



CONCORD POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

MOTOR VEHICLE CHECKING STATIONS

GENERAL ORDER: 05.12

CREATED: January 25, 2007

ISSUE DATE: April 13, 2020

ACTION: Amends original general order

EFFECTIVE DATE: April 20, 2020

05.12.0 **PURPOSE**

The purpose of this general order is to establish policy and procedures for the planning and implementation of checking stations.

05.12.1 **POLICY**

The purpose of conducting a checking station is to enforce violations of ALL chapter 20 motor vehicle violations. It shall be policy of the Concord Police Department to conduct motor vehicle checking stations in a safe and efficient manner consistent with existing North Carolina law.

05.12.2 **CHECKING STATIONS**

A. AUTHORIZATION

1. Officers may conduct checking stations to determine compliance with motor vehicle laws. Examples for which this type of checking station may be used includes, but are not limited:
 - a. Verification of drivers' licenses;
 - b. Vehicle registration checks;
 - c. Insurance checks;
 - d. Seat belt compliance;
 - e. Impaired driving enforcement.
2. Checking stations, shall be approved, orally or in writing, by the district or division commander where the location of the checking station shall be conducted. In instances where a checking station is being planned by the Public Safety Unit, the Special Operations commander shall approve. The approving commander shall designate or approve the purpose, location and approximate time of operation of the checking station.

In situations where a field supervisor wishes to conduct a checking stations (e.g. low call for service volume) the on duty watch commander may approve.

3. The placement of checking stations should be random or based on statistical data. Placing checking stations repeatedly in the same location or proximity without confirming statistical data shall be avoided.
4. A Checking Station Authorization (Form CS-1) shall be filled out at the end of the checking station and submitted to the Public Safety Unit sergeant within seven days for submission to the Governor's Highway Safety Program (GHSP) system.

NOTE: For the checking stations to count towards the Governor's Highway Safety Program, it shall be a minimum of 1 hour during the daytime and two hours at night time and contain at least one criminal charge. Night time checking stations shall be between 9:00 p.m. – 5:59 a.m., while daylight checking stations shall be between 6:00 a.m. and 8:59 p.m. to apply to GHSP.

5. Specific written directions may be provided for a particular checking station.

B. PROCEDURES

1. A briefing shall be conducted prior to the checking station explaining the primary purpose of the checking station, the pattern of cars being stopped, who the supervising officer is, what equipment is to be used, etc.
2. Prior to the beginning of the checking station, it shall be decided whether drivers will be asked to produce a driver's license, proof of registration or insurance information or any combination thereof.

The driver of every vehicle stopped shall be asked to produce the document(s) specified. Officers working the checking station shall not deviate from this pattern unless the officer has some reasonable suspicion to investigate further.

3. If an officer determines there is a reasonable suspicion to believe that a driver or other vehicle occupant has violated any other provision of law, the officer may detain the driver or occupant for a reasonable period of time in order to investigate further.

NOTE: If an officer believes the driver of a motor vehicle may be impaired they should instruct the driver to exit the vehicle and have the vehicle moved to the side of the road. Under no circumstances should a driver who is suspected of being impaired be allowed to move their own vehicle until it is determined they are not impaired.

4. The operator of any vehicle stopped at a checking station may be requested to submit to an alcohol screening test pursuant to N.C.G.S. 20-16.3. Should the officer determine the driver had previously consumed or has an open container of alcoholic beverage in the vehicle. Officers may consider the results of any alcohol-screening test or the driver's refusal in determining if there is reasonable suspicion to investigate further.
5. Checking Stations shall be conducted in accordance with the provisions of N.C.G.S. 20-16.3A.

6. Checking stations shall be conducted with a minimum of two uniformed officers present and one marked Concord Police Department vehicle with emergency lighting activated.

NOTE: Vehicle's in-car camera may be deactivated if not occupied and emergency lighting is being used for checking station safety.

7. Checking stations shall be operated in a manner to avoid unnecessary traffic congestion and delay to motorists.
8. Department vehicles shall be parked to allow access to the roadway in any direction.
9. Officers participating in a checking station, day or night, shall wear assigned reflective traffic vest at all times.
10. The watch commander or responsible field sergeant shall notify communications at least two hours in advance of a scheduled checking station. If applicable, officers should utilize their MCT to initiate a traffic stop resulting from a checking station in order to reduce radio traffic.
11. Should a K9 officer be working the checking station, the K9 shall be left in the officer's vehicle unless an officer working at the checking station determines there is reasonable suspicion to believe a drug crime is occurring.

C. CHECKING STATION LOCATIONS

1. Checking station locations shall be selected with due regard for the safety of motorists and the officers operating the checking station.
2. Sufficient sight distance must be provided to allow motorists traveling at the speed limit to stop their vehicle in a normal manner under the existing conditions at the time of the checking station.
3. Adequate area shall be available off the traveled portion of the highway to allow for the safety of motorists when enforcement action is taken.

05.12.3 INFORMATIONAL CHECKING STATIONS

- A. Officers may conduct informational checking stations for the purpose of seeking motorists' assistance in solving a crime. This type of checking station may be appropriate in cases involving serious crimes and where motorists may be able to provide pertinent information to help identify the offender or otherwise provide pertinent information related to the crime.
- B. Informational checking stations shall be approved by a supervisor. The authorizing supervisor shall designate the purpose, location and approximate time of operation of the checking station to the watch commander and affected district commander.
- C. Communications shall be notified of the intent to conduct a checking station at least one hour in advance of a scheduled informational checking station.

- D. An informational checking station is not designed to determine whether a vehicle's occupants are violating a provision of the motor vehicle law. Therefore drivers shall not be asked to produce a drivers' license or any other documentation.

However, during the course of the stop, if there is a reasonable suspicion to believe that a driver or other vehicle occupant has violated a provision of Chapter 20 or other law, the officer may detain the driver or occupant for a reasonable period of time in order to investigate further and the operator of any vehicle may be requested to submit to an alcohol screening test under N.C.G.S. 20-16.3 if during the stop the member determines the driver had previously consumed or has an open container of alcoholic beverage in the vehicle.

05.12.4 MULTI-AGENCY CHECKING STATION

- A. Officers of the Concord Police Department may participate in checking stations with other agencies, if a current mutual aid request form is on file requesting assistance from the agency whose jurisdiction the checking station will be held. A field supervisor, unit or district commander or watch commander (if exigent) must approve participation prior to providing assistance.



GARY J. GACEK
CHIEF OF POLICE