirable element of a traffic enforcement program. Publishing traffic accident statistics, offering notice and warnings of changes in regulations prior to enforcement are means in which to promote an informed public.

The effectiveness of the traffic enforcement program is measured by the frequency, severity and cause of traffic accidents.

POLICY

I

It is the responsibility of all uniformed officers to participate in the Department's traffic enforcement activities as opportunities present themselves.

The traffic unit of the Springfield Police Department has a primary responsibility of providing traffic services. The traffic unit shall concentrate enforcement efforts in those areas experiencing a high frequency of traffic problems, complaints and/or accidents. Officers assigned to the traffic team should concentrate on accident causing or hazardous violations as well as licensing and registering vehicles and insurance violations.

The traffic unit may utilize marked or unmarked police cars and police motorcycles at the direction of the Patrol Division Commander. Unmarked police vehicles utilized for traffic/DUII enforcement shall have emergency lighting that is visible in all (360 degrees) directions and the license will be E-plated. Unmarked police vehicles such as ISB vehicles typically will not be used for routine patrol duties unless exigent circumstances exist. Officers operating units that are unmarked and with no overhead light bar should terminate their involvement in any pursuit upon the arrival of a sufficient number of marked police vehicles.

Deployment of the traffic unit shall be the responsibility of the Patrol Division Commander. Immediate supervision of the traffic unit is the responsibility of the on-duty watch commander.

Members of the traffic unit may be used for non traffic related assignments when a need exists, to provide assistance to a patrol officer or when other patrol officers are unavailable.

Officers shall be courteous and professional, and attempt to make each contact an educational experience for the traffic violator.

II

The traffic unit shall concentrate enforcement activities on those offenses that are the primary causes of accidents and hazardous vehicle operation. Selective enforcement dictates that enforcement be managed based upon statistical data, observation and experience, focusing attention on those locations, times and days that present specific problems to the motoring public.

Selective enforcement decisions shall be based upon information obtained through the analysis of traffic accidents, the analysis of traffic enforcement activities of the Department, traffic volume and conditions, and traffic complaints by citizens. The analysis of accidents and traffic enforcement activity shall include: geographic location; temporal factors such as day of week, time of day, etc.; types of violations noted; weather conditions and/or light conditions.

Crash data shall be requested from Public Works by the Patrol Division Commander, or designee on an annual basis or as additionally requested by the Division Commander. The type of data to be included in each report shall be determined by the Division Commander and should be comparative and cover the previous year.

III

Based on the analysis performed in section II above, the Patrol Division Commander shall work with the Traffic Team to develop written performance objectives. These objectives should be reasonable, attainable, quantifiable, measurable where possible, and sufficiently flexible to permit change as needed.

These objectives shall be reviewed annually and an evaluation of the progress made toward the attainment of these goals shall be submitted to the Chief of Police by the Patrol Division Commander.

The objectives shall be disseminated to all Patrol personnel.

IV

Traffic enforcement may consist of a warning, citation, or physical arrest as dictated by the offense and circumstances of the occurrence.

Nonresidents of the City of Springfield, juveniles and military personnel shall be treated in the same manner as a resident when a traffic violation has occurred.

State legislators en route to a session of the Oregon Legislature may not be unduly detained.

Consular or diplomatic personnel should be handled as per G.O. 41.4.10.

An oral warning for a traffic violation may be administered if, in the officer's judgment, compliance with traffic regulations can be obtained without further action.

In circumstances where the officer believes that a traffic violation is hazardous, serious or more severe a citation should be issued. In such instances, the officer shall:

1. Advise the violator of the specific violation(s) observed and that a citation will be issued for the observed violation.
2. Advise the violator of the court date and time for appearance.
3. Advise the violator that his options for responding to the violation are written on the reverse side of the citation.
4. Respond to any inquiries from the violator in a courteous and professional manner.

A physical arrest is justified in offenses classified as traffic crimes by the Oregon Revised Statutes.

Juveniles cited for violations/crimes of the motor vehicle laws shall be cited to appear in Municipal Court.

v

Traffic citations and arrest reports shall be submitted to the on-duty supervisor prior to concluding the issuing officer's shift. It is the responsibility of the approving supervisor to ensure that traffic citations and reports have been accurately completed. The supervisor shall forward the approved citation or report to the Records section for processing and submission to the Municipal Court.

Supplemental notes for citations should be documented for future reference.

VI

All officers of the Springfield Police Department are responsible for maintaining a working knowledge of the Oregon traffic laws and applicable City Ordinances relating to traffic offenses. Consistency is a critical element of the traffic enforcement practices of the Springfield Police Department. The policy is not intended to supplant officer judgment, for it is impossible to foresee every conceivable situation involving traffic violations.

1. Driving Under the Influence of Intoxicants

Individuals operating a motor vehicle while under the influence of intoxicants present a serious threat to the safety of others. It is a policy of the Springfield Police Department to strictly enforce the law prohibiting this conduct.

2. DWS

Individuals operating a motor vehicle with a suspended or revoked driving license present a threat to others. It is the policy of the Springfield Police Department to strictly enforce the laws prohibiting this conduct.

3. Speeding Violations

Excessive speed in the operation of motor vehicles presents a real danger to the safety of others and is frequently the cause of motor vehicle accidents. The Springfield Police Department regards willful violations of the Oregon Revised Statutes addressing speed regulations as a serious breach of the law warranting enforcement action.

4. Other Hazardous Violations

A number of violations of the Oregon Revised Statutes applicable to the operation of motor vehicles can be considered hazardous. Some violations considered especially hazardous are:

- a. Disregarding a traffic control device
- b. Failure to yield to a vehicle and/or pedestrian
- c. Reckless or Careless Driving
- d. Improper lane usage and/or change
- e. Following too closely
- f. Safety Belt and Safety Seat violations
- g. Use of Cell Phone While Driving

The propensity for causing traffic accidents demands that the Springfield Police Department take enforcement action when hazardous violations occur.

5. Equipment Violations

Vehicles must be properly equipped as provided by law to ensure safe use on

public roadways. In some instances, the operator of a vehicle may be unaware that certain equipment has malfunctioned. A warning may be all that is necessary to bring about compliance with the motor vehicle equipment laws. A motorist knowingly operating an improperly equipped vehicle requires more strict enforcement.

6. Commercial Vehicle Violations

The action to be taken for non-moving violations of public and/or commercial vehicle code remains at the discretion of the officer. Officers observing on-going series of violations should forward their observations to the Patrol Division Commander for an evaluation of a proper response. Complaints from citizens concerning the operation of public or commercial vehicles, not requiring an immediate response, shall be forwarded to the Patrol Division Commander. The Patrol Division Commander may assign the complaints to the traffic unit or refer the matter to the appropriate responsible organization.

7. Non-hazardous Violations

The enforcement action required in non-hazardous violations remains at the discretion of the officer. Training, experience and common sense will guide the officer in selecting the appropriate course of enforcement action.

8. Multiple Violations

The seriousness and circumstances of multiple violations are significant factors in the decision as to course of enforcement action to be taken by law enforcement officials. Consistent with other traffic procedures, the discretion of the officer will be the guideline for appropriate action.

9. Violations Resulting in Accidents

In the case of violations resulting in accidents, if, after an investigation is completed, the officer is able to identify a violator, the violator should be warned or cited.

10. Newly Enacted Laws and/or Regulations

The enforcement guidelines prescribed within the text of each new law shall be followed. Members must remember the goal is to obtain compliance and that discretionary authority exists in the level of enforcement delivered.

11. Pedestrian and Bicycle Violations

Areas prone to higher pedestrian and bicycle accidents with injuries will be given a higher priority.

VII

The Springfield Police Department uses various practices and techniques in the enforcement of traffic laws. It is the responsibility of the Patrol Division Commander and/or the watch supervisors to determine specific tactics to be employed to attack given problems. The tactics available include the use of:

1. Visible Traffic Patrol

Patrol and traffic officers are responsible for maintaining a visible traffic patrol using marked or easily identified police vehicles. Visible traffic patrol may be assigned to a specific location at specific times regarding complaints and/or accidents involving specific violations.

2. Stationary Observation

Officers may be assigned to observe traffic at a particular location or in an area from a stationary position in response to complaints from citizens or other potential problems. Depending upon the nature of the complaint or assignment, observation may be made from a clearly visible location or an obscured position.

3. Unmarked or Unconventional Vehicles

The traffic unit normally uses unconventional (marked) patrol cars and marked police motorcycles during the course of their enforcement activities. The traffic unit is the unit primarily responsible for the use of unconventional vehicles for traffic enforcement. Watch Commanders may utilize other patrol officers in this capacity as needed. When unconventional vehicles are used for traffic law enforcement, these vehicles shall not be used as the primary pursuit vehicle in any pursuit and shall relinquish the primary position as soon as a marked police vehicle is able to assume the primary position.

Unmarked detective vehicles are not used for routine traffic enforcement.

Richard L. Lewis
Chief of Police