

# Spring Grove Hospital Center Police Department

## Traffic and Parking Enforcement

### I. Purpose

This Directive establishes uniform procedures for taking enforcement action related to traffic law violations.

### II. Policy

The Department's policy is to promote the safe and efficient movement of traffic on roadways and parking lots within the Department's jurisdiction by projecting a physical presence through active patrols, education, and enforcement.

Enforcement actions will be carried out in an impartial and courteous manner, using the following enforcement methods: verbal warning, written warning, and issuance of a citation or physical arrest. All uniformed officers are responsible for traffic enforcement unless a specific situation dictates otherwise.

### III. Definitions

**Selective Traffic Enforcement:** The assignment of personnel to traffic enforcement activities at times and locations where hazardous or congested conditions exist. Such assignments are usually based on factors such as traffic volume, accidents, frequency of traffic violations, citizen complaints, and emergency and service needs.

**Stationary Observation:** Traffic observations at a selected place, usually one with an unfavorable accident experience or traffic flow problem, for traffic law enforcement purposes – especially to detect and deter violators.

**Traffic Survey:** An examination of traffic characteristics, such as volume, speed, delay, accident origin, and destination.

**Verbal Warning:** A warning given orally without any written record.

**Written Warning:** A written warning is where the violator is given a written record of the action.

### IV. Guidelines for Traffic Law Enforcement

#### A. Verbal Warning

A verbal warning is appropriate when the violator commits a violation that is due to ignorance of a recently enacted law or where a minor equipment defect is apparent.

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### B. **Written Warning**

A written warning is a proper alternative by officers in response to a minor traffic infraction committed in an area where traffic accidents have been minimal

### C. **Issuance of a Citation**

The issuance of a citation is applicable in the majority of cases where the violator has jeopardized the safe and efficient flow of vehicular and pedestrian traffic, including hazardous moving violations, parking violations, and operating unsafe or improperly equipped vehicles

### D. **Physical Arrest**

Officers may affect a physical arrest as authorized under the Maryland Motor vehicle and Criminal Code. The decision to affect a physical arrest should be based upon sound legal justification.

### E. **Officer Discretion**

Officers of the Department are given discretion in the enforcement of traffic laws. In some instances, a warning (written or verbal) may be appropriate. In other instances, the issuance of a citation may be appropriate. More serious violations may require an arrest. Factors to be considered are:

1. Whether or not the violation resulted in injury;
2. Whether or not the violation resulted in a property damage accident;
3. The degree of danger to the public posed by the violation;
4. The use of drugs or alcohol by the violator;
5. The degree to which speed limits were violated;
6. Safety/vehicle equipment violations;
7. Whether or not the violator was a commercial carrier;
8. The commission of multiple violations;
9. Whether or not the violation was of a newly enacted law;
10. Whether or not the area has been designated as a selective enforcement location;
11. Whether or not the violation was intentional.
12. Whether or not the violator has demonstrated indicators or behaviors suggesting they may not appear in court to answer to the charges.

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### F. **Qualitative/Quantitative Enforcement Measures**

The above guidelines cannot cover each and every situation. In some cases the officer must decide what enforcement action is proper based upon a combination of training, experience, and common sense. This Directive discourages emphasis on solely quantitative enforcement activities, while acknowledging that in proper balance, both qualitative and quantitative emphases are integral components of the Department's traffic management initiatives.

### V. **Selective Traffic Enforcement**

- A. One of the Department's goals is to promote the safe and efficient movement of traffic. In order to accomplish this, it must utilize its available resources in the most efficient and effective manner. Selective traffic enforcement is designed to apply the Department's resources in a manner that will have the greatest impact on promoting the safe and efficient movement of traffic.
- B. Selective traffic enforcement is designed to promote the safe and efficient movement of traffic through the application of such technique as:
  - 1. Using analytical data to assist in the geographical/temporal (time based) assignment of personnel and equipment; and,
  - 2. The establishment of preventive patrols to handle specific traffic violations.
- C. In order to properly deploy traffic enforcement resources, it is necessary that an ongoing analysis of traffic be conducted. Analysis will include both traffic accidents and traffic enforcement activities. This data collection will be collected by the report writing unit and distributed to the
- D. Police Chief. This analysis will be used in establishing the ongoing Department's selective traffic enforcement initiatives.
- E. Selective enforcement techniques include area, line and directed patrol. Area patrol should be used to detect violations which cover a wide geographic area such as Driving under the Influence (DUI). Line patrol is useful for detecting violations along a given portion of roadway such as speeding along a particular section of a highway. All selective enforcement techniques should be consistent with priorities identified in the traffic analysis.

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### VI. Parking Violations

#### A. Parking Violation Notice

Whenever an officer encounters an illegally parked vehicle on the SGHC campus a Parking Violation Notice may be issued. The violator's copy shall be placed in a conspicuous location on the vehicle, i.e., under the windshield wiper.

#### B. Written Warnings

An officer may issue a written warning in lieu of a Parking Violation Notice when, in his/her opinion, a warning will be as effective as a Parking Violation Notice.

#### C. Vehicle Impounds

Officers may tow a vehicle that is parked in violation of the law *if it is creating a hazard or impeding the flow of traffic*. When impounding a vehicle, officers shall follow the Department's policy and procedures.

### VII. Safety Equipment Repair Orders

A. Officers are encouraged to issue Safety Equipment Repair orders for equipment violations. The purpose of the vehicle owners to have equipment deficiencies repaired. Officers may elect to issue a traffic citation when numerous severe of equipment violations exists.

B. Safety Equipment Repair Orders will be issued for defective safety equipment on all classes of permanently Maryland registered motor vehicles, trailers and semi-trailers, except those bearing the following registration: Historic; Dealer; Transporter; Recycler; and temporary Finance, and Special Mobile Equipment. Out of state registered vehicles and any other vehicles not issued a permanent registration are exempt from the vehicle inspection program.

C. Safety Equipment Repair Orders will be completed in accordance with the procedures established in the MSP document "Guidelines for the issuance of Safety Equipment Repair Orders." Copies are available from the Records.

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### VIII. Re-Examination of Drivers

A request for the re-examination of a driver who appears to be mentally or physically incapable of safely operating a motor vehicle will be made on a form provided by the State Motor Vehicle Administration, "Driver Re-Examination Form".

- A. In order to preclude an officer from having to appear at MVA hearings, it is essential that the form be completed carefully and in its entirety.
- B. The form is self-explanatory, however, physical defects of the driver must be documented so that reasonable grounds for the re-examination can be conclusively established.
  - 1. The officer and his/her section commander must sign the form in the spaces provided.
  - 2. The Chief of Police or his/her designee will forward re-examination requests to the Report Writing Unit for distribution.

### IX. Off-Road Vehicles

- A. The Annotated Code of Maryland, Criminal Law governs the use of off-road vehicles. This section prohibits the use of off-road vehicles on both public and private property unless it is either with the permission of the owner or is specifically permitted by law. Enforcement actions, which can range from a verbal warning to a citation, should be commensurate with the severity of the traffic offense.
- B. Enforcement Procedures:

Vehicles may be secured, if possible, and left on the scene, or towed/transported in accordance with procedures outlined in the Department's "Towing Motor Vehicles."

### X. Pedestrian and Bicycle Traffic Enforcement

- A. Pedestrian and bicycle traffic enforcement should be conducted in such a manner as to facilitate the safe and efficient movement of traffic on roadways and bike paths within the Department's jurisdiction.

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B. Pedestrian and bicycle traffic enforcement initiatives will be based upon an analysis of accidents and their causes. This analysis should result in the identification of countermeasures designed to reduce or eliminate:

1. Human, vehicular, or environmental factors leading to an accident;
2. Behavioral actions, Decisions, and events that lead directly to an accident; and,
3. Specific accident types, by eliminating the precipitating factors.

### **XI. Traffic Law Violations Involving Legislators and Military Personnel**

A. Members of the United States Congress, the Governor, Lieutenant Governor and members of the Maryland State Legislature, under the Annotated Code of Maryland. Shall be privileged from being taken into custody except for treason, a felony, or a breach of the peace during the session of the General Assembly and for five days before and after the session. The issuance of a traffic summons for a moving traffic offense is allowed, as is a physical arrest in the case of involving a DUI.

B. Military personnel driving on roadways within the Department's jurisdiction may be treated as non-residents or if from this area, as residents.

**End of Directive**

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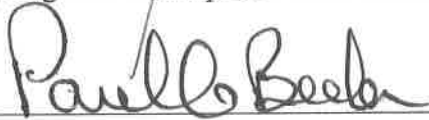
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Approved by:



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