




# Cocoa Beach Police Department

## Standard Operating Procedure



<b>Effective Date:</b> December 18, 2023	<b>Replaces:</b> <b>Amends:</b> December 9, 2020	<b>Number:</b> 105.00
<b>Subject:</b> Traffic Law Enforcement	<b>Re-Evaluation:</b> 2025	
<b>Distribution:</b> All Members	<b>Related CFA Standards:</b> 14.07M, 18.01, 18.02M	
<b>Approving Authority:</b> Chief of Police Mike Coffin		
<b>Approval Date:</b> December 4, 2023		

### 1. PURPOSE

The purpose of this standard operating procedure is to establish procedural guidelines for members charged with the enforcement of traffic laws and assisting the public with related traffic matters.

### 2. SCOPE

This standard operating procedure shall apply to all sworn police officers of the Cocoa Beach Police Department (CBPD).

### 3. POLICY

It is the policy of the Cocoa Beach Police Department to enforce state and local traffic laws in a uniform manner without regard to race, religion, gender, age, or socioeconomic status.

### 4. PROCEDURES

#### A. Enforcement and Approaching the Traffic Violator

1. Upon stopping violators for any reason, the officer's safety is paramount. Officers shall take precautions necessary during traffic stops to assure their safety and well-being.
2. If the violator fails to stop, the officer shall continue to signal the violator and ensure any further action is in compliance with SOP [200.47 - Vehicle Apprehension](#).
3. The following steps in stopping and approaching a traffic violator are intended to provide maximum safety for the officer, the violator, and other users of the roadway.
  - a. Varying conditions regarding the engineering of the particular roadway, the urgency to stop the violator and the existing volume of traffic may dictate adjusting or altering the recommended procedure.
  - b. These procedures shall be followed when possible and are presented from the perspective that ideal conditions exist.
  - c. When the officer has positioned themselves behind the violator to begin the stopping procedure, they shall notify the Communications Center of the following information in order:
    - 1) Unit number conducting vehicle stop
    - 2) Wait for acknowledgement from Communications Center prior to proceeding.
    - 3) Current location (update location as necessary during stop)
    - 4) Vehicle tag state and number
    - 5) Vehicle description
    - 6) Number of occupants if greater than one (1)
  - d. The officer should be familiar with the area and anticipate the appropriate safe location to stop the violator.

- e. Consideration should be given to a safe location with ample space and appropriate lighting, if possible.
- 4. The officer shall use emergency equipment to signal the violator to stop:
  - a. Blue/red emergency lights are the preferred method of stopping a motor vehicle and are required during vehicle apprehensions. (CFA 14.07MA)
  - b. Siren may be used to get the attention of a driver in conjunction with blue/red emergency lights but may not be used in a standalone manner. Use of the siren is required during vehicle apprehensions. (CFA 14.07MB)
  - c. Hazard warning lights may be used in conjunction with blue/red emergency lights, but not in a standalone manner. (CFA 14.07MC)
  - d. Spotlights may be used in conjunction with blue/red emergency lights, but not in a standalone manner. (CFA 14.07MD)
  - e. Hand signals may be used as a method of stopping a vehicle when conducting traffic enforcement on foot.
  - f. Sounding the horn may be used in conjunction with blue/red emergency lights, but not in a standalone manner and not as a substitute for a siren.
  - g. Public address system may be used at any time to address vehicle occupants or pedestrians, but not as a primary method to initiate a vehicle stop. (CFA 14.07ME)
- 5. The violator should be signaled and directed to the right side of or off the roadway.
- 6. Should the violator stop abruptly in the wrong lane or in another undesirable location, the driver should be promptly directed to move to a safer location, utilizing:
  - a. Hand gestures
  - b. Verbal instructions and/or a public address system (CFA 14.07ME)
- 7. If it is suspected the driver is under the influence of alcohol or other substance to the extent that their driving ability is impaired, they shall not be permitted to move their vehicle once it has stopped.
- 8. Once the violator has stopped in an appropriate location, the officer shall make an effort to:
  - a. Position their vehicle a safe distance behind the violator's vehicle to facilitate a sufficient reactionary gap.
  - b. Position their vehicle at a slight angle so as to provide the officer with some degree of cover when exiting the vehicle.
- 9. The officer shall exit the vehicle and be continuously alert for any suspicious movement or actions on the part of the violator or other occupants in the violator's vehicle. (CFA 14.07ME)
- 10. The officer may approach the driver's side of the violator's vehicle to make contact with the driver.
- 11. A passenger side approach is an acceptable option when close passing traffic presents a danger to the officer or as a tactical alternative at the officer's discretion.
- 12. Officers may elect not to approach a stopped vehicle and instead direct the driver back to the officer's vehicle through the use of the public address system, verbal direction and/or hand gestures. (CFA 14.07ME)
- 13. Care should be taken to ensure the driver's safety when asking them to exit their vehicle.
- 14. Back-up or secondary officers should either assume a position of cover by a police vehicle or take up a position at the violator's vehicle on the opposite side of the other officer. Unless exigent circumstances exist, officers should not approach the violator's vehicle on the same side.
- B. Driver Contact
  - 1. Officers shall address stopped drivers by appropriate title (sir, ma'am) in a courteous manner and identify themselves along with the reason for the stop.
  - 2. During conversation and observation of the driver, the officer shall be alert for signs of physical impairment/fatigue, presence of weapons/contraband or other unlawful behavior that may be taking place.

C. Felony or “High-Risk” Traffic Stops

1. When observing a vehicle operated by a subject suspected of committing a felony or other high-risk behavior, the officer shall notify the Communications Center immediately of:
  - a. The location
  - b. Tag number, if available
  - c. A description of the vehicle
  - d. A description of the occupants, if known
2. The officer shall keep the suspect vehicle within view and request additional units respond to assist in making the stop.
3. The officer shall keep support units informed of the location and direction of travel.
4. The officer shall request emergency radio traffic.
5. The suspect vehicle should not be stopped, unless absolutely necessary, until adequate support is available and in position.
6. The following procedures will be used in conducting the stop:
  - a. The officer should plan to stop the suspect vehicle in a location that provides the best advantage to officers to safely conduct the stop.
  - b. When conditions are appropriate and support units available, the officer shall move into position to the rear of the suspect vehicle.
  - c. The officer shall signal the violator to stop, utilizing all emergency equipment to warn other traffic. (CFA 14.07MA-E)
  - d. The violator should be stopped on the extreme right side of the road.
  - e. The officer shall park the police vehicle so that it provides maximum protection and cover.
  - f. When the suspect comes to a complete stop, the officer will turn off the siren and activate the public address system to provide direction to the occupant(s). (CFA 14.07MBE)
  - g. The officer shall exit the police vehicle but remain behind the door and accessible to the public address system microphone. (CFA 14.07ME)
  - h. At night, all lights, including spotlights, should be focused on the interior of the suspect vehicle to the disadvantage of the violator. (CFA 14.07MD)
  - i. The lead officer making the stop shall direct each occupant, utilizing the public address system, to exit the vehicle individually and into the appropriate search position, after which the approach may be made. (CFA 14.07ME)
  - j. If a public address system is not available, the lead officer shall give voice commands.
  - k. If they are not heard, or are ignored by the suspect, the officer will wait for assistance prior to approaching the vehicle.

D. DUI Traffic Stops

1. Refer to SOP [104.10 - Driving Under the Influence \(DUI\) Investigations](#)

E. Traffic Enforcement Dispositions

1. Uniform Traffic Citation
2. Written Warning
3. E-Citation generated by TraCS (Traffic and Criminal Software)
4. E-Warning
5. Verbal Warning
  - a. Officers shall document GENDER and RACE by clearing the traffic stop via radio with the appropriate disposition code and indicating gender and race (i.e.: Code “R”, white male).
  - b. Telecommunication officers and records members shall ensure gender and race are properly entered into the Department’s records management system.

6. Officers shall not differentiate between Cocoa Beach service area residents and non-service area residents when determining the type of enforcement action to take. (CFA 18.01A)
7. Officers shall treat juveniles in the same manner as adults who commit traffic infractions. If the offense is criminal in nature or a concern for the child exists, refer to SOP [106.00 - Juvenile Operations](#). (CFA 18.01B)
8. Officers who encounter foreign diplomats or consular officials on a traffic stop shall refer to SOP [200.81 - Diplomatic Immunity & Consular Notification](#). (CFA 18.01C)
9. Written Warnings & TraCS E-Warnings
  - a. Written warnings may be issued for traffic infractions at the discretion of the issuing officer.
  - b. Written warnings shall be turned in to the shift supervisor by the end of the officer's shift to be forwarded to the Records Division.
  - c. Written warnings may be handwritten or generated through TraCS as an E-Warning. The E-Warning is automatically assigned a number by TraCS.
  - d. E-Warnings generated through TraCS will be reviewed and accepted by the shift supervisor by the end of shift.
10. Uniform Traffic Citations
  - a. When an officer issues a Uniform Traffic Citation (UTC) for a traffic violation, they shall:
    - 1) Ensure the citation is completed in accordance with [DHSMV Uniform Traffic Citation Procedures Manual](#).
    - 2) Complete all required sections of the citation legibly and include officer's name and City ID number.
    - 3) After completing the citation, explain the violation and have the violator sign the UTC in the appropriate area acknowledging the issuance of the citation. The violator's signature is not required unless the offense is criminal in nature.
    - 4) Give the violator the yellow (summons) copy with the fine included on the violator's copy when applicable.
    - 5) If a mandatory traffic court appearance is required, the officer shall provide the violator with the necessary information.
    - 6) Turn in all traffic citations to the shift supervisor by the end of the officer's shift to be forwarded to the Records Division.
11. TraCS E-Citation
  - a. TraCS is the Department's primary method of completing a Uniform Traffic Citation (UTC), unless an alternate method of a written UTC is necessary. The "E-Citation," also referred to as an "E-Ticket" will be assigned to the officer with a citation number automatically populated by the TraCS software.
    - 1) Ensure the citation is completed in accordance with [DHSMV Uniform Traffic Citation Procedures Manual](#).
    - 2) Complete all required sections of the citation using the "auto import" function or by filling in the fields manually if not available. Include officer's name and City ID number only in the bottom field.
    - 3) After completing the citation, explain the violation and have the violator sign the UTC in the appropriate area acknowledging the issuance of the citation if required. The violator's signature is not required unless the offense is criminal in nature.
    - 4) Give the violator a printed copy with the fine included on the violator's copy when applicable.
    - 5) If a mandatory traffic court appearance is required, the officer shall provide the violator with the necessary information. The officer will submit the original signed UTC and an additional

copy for the case report. The original signed UTC will be transmitted to the Clerk of Court by Records.

- 6) Turn in all printed citations to the shift supervisor by the end of the officer's shift to be forwarded to the Records Division.
- 7) The TraCS system will automatically approve and submit the E-citation once it is validated.
- 8) Any voided E-citation will require an email to the Records Division as to the reason for the void and the citation number.

F. Enforcement of Specific Violations

1. Speed Violations (CFA 18.02MB)

- a. Officers are authorized to use department issued radar or laser speed measurement devices for the purpose of enforcing speed violations provided they have completed the approved course of instruction through the Florida Criminal Justice Standards and Training Commission.
- b. Officers are authorized to use their department issued vehicle to pace vehicles suspected of committing speed violations, provided the speedometer has a current calibration.
- c. The Logistics Manager, or designee, is responsible for ensuring all speed measurement devices and police vehicles are properly calibrated every six (6) months.

2. Other Moving Violations (CFA 18.02MB)

- a. Officers are encouraged to be alert for other moving violations not directly related to speed that may pose a hazard to other persons or property such as reckless driving, running a red light or stop sign, or violations of right-of-way.

3. Equipment Violations (CFA 18.02MC)

- a. Officers are encouraged to exercise discretion when determining how to address minor equipment violations. Conversely, if the equipment violation presents an unduly hazardous operating condition so as to endanger any person or property then the officer may require the vehicle to be immediately repaired or removed from use pursuant to [§ 316.610](#), Florida Statutes.

4. Public Carrier or Commercial Violations (CFA 18.02MD)

- a. If an officer believes that a public carrier or commercial vehicle may be in violation of regulations that are federally or state mandated and such violation is serious or hazardous, the officer should request the assistance of either another officer who is familiar with such regulations or a commercial vehicle enforcement officer from the Florida Highway Patrol.

5. Non-moving Violations

- a. Non-moving violations can potentially lead to hazardous situations and appropriate enforcement action should be taken.

6. Multiple Violations

- a. Officers are encouraged to exercise discretion when dealing with multiple violations. Officers should avoid issuing multiple citations for minor offenses.

7. Newly Enacted Law and/or Regulations

- a. When new laws are enacted or new traffic control devices are installed, a warning may be used at the discretion of the officer as the circumstances dictate.

8. Suspended, Canceled or Revoked Licenses

- a. When the officer is notified that a violator's driver license is suspended, canceled or revoked, the officer will determine if the driver had prior knowledge of the suspension. (CFA 18.02MA)
- b. If the officer determines that the violator had prior knowledge of the suspension, a traffic citation will be issued with the proper subsection for that violation. (CFA 18.02MA)
  - 1) The officer may physically arrest the violator if the violator had prior knowledge of a suspension (e.g., the officer believes that the violator will not appear in court, numerous suspensions, failure to appear, other criminal violations present). (CFA 18.02MA)

- c. If the driver is in physical possession of a suspended driver's license, the officer will take the license and attach it to the citation. (CFA 18.02MA)
  - d. If a violator indicates no prior knowledge of the suspension, the officer will inform the violator of the suspension and a traffic citation will be issued with the proper subsection for that violation.
  - e. A violator cited for driving under suspension will not be permitted to drive the vehicle. The vehicle shall be: (CFA 18.02MA)
    - 1) Properly parked, or
    - 2) Driven by another licensed driver with permission of the owner, or
    - 3) Towed by the owner or officer according to SOP [200.48 - Vehicle Recovery and Towing Procedures](#)
- G. Arresting a Traffic Violator (CFA 18.02MA)
- 1. Officers may physically arrest a person committing a criminal traffic offense in violation of Florida State Statutes, if warranted.