


AURORA POLICE DEPARTMENT DIRECTIVES MANUAL

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| 04.03 | Title: TRAFFIC ENFORCEMENT, DIRECTION, AND ENGINEERING REFERRALS | |
|  | Approved By: Daniel J. Oates, Interim Chief of Police | |
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| | Associated Policy: DM 04.04, 06.08, 08.10, 11.02 | |
| | References: DR 2190 | |
| Review: Traffic Section Commander | | Duty Honor Integrity |
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4.3 TRAFFIC ENFORCEMENT

Officers are directed to take action against vehicle operators who exhibit driving actions that are unlawful, dangerous, could lead to traffic collisions, or impede the smooth flow of traffic.

4.3.1 Traffic Enforcement Actions

Officers may use one of the following enforcement options in traffic enforcement situations:

- Verbal Warning: this option may be used in situations when the Officer concludes the violation, and the violator's intent would be best corrected by not issuing a summons.
- Issuance of a Summons: this option is the department's primary action in traffic enforcement.
- Physical Arrest: this option may be used in traffic cases as defined by law.

The following is a list of types of violations and acceptable enforcement actions:

- a. Driving Under the Influence: This situation should be handled by a physical arrest. Other alternatives should be considered only with an articulable reason.
- b. Driving Under Suspension, Revocation, Cancellation, or Denial: These violations may be handled either by the issuance of a summons, or physical arrest if criteria are met. In either case, the violator should not be allowed to drive any further. Officers will issue a Colorado Department of Revenue Proof of Service form (DR 2190) along with the summons. Officers will be cognizant that they should not strand a driver in a location that is either dangerous or affords no opportunity to secure assistance.
- c. Equipment and Other Nonhazardous Violations: Officers have discretion in these situations depending upon the nature and severity of the violation(s).

- d. Habitual Traffic Offender (HTO): Any member contacting a driver, who is listed as a habitual traffic offender with the Colorado Department of Revenue (DOR), may make a physical arrest. The member will issue a summons for the misdemeanor traffic charge(s) which established probable cause for the stop (e.g. speeding, careless driving, defective vehicle) and charge the driver with driving while under revocation as a habitual traffic offender.

The driver should be processed through the Aurora Detention Center if there are aggravated driving violations (e.g. multiple moving violations, reckless driving, driving under the influence, driving while ability is impaired, eluding, or hit and run). The subject will be issued a Colorado Department of Revenue Proof of Service form (DR 2190). The driver may be released on a summons after processing or held for a bond if appropriate.

If the violator is issued a summons in the field, the violator will not be allowed to drive any further. Officers will issue a Colorado Department of Revenue Proof of Service form (DR 2190) along with the summons. Officers will be cognizant that they should not strand a driver in a location that is either dangerous or affords no opportunity to secure assistance.

- e. Multiple Violations: The Officer may use discretion on the primary enforcement action. A summons may be issued on all the violations or only the most serious or flagrant violations.

Traffic violations committed by military personnel and nonresidents should be handled in the same manner as other traffic violations.

Juvenile traffic law violators will be treated as adults unless the violation constitutes an arrest situation. Juvenile arrests are described in the directive "DM 11.02 - Juvenile Procedures."

Procedures for dealing with legislators, foreign diplomats, and consular officials are described in the directive "DM 06.08 - Foreign Nationals and Diplomats, U-Visa Request and Colorado State Officials."

- f. New Ordinance and Legislation: Officers will enforce newly enacted ordinances or legislation upon effective dates unless informed otherwise by a supervisor.
- g. Pedestrian and Bicycle Violations: Traffic laws pertaining to pedestrian and bicycle traffic in high congestion and traffic collision locations should be strictly enforced. In areas where traffic flow is minimal, visibility is unobstructed, and traffic collisions are low, Officers should exercise discretion in the enforcement of pedestrian laws and laws regarding the safe operation of bicycles.
- h. Public Carrier and Commercial Vehicles: Violations committed by drivers of these vehicles should be handled in the same manner as violations by drivers of private

passenger vehicles, with the exception of enforcing those laws that only pertain to these specialized vehicles. Officers stopping buses for traffic violations should keep in mind that a delay in the bus schedule affects many citizens. The duration of a traffic stop made on a bus should be very short. This may entail issuing the driver a summons at a later time. This does not include those violations that seriously endanger the public such as driving under the influence. In these cases, the driver must be detained, no matter the impact on citizens or the bus schedule.

- i. Speeding, Off-Road Vehicle, and Other Hazardous Violations: These violations are usually handled with the issuance of a summons unless the criteria are met for a verbal warning or physical arrest.

4.3.2 Use of Speed Measurement Devices

The department utilizes both Doppler radar and laser speed measurement devices. The Traffic Section Commanding Officer is responsible for maintaining a list of authorized devices for use in traffic enforcement and is responsible for maintaining the master inventory list of all department-owned speed measurement devices. Districts purchasing, transferring, or disposing of devices will report the transaction to the Traffic Section Commanding Officer to update the master inventory list.

Maintenance, including periodic calibration of speed measurement devices, is the responsibility of the unit assigned the device. The unit conducting maintenance on speed measurement devices will maintain records of all work performed on the device, for the life of the device, plus a three-year archive.

The Traffic Section Commanding Officer will assist in training and certifying members in the use of speed measurement devices and will maintain a list of members certified in the use of speed measurement devices.

Only certified members may use speed measurement devices for the purposes of traffic enforcement.

Members using a laser device will check the calibration of the device at the beginning and end of each shift or when inaccuracies are suspected. The member will utilize the following tests to ensure proper calibration:

- a. Instrument Self-Test
- b. Display Test
- c. Scope Alignment Check
- d. Delta Distance Check
- e. Fixed Distance/Zero Velocity Test

Members using a radar device will check the calibration of the device at the beginning and end of each shift. Whenever inaccuracies are suspected, the member will perform checks to ensure proper calibration. The member will check calibration using two tuning forks that corroborate one another based on the radar reading.

Whenever a device fails to test properly, the device will not be used for traffic enforcement. The device will be removed from service and reported through the chain of command for maintenance.

Should a member learn that a device failed to test properly after the issuance of a summons for a speed-related violation when the device was used to validate the speed of the offender, the member will ensure the summons is voided.

4.3.3 Traffic Stop Locations

Officers in marked vehicles making traffic stops should attempt to direct the violator to a suitable stopping point. The following should be considered in determining the stopping point:

- a. Adequate Lighting
- b. Visibility of the Police Vehicle and Violator Vehicle
- c. Traffic Flow
- d. Escape Routes

Private driveways and access to business or residential areas should not be blocked by a traffic stop. If avoidance is not possible, a reasonable effort will be made to minimize the inconvenience.

4.3.4 Executing Traffic Stops

When attempting to apprehend a traffic violator, Officers should utilize the emergency equipment necessary and drive with due regard for the safety of all persons to provide the public, violator, and Officer with maximum safety.

Overhead lights should be activated to execute a traffic stop. Additional equipment such as a siren, horn, headlights, flashers, spotlight, and public address (PA) systems should be used as needed.

The Officer should try to position his/her vehicle behind and offset from the violator vehicle to protect both the violator and Officer from surrounding traffic.

4.3.5 Approaching the Violator

Before leaving the police vehicle, the Officer should notify Aurora 911 of the location of the traffic stop, vehicle description, and license plate number.

Caution should be used in approaching the violator's vehicle. Safety procedures include checking other traffic before exiting the police vehicle, watching the violator and passenger actions inside the vehicle, and proper positioning at the violator's vehicle while speaking with the occupants.

4.3.6 Unmarked Police Vehicles

Unmarked police vehicles may be utilized for traffic stops when operated by a uniformed Police Officer(s) and when the vehicle is equipped with the appropriate emergency equipment for recognition by offending motorists.

Unmarked police vehicles that do not have emergency equipment will not be used to make a traffic stop. If a traffic stop is necessary, the Officer will request a marked police vehicle to make the stop. The Officer in the unmarked vehicle will either sign the summons or be endorsed as a witness.

4.3.7 Traffic Direction

Traffic direction and control are performed during those times that require immediate attention to the traffic flow. Normal traffic flow problems should be identified, reduced to writing, and submitted electronically to the Traffic Section Commanding Officer who will confer with the City Traffic Engineer for action to be taken.

Any member engaged in traffic direction shall wear his/her department-issued reflective vest.

Recruit Officers may, as part of their training at the police academy, direct traffic under the instruction and supervision of Aurora Police Department Training Section Academy staff.

Police Explorers may engage in traffic direction only with the approval of the Chief of Police or designee and only under the direct supervision of a sworn member.

Any traffic direction and control will be in compliance with the "Manual on Uniform Traffic Control Devices for Streets and Highways," published by the Federal Highway Administration.

Except for emergency situations and sobriety checkpoints, all traffic control and the design and placement of traffic control devices will be the responsibility of the City Traffic Engineer.

4.3.8 Traffic Collisions

Officers are required to respond to the scene of a traffic collision if any of the following conditions exist:

- Death and/or Injury
- Involving Hazardous Materials
- Suspected Alcohol and/or Drug Impairment of a Driver
- Hit and run (property damage only) that occurred on a public roadway when one or more vehicles are still at the scene and only when there is credible/workable suspect information (e.g. named suspect, complete license plate). The possibility of the crash being captured on video does not require a response.
- One or more drivers do not have insurance, proof of insurance, a valid driver's license, and/or registration unless the crash occurred on private property.
- Traffic collisions where a vehicle is not operable due to damage and is blocking a public roadway.
- Damage to Government Vehicles or Property

Traffic collisions that do not contain the conditions described above may be completed as an online report or at the kiosk computer located in the lobby of the Aurora Police Department Headquarters Front Desk. Traffic collision (crash) online reporting is defined in Aurora Police Department Directive "DM 08.41 - Online Reporting."

Officers should ensure that a sufficient number of officers respond to the scene of a traffic collision to restore normal traffic flow or assist in recovering short-lived evidence. The request for additional Officers must be balanced against the current workload and availability of Officers on duty.

Officers will ensure traffic collisions are thoroughly investigated. The investigation will include, in most cases, a determination of fault and the issuance of a summons charging all appropriate violations.

Traffic collisions involving an on-duty law enforcement officer from another jurisdiction will be investigated by a Traffic Officer, if available. A supervisor will respond and review the investigation and determination of fault. If the law enforcement officer is determined to be at fault, the supervisor will notify the Officer's agency and ensure the crash report will be forwarded to the Aurora Police Department Traffic Investigations Unit for follow-up. Collisions involving Department or City vehicles are handled per guidelines provided in the directive "DM 04.04 - Police and City-Owned Vehicle Collisions."

Crash reports will be completed as described in the directive "DM 08.10 - Reports."

4.3.9 Motorist Assists

Officers who encounter a motorist who is in need of assistance should stop to assist that motorist. In instances where the motorist is stranded in a location that is dangerous to either themselves or the general public, the Officer will assist the stranded motorist. If the Officer is en route to a high-priority call, they will notify Aurora 911 to send another car to the high-priority call.

Officers may assist motorists by calling for the fire/rescue to assist with fire, illnesses, or injuries. The Officer may transport a motorist to a safe location where the motorist may secure assistance.

The Officer may have Aurora 911 contact a private tow from the rotating list, or a specific tow company requested by the motorist. Officers may also assist the motorist by calling a friend or taxi, pushing the vehicle from the roadway, or taking other necessary action.

4.3.10 Use of Push Bars

In order to expedite the safe movement of traffic, vehicles equipped with push bars may be used to clear vehicles from intersections or traveled portions of a roadway when their presence obstructs the normal flow of traffic. Members will not attempt to push-start stalled vehicles.

Drivers of disabled vehicles will be asked, prior to being pushed, if they would prefer to have a tow truck move their vehicle. Drivers will be informed of the possibility of damage to their vehicle, no matter how remote. Disabled vehicles will only be moved the shortest distance to clear a public roadway.

When the possibility of damage to either vehicle is considered moderate to high, the member will not push the vehicle and will call for a tow to assist the stalled motorist.

When pushing another vehicle with the push bars, members will:

- a. Advise Aurora 911 to initiate a motorist assist call.
- b. Assess whether the driver of the disabled vehicle is physically capable of manipulating the disabled vehicle.
- c. Advise the driver of the disabled vehicle the location where the member intends to push their vehicle.
- d. Advise the driver of the disabled vehicle not to make sudden stops or sharp turns.

- e. Ensure the ignition switch of the disabled vehicle is in the on position to avoid locking out the steering.
- f. Ensure the transmission of the disabled vehicle is in the neutral position.
- g. Activate all emergency lights on the patrol vehicle.
- h. Not exceed 10 mph.
- i. Only attempt to push a vehicle from the rear.
- j. Document the assistance rendered in the notes of the call.

Members who cause damage while pushing a vehicle will immediately notify a supervisor. The supervisor will respond to the scene and determine the appropriate course of action. At a minimum, the on-scene supervisor will photograph any damage that resulted from the act of pushing the disabled vehicle.

At the direction of the on-scene supervisor, when damage occurs from pushing another vehicle, the involved member will document the occurrence in the appropriate report(s) (e.g., crash report, vehicle logbook, memorandum, miscellaneous report). The supervisor will prepare the appropriate report concerning the damage and forward any copies to the Traffic Section Commanding Officer via the chain of command.

Patrol vehicles should not move vehicles damaged in a traffic collision without prior supervisory approval.

Members should consider the risk of using push bars to move vehicles from the roadway. Examples of situations to be avoided by members include, but are not limited to:

- a. Pushing vehicles that weigh more than the patrol vehicle. This may cause damage to the city vehicle.
- b. Pushing a vehicle through a dip in the roadway may cause the push bars to lower and catch on the bumper of the vehicle being pushed, causing damage to one or both vehicles.

When a member doubts that he/she can successfully push another vehicle without causing damage, a tow should be called to move the disabled vehicle.

4.3.11 Emergency Escort Cases within Aurora

Sworn members may provide emergency escort when a vehicle contains a person so ill or injured the sworn member reasonably believes delay would be life-threatening or when escorting dignitaries or government officials.

In some cases, it may be more appropriate to call a rescue unit than to escort. A sworn member must make a determination of the time and distance to a hospital versus the arrival time of a rescue unit.

Sworn members providing emergency escorts will notify Aurora 911 of the following:

- a. Present Location
- b. Escort Route
- c. Intended Destination

While providing an emergency escort, sworn members will utilize full emergency equipment (overhead lights and siren) and operate the police vehicle with due regard for the safety of others.

Upon arrival at the destination point, sworn members will notify Aurora 911 the escort has been completed.

The first duty of any sworn member providing an escort in an emergency situation is to get the escorted vehicle to the destination safely.

4.3.12 Emergency Escort Cases Outside of Aurora

Sworn members will not provide emergency escorts outside the jurisdiction of the City of Aurora unless specifically authorized to do so by a Commanding Officer.

If a sworn member is allowed to provide an emergency escort out of the city (after being authorized), the sworn member will notify Aurora 911, who will notify the appropriate law enforcement agency of the escort route and destination.

4.3.13 Dignitary or Unusual Escorts

The Aurora Police Department may be asked to escort dignitaries, public officials, hazardous cargo, or other unusual escorts.

If such a request is made, it will be handled or coordinated through the Traffic Section Commanding Officer. If the request is made during off-duty hours of the Traffic Section Commanding Officer, the Duty Lieutenant may coordinate the request.

4.3.14 Traffic Engineering Referrals

The Traffic Section Commanding Officer or designee will be the police department's liaison with the City Traffic Engineer.

The police department and the City Traffic Engineer need to work closely together to eliminate traffic-engineering problems and identify high traffic collision locations.

This can be accomplished by all Officers being aware of potential traffic problems such as hazards, traffic collision locations, etc., and reporting them in a timely manner to the Traffic Section Commanding Officer. The Traffic Section Commanding Officer will review the information and may act, either by handling the problem within the police department or by forwarding it to the Traffic Engineer's Office.

The Traffic Engineer's Office will answer all Officer inquiries through the Traffic Section Commanding Officer. The Traffic Section Commanding Officer will forward a response back to the Officer.

The Traffic Section Commanding Officer will meet with the Traffic Engineer as needed to discuss potential problems, hazards, and high traffic collision locations to solve the problems in a satisfactory manner.

A survey for needed traffic control will be derived from Officer comments. In addition, due to the dynamic nature of the traffic system in the city of Aurora, the Traffic Section Commanding Officer and Traffic Engineer may utilize approved devices to monitor hazards and assess the need for traffic enforcement and/or engineering changes based on survey results.

4.3.15 Medina Alert for Hit and Run Investigations

The Medina Alert program is designed to solicit information from the public in a timely fashion in an attempt to solve serious hit and run traffic collision investigations.

The Traffic Section Commanding Officer or designee will initiate the alert when the facts of the event meet a defined set of parameters:

- a. The incident must pertain to a hit-and-run traffic collision.
- b. The incident must involve at least one person who has died or is at substantial risk of death from the injury.
- c. There must be enough descriptive information to believe a broadcast will assist or help in finding the run vehicle, such as:
 - Known Full or Partial License Plate Number
 - Vehicle Description
 - Known Suspect or Description of the Suspect
 - Direction of travel and damage to the vehicle as a result of the traffic collision.

- Other descriptive items that can assist in locating the involved vehicle.

The Traffic Section Commanding Officer or designee will initiate the Medina Alert by contacting Denver Police Department Communications Section, providing all known pertinent information for dissemination through the Medina Alert network. The network includes law enforcement agencies, public service, and private companies. The Traffic Section Commanding Officer or designee will provide Denver Police Communications Section with a contact phone number to receive tips and information pertaining to the Medina Alert.

Discontinuing a Medina Alert:

- a. When the suspect vehicle is located and the suspect(s) is identified, the Traffic Section Commanding Officer or a designee will contact Denver Police Communications Section to cancel the alert. The cancellation information will be disseminated through the Medina Alert network.
- b. Regardless of information received and the status of the investigation, the Medina Alert will cancel after 24 hours.

Instructions for Patrol Officers, Sergeants, and Lieutenants:

- a. Patrol personnel who are the first responders on a fatal or potentially fatal hit and run traffic collision should gather all available information to assist in apprehending the suspect. This information should be passed on to all on-duty personnel via radio or e-mail. The Duty Lieutenant will contact the Traffic Section Commanding Officer as per the notification matrix and include any suspect information discovered. Members involved in the investigation should keep the Traffic Section Commanding Officer updated with information for consideration in initiating the Medina Alert program.