



Colorado Springs Police Department General Order

1300 Traffic Law Enforcement

Section 1300 – Traffic Enforcement

Effective Date: 11/22/2021
Revision Rescinded: 6/3/2014
Last Review Date: 9/20/2021

.01 Purpose

The purpose of this directive is to define the agency role in traffic related law enforcement and provide guidance to personnel.

.02 Cross Reference

[GO 121 Fair and Impartial Policing](#)
[GO 170 Citations](#)
[GO 407 Off-Duty Enforcement Action](#)
[GO 560 Diplomatic and Legislative Immunity](#)
[GO 904 Vehicle Pursuits](#)
[GO 1320 Towing and Impound Procedures](#)
[DL-1305-04 Delayed Enforcement Action](#)

.03 Discussion

The objective of traffic enforcement is to facilitate the safe and orderly flow of vehicular and pedestrian traffic on public roadways and achieve voluntary compliance with state traffic laws. The department seeks to achieve these objectives through a combination of effective enforcement, public education, and cooperation with the city's Traffic Engineer.

The Colorado Spring Police Department (CSPD) performs traffic functions including, but not limited to; emergency response/assistance, point traffic control, and parking control. The department also provides non-emergency motorist information, identifies and reports hazards, checks abandoned vehicles, and provides traffic safety information and recommendations.

CSPD views traffic enforcement action as an educational experience designed to improve driver behavior through voluntary compliance. The violator should be left with the impression that a necessary task has been performed in a professional and courteous manner. Typically, most citizens only contact with an officer is during traffic related enforcement.

.04 Policy

It is the policy of CSPD to promote the safe and expeditious flow of vehicular and pedestrian traffic through effective and efficient planning, organization and enforcement of applicable laws.

CSPD prohibits the use of illegal profiling on the basis of demographics.

The responsibility for enforcing traffic laws and regulations is shared by all sworn personnel.

Officers will take appropriate enforcement action (e.g., warning, citations) for each traffic violation observed or reported to them. This includes provable violations determined through traffic crash investigation. The officer's actions will demonstrate objective impartiality while displaying a professional demeanor.

Officers must ensure their body worn camera is activated when conducting traffic stops. Recording will continue until the traffic stop is completed and the stopped vehicle departs, or until the officer's participation in the stop ends.

.05 Definitions

PBT: A portable breath testing (PBT) device in which a sample of breath is tested for alcohol concentration. This instrument is similar to the Intoxilyzer, but is handheld and reports the alcohol concentration in a visual readout rather than a printed document.

Commercial motor vehicle: A vehicle that is used in commerce. These vehicles are required to have special registration and operate under different guidelines than personal or private motor vehicles.

Directed Patrol: A technique in which a select group of officers conduct enforcement activity in a pre-planned area with specific goals in mind.

E-Citation: An electronic citation. Citation issued via electronic device from a police vehicle equipped with a mobile printer.

Known Risk Traffic Stop: A traffic stop involving a subject who is either wanted for, or suspected of, a violent crime; or a subject who officers reasonably believe poses an articulable threat to the officers conducting the traffic stop.

Hazardous situation: Any identifiable situation that would be likely to cause harm to persons or property (e.g., sinkholes, downed utility poles, malfunctioning traffic signals, missing signage, etc.)

LIDAR: An acronym for “Laser Detection and Ranging.” This device is similar to RADAR but uses a laser beam rather than radio waves.

RADAR: An acronym for “RADio Detection And Ranging.” RADAR is used in this document to refer to instruments used for speed measurement.

Unmarked vehicle: A vehicle used by the police for traffic enforcement that does not have police markings or readily apparent emergency lights.

.10 Authority & Basis for Stopping Motor Vehicles

Officers will have legal justification to stop a motor vehicle per CRS § 16-3-103 Stopping of Suspect. This may include commission of a traffic violation or reasonable suspicion of involvement in criminal activity.

A motor vehicle may be stopped for only a period of time that is reasonable to issue a citation or conduct other legitimate law enforcement business.

Generally, officers should not make custodial arrests of motorists for traffic violations when a citation is permitted.

.15 General Guidelines

Traffic Enforcement Locations

Officers may conduct traffic enforcement from both overt and covert locations, as the need arises, keeping in mind that the ultimate goal of enforcement is voluntary compliance with traffic laws. When conducting stationary enforcement, officers should ensure that the location does not adversely interfere with traffic and allows for entering traffic safely when initiating a traffic stop.

Officers should conduct traffic enforcement within their assigned areas as part of their routine activities, and may also be assigned to work specific areas or problems as directed by department supervisors or the communications center.

Officers should direct enforcement efforts at the top crash locations within each sector when possible, and should emphasize those violations directly related to traffic crashes. Officers should also direct enforcement activities at school zones, construction zones, and in areas or neighborhoods where traffic concerns have been identified, by either department members or concerned citizens. Officers may also conduct random traffic enforcement at their discretion.

Officer Discretion

Officers should remember to uniformly enforce traffic laws, using discretion as appropriate, including the following circumstances:

- Speed violations
- Hazardous driving violations
- Non-hazardous violations
- Off-road vehicle violations
- Equipment violations
- Commercial vehicle violations
- Pedestrian and bicycle violations
- Newly enacted laws or regulations

Fine and Point Reductions

Studies have shown a direct correlation between injury/fatal traffic crashes and the excessive speeds of those involved. While officer discretion is important when conducting traffic enforcement, such discretion must be limited when stopping drivers who demonstrate a wanton disregard for the city's speed limits. Drivers stopped for speeds in excess of 20 miles per hour over the speed limit will be cited for their actual speed and will not be offered a fine and point reduction of any kind.

Given the adverse effect, a fine or point reduction has on the prosecuting authority, officers are also prohibited from offering a fine and point reduction to the one (1) to four (four) miles over the speed limit ordinance/law.

Determining Prosecutorial Venue

Colorado Springs is a home-rule city, meaning it has the authority to enforce and prosecute certain offenses, to include traffic offenses. As such, officers will cite drivers who violate the city's traffic ordinances into Municipal Court whenever practical. The only instances in which a traffic violator will be cited into County Court on a state charge is when a violator is cited for:

- One or more traffic violations for which there is no corresponding Municipal ordinance.
- When the violator is a city employee
- When the violator is cited with compulsory insurance involving a traffic crash
- When the violator is cited for a traffic violation involving a traffic crash which causes

injury requiring emergency transport to the hospital.

Any exception to this policy will be cleared through a supervisor.

Unmarked Vehicles Used for Traffic Enforcement

Officers may use marked or unmarked units for traffic enforcement, when equipped with appropriate lights and a siren.

When an officer is utilizing an unmarked vehicle and encounters a violator who fails to stop immediately, but is not actively evading the officer, the violator will be allowed time to find a safe stopping location.

Officers will notify dispatch they are attempting to make a traffic stop in an unmarked unit, and request a marked unit to assist.

The officer in the unmarked unit will allow extra time so the violator may confirm the officer's identity by contacting 911 or driving to a safe public location.

Special Populations

Juveniles involved in traffic offenses will be treated as adults, except in cases where the filing of felony charges is possible or when juvenile-specific violations are present (e.g. no alcohol at all when driving vs. BAC limit).

Military personnel and non-residents involved in traffic offenses will be handled in the same manner as other traffic violators.

Parking regulations are provided as a service to the public to ensure all citizens proper access and use of available street space, which will be effectively enforced.

.20 Traffic Stops

While a complete listing of procedures for traffic stops is not possible, due to a wide variety of situations, some general guidelines are listed below and if combined with law enforcement experience and good judgment, can reduce risks to officers and to violators.

Location

Officers in marked vehicles making traffic stops should attempt to direct the violator to a suitable stopping point.

When choosing a location to stop the violator, keep in mind lighting conditions, visibility to other motorists, traffic flow, and escape routes. If the violator does not stop in accordance with the directions, the violator can be asked to move the vehicle to a more appropriate location after the initial contact.

Do not block private driveways and accesses to businesses or residential areas by a traffic stop when you can avoid doing so. If this is not possible, make reasonable efforts to minimize the inconvenience.

If a traffic contact has to be made at a hazardous location, assist drivers to get safely back into the traffic flow.

Positioning of Vehicles

(REDACTED)

Use of Emergency Lights

Officers will utilize emergency lighting to provide warning to other motorists. These lights also provide easy locating if additional assistance is requested or needed.

During hours of darkness, utilize additional available lights (e.g., spot light, high beams and "take-down" lights if available) to illuminate the interior of the violator's vehicle as much as possible. Additionally, this light can provide a certain amount of concealment while approaching the violator vehicle.

Communication Center Notification

Prior to initiating a stop, officers will inform the communications center of the projected location of the traffic stop, vehicle type, license number, and occupant information if pertinent.

Communications will relay any pertinent information about the vehicle prior to the officer exiting the vehicle.

Violation Vehicle Approach

Officers will use caution when approaching a violator's vehicle to include checking traffic lanes before exiting the unit, monitoring the violators and passengers, actions inside the vehicle, and proper safety positioning at the violator's vehicle when in contact with the occupants.

While approaching the violator vehicle:

- **(REDACTED)**

- (REDACTED)
- (REDACTED)

When making contact with the violator:

- (REDACTED)
- (REDACTED)

.30 Driver Contact

Upon initial contact with the driver:

- Be courteous and professional.
- Introduce yourself to the citizen, advise what agency you are with, and state the reason for the stop as soon as practical, unless providing this information will compromise officer or public safety. During vehicle stops, the officer will provide this information before asking the driver for license, registration, and insurance.
- Explain what action you intend to take, (e.g., citation, warning, etc.)
- Whenever time and circumstances permit, attempt to answer questions the citizen may have, including explaining options for traffic citation disposition, if relevant.

Driver contact will be courteous and brief, and do not argue with the violator about guilt or innocence. Delay the violator no longer than is necessary.

Demeanor During Contact

While traffic enforcement is considered a routine police task, for violators it can be an emotionally traumatic experience. In many cases, this is the only contact that a person has with this department. Officers will strive to make each contact educational and to leave the violator with the impression that the officer has performed a necessary task in a professional and friendly manner.

The officer should respond in a calm professional manner, to include those that may be emotional (non-physical) confrontation. Officers will not allow personal emotional responses to a violator's behavior, nor will it affect their judgment or actions. Additionally, neither penalties nor bonding requirements will be imposed or withheld on such grounds.

Ending Contact

Once the citation is complete, recontact the driver and explain the citation. Identify the fine and court date should the violator wish to contest the citation in court.

After returning to the police cruiser, turn off overhead lights, spot lights, etc. that could interfere with the violator safely leaving the traffic stop.

Whenever appropriate, assist those stopped back into traffic safely.

Business Cards

Electronic Ticket

Tickets issued using the department's electronic ticketing system contain the legally required information (e.g., name, badge number, work division, etc.) for the issuing officer. As such, officers are not required to provide those ticketed using the system with a business card, unless specifically requested by the citizen.

Paper Ticket

This process does not apply to handwritten tickets. Officers will provide a business card to anyone ticketed using the handwritten ticketing process.

Warning

Officers will provide a business card that includes the legally required information (e.g., name, badge number, work division, etc.) any time they elect not to issue a summons.

BOLO Vehicle Contact

Officers will make contact with vehicle occupants (via traffic stops) and pedestrians in order to verify vehicle or person identity in response to a call for service or other incident. Demographics may form part of the basis for making a stop only if there is specific suspect descriptor information that justifies the inclusion of such demographics.

The officer will maintain a courteous attitude toward the person stopped, consistent with officer safety. If the vehicle or individual stopped is determined not to match the description, or otherwise not involved, then the officer must end contact in just as professional a manner as the initial contact.

Once it has been determined that the individual/vehicle was not the party being sought, officers should take the time to explain why it was necessary to stop them and also to explain the reason for the manner of stop, (e.g., felony stops). This should include how their vehicle, clothing, description, proximity to the call, etc., matched the information the officer had at the time and warranted contact to verify whether they were involved.

As necessary **or when requested**, the officer will provide the party with the name and phone number of the on-duty supervisor (duty desk number) for verification.

Officers should also provide the individual with the description of the individual(s) and/or vehicle(s) being sought and the 719-444-7000 phone number, as well as the officer's voice mail phone number and case report number if it has been assigned.

The officer should thank those persons stopped for their cooperation and apologize for the inconvenience while reminding them that the stop was necessary and important for their safety as a member of, or visitor to, our community.

.32 Anonymous Traffic Violation Tips - Dangerous or Impaired Drivers

If officers develop reasonable suspicion, based on the totality of circumstances described below, they may stop a vehicle for dangerous or impaired driving without independent observation of a traffic violation by the officer. In order for an officer to conduct a traffic stop regarding dangerous or impaired drivers, based solely on an anonymous tip, the officer needs the following information:

- The caller must make a call to the E911 system, which has features that allow for identifying and tracing callers.
- The caller must give a vehicle description, which may include the make, model and license plate number (full or partial) of the suspect vehicle.
- The caller must make a specific claim of dangerous or impaired driving by the driver of the suspect vehicle.
- The suspect vehicle must be located contemporaneous to the 911 call (within approximately 20 minutes).

Officers should also consider observing the suspect vehicle for a short time to establish independent reasonable suspicion for the traffic stop if they can do so without endangering themselves or members of the public.

.40 Verbal Warnings

While it is each officer's responsibility to recognize a violation and to take enforcement action, proper enforcement may not always involve **the issuance** of a citation. **Officers are encouraged to use discretion in making such a determination but the issuance of a verbal** warnings should only be used for non-hazardous violations that did not contribute to a traffic crash, such as minor speeding violations (e.g., less than 10 mph over the posted speed limit and not in a construction or

school zone), taillight or stop light burned out, headlight burned out, no registration in vehicle, other minor equipment violations, or administrative violations.

.45 Traffic Citations

The following instructions are supplementary to [GO 170 Citations](#) and are specifically related to traffic offenses.

Multiple Violations

In the case of multiple violations, it will be the officer's discretion to cite or give a verbal warning for any, or all of the violations.

Completing and Issuing Citations for Moving Violations

When issuing a traffic citation to a violator, an officer will explain any appearance requirements or fine despite being listed on the citation.

Unsafe vehicles will be cited and the driver will be advised to discontinue use of the vehicle until it is repaired or properly equipped.

Violator Refusal to Sign Citation

If/when a traffic violator refuses to sign a citation, the officer should explain that the driver is not admitting guilt and only promising to appear in court.

Violators with Colorado Driver's License

The refusal of a traffic violator who has a valid Colorado driver's license to sign a traffic summons or penalty assessment notice will not constitute reason for an officer to place the traffic violator under a custodial arrest. Officers will write "Refused to Sign" on the defendant's signature line of the summons or penalty assessment and serve the violator with the appropriate copy when there is a refusal.

Violators Without Colorado Driver's License

The refusal of a traffic violator who does not possess a valid Colorado driver's license to sign a traffic summons or penalty assessment notice will not constitute reason for an officer to place the traffic violator under a custodial arrest. Officers will write "Refused to Sign" on the defendant's signature line of the summons or penalty assessment and serve the violator with the appropriate copy when there is a refusal.

If the officer reasonably believes that the violator will not appear as required, and refusal to sign a promise to make such appearance lends credibility to the belief, a supervisor must be contacted to decide if the violator should be taken into custody to post bond. The final decision to require bond of a violator who refuses to sign a citation will be made by a supervisor.

Citation Notes

The officer issuing a citation may use the back of the appropriate copies for making notes about a violation. The notes can include:

- Road Conditions: loose material, road work, width, surface conditions, engineering deficiencies
- The number, a general description, and location of passengers in the vehicle
- Details of the violation itself
- Pertinent remarks of the driver
- Characteristics of the driver which may assist in court identification
- Officer's location and direction of travel when violation was observed
- Any other pertinent details

.60 No Driver License

If the traffic violator does not have a driver's license in their possession and no record of a valid license is located, officers should exhaust all reasonable means of determining the license status of the violator.

In the event the status cannot be determined, or the violator is not properly certified to drive, the violator should not be allowed to drive any further. Appropriate summonses should be completed in accordance with [GO 170 Citations](#) and the violator's vehicle should be handled within the guidelines of [GO 290 Towing and Impound Procedures](#).

Drivers who hold a valid driver's license from any state or country (verified through the Department of Revenue) and have no restrictions against their driving privilege in Colorado, but do not have the document in their possession, will be allowed to drive.

Those drivers whose driving privileges have been suspended, revoked, or denied in Colorado will not be allowed to drive.

.65 Referral of Driver(s) for License Re-Examination

Officers may encounter persons who they believe may not be competent, physically able, or who is otherwise qualified to operate a vehicle safely. If the officer believes a driver may have a condition that prevents or limits them from exercising adequate care and/or operation of a motor vehicle, the officer may, at their discretion, request administrative action from the Department of Motor Vehicles (DMV). In such a case, the officer will utilize the following procedure:

- Complete the Colorado Department of Revenue, Motor Vehicle Division, *Request For Driver License Re-Examination form* (DR2536) and forward it to their supervisor
- Complete all reports/summons related to the action or incident for which the motorist was contacted, to include documenting the actual or suspected impairments observed

.70 Motorist Assists

Officers who encounter motorists in need of assistance should stop to provide necessary assistance to that motorist. This includes but is not limited to instances where the motorist is stranded in a location that is dangerous to either the motorist or the public. The officer will make every attempt to assist unless the officer is assigned to a high priority call.

Other responses include:

- Requesting a medical response for illnesses or injuries
- Transporting a motorist, with supervisory approval, to a safe location where the motorist may secure assistance.
- Requesting a tow company for the motorist, through dispatch, either specifically requested by the motorist or from the rotating list.
- Assisting the motorist by calling a friend or taxi, pushing the vehicle from the roadway or taking other necessary action.

.80 Traffic Direction

Conditions and Responsibilities

The City of Colorado Springs Utilities (CSU) can respond to control points, and temporary barriers can be put in place to aid with traffic direction. If a traffic signal cycle is modified or temporary barriers are put in place to alleviate traffic congestion or modify traffic flow, arrangements must

be made prior to reopening the control point to return the traffic signal to its normal cycle and to remove any temporary barriers, barricades or signs from the roadway.

Officers have discretion to remove such barricades or barriers and place them out of traffic lanes for later pickup.

As the city of Colorado Springs has a computerized traffic control system, officers or other untrained personnel should not attempt to adjust or modify any signal. Allowing the traffic control system to operate without interference is far more efficient than human intervention.

Hand Signals and Gestures

When conducting manual traffic direction and control, officers and/or community service officers will utilize uniform hand signals and gestures as provided in training so as not to confuse vehicular or pedestrian traffic. Officers and/or community service officers entering intersections to direct traffic is highly discouraged. If traffic control signals are inoperable, drivers should treat the intersection as a four way stop. Officer and/or community service officer intervention often creates more confusion and is very dangerous to officers.

.90 Use of Reflective Vests

All department officers, when directing vehicular traffic or otherwise in a roadway, will wear a reflective vest or other high-visibility clothing to increase officer safety and recognition by drivers.

Exception: Exigent circumstances may cause a reflective vest or high-visibility clothing to become a hindrance to law enforcement functions. Department supervisors may grant exceptions for special situations, (e.g., traffic control at a TEU call-out, sniper attacks, emergency calls for service).

.92 Hazardous Conditions Requiring Immediate Attention

Any officer learning of, or observing, any hazardous condition that requires immediate attention or repair shall notify the communications center. Communications will ensure prompt notification of appropriate agencies (such as street/highway departments and/or public utilities) to affect emergency repairs or restore essential services and assist in removal of debris from the roadway.

Officers should remain in position preventing further hazard to the public until appropriate diversions are in place.

.94 Problem Conditions

A problem condition may exist that enforcement action cannot correct; for example: design, traffic education, or engineering deficiencies. In such cases, officers should:

- Recognize the problem
- Report minor maintenance problems, such as downed signs and inoperative lights, to the communications center for notification of the proper agency
- Document problems, other than minor maintenance, to formally establish the department's awareness of the problem
- Forward the documentation to the shift lieutenant who will act as liaison with groups involved with traffic safety