



# Graham Police Department

## Standard Operating Policies and Procedures

### Policy 19 Traffic

#### **POLICY**

It is the policy of this department to provide guidelines for the safe and efficient control of traffic and traffic related incidents within the City of Graham as it relates to enforcement procedures and the safety of the roadways and citizens of this community.

#### **PURPOSE**

To provide guidelines and policies that enable the Graham Police Department to execute its traffic related responsibilities and services and to provide support activities including data collection and analysis, enforcement techniques and personnel allocation.

#### **I. Traffic Stops - Officer/Offender Relations**

- A. Traffic enforcement is a common task performed by patrol officers, but for the offender it is frequently an emotional experience. Officers should be aware of these conditions and should strive to make each contact educational, and should leave the offender with the impression that the officer has performed a necessary task in a professional and courteous manner.
- B. Traffic stops have two objectives which the officer seeks to achieve. The first objective is to take appropriate enforcement action, and the second is to alter favorably the offender's future driving behavior. This requires a thorough understanding of human relations and demands flexibility on the part of the officer.
- C. Traffic stops and subsequent citations have a propensity for resulting in complaints against the charging officer. For this reason, the following guidelines are recommended to minimize conflict which may develop between the officer and the offender and assist in achieving the two objectives of the traffic stop. Once the officer has stopped the offender and is about to communicate with him/her, officer-offender relations have begun. The officer should:
  - 1. Present a professional image in dress, grooming, language, bearing, and emotional stability.
  - 2. Be certain of violations and actions observed,

3. Have the necessary forms and equipment which are needed, immediately available.
4. Greet the offender with an appropriate title and in a courteous manner.
5. The officer should identify themselves to the offender with his/her appropriate rank and name.
6. Request the offender's operator's license or other identification and the vehicle registration.
7. Complete the forms required for the enforcement action taken, or give a verbal warning.
8. Make sure the offender knows when and where to appear if the enforcement action requires a court appearance or how to go about handling the citation if a court appearance is not required. Explain any alternatives to the offender, but do not predict actions of the court.
9. Be alert for any physical signs of physical impairment, emotional distress, and alcohol/drug abuse. If stress is present, the instructions may need to be repeated or the driver calmed before driving.
10. After completing the contact, assist the offender, if necessary, in re-entering the traffic flow safely.

**II. Traffic Stops with Unknown Risks** - An unknown risk traffic stop refers to a “routine” traffic stop where officers have limited information about the vehicle occupants and their intentions, making it a potentially risky situation.

A. Before stopping the vehicle, the officer shall:

1. Advise communications of his/her unit number and intent to conduct a traffic stop.
2. After acknowledgment from communications, the officer should advise the registration plate number of the vehicle, the location of the stop and the make, model, color of the vehicle, and number of occupants, if possible. Do not stop the vehicle until acknowledgement from communications is received.
3. If the reason for the stop is for something other than a traffic violation, such as, but not limited to, leaving the area of a reported crime, leaving the scene of a domestic, or suspected to be involved in criminal activity, the officer should request a back-up unit and, if possible, wait for the back-up unit to arrive prior to stopping the vehicle.

B. When stopping the vehicle, the officer shall:

1. Select a satisfactory location for stopping the vehicle. This location should allow for a

clear line of site, sufficient lighting, and optimal safety for both the officer and the offender vehicle/offender.

2. Use the blue light(s), and if necessary, horn, hand signal, spot-light, siren, or any combination of these to attract the attention of the driver and let them know you want them to stop.

**\*State law requires the use of blue light and siren in order to determine an attempt at eluding or failing to yield.**

3. In a situation where the officer is attempting to overtake the vehicle and the officer must exceed the posted speed limit and/or take proactive maneuvers such as making a U-turn, weaving through traffic, or proceed through an intersection, the officer shall activate his/her blue lights and siren.

C. Upon stopping the vehicle, the officer shall:

1. The patrol vehicle should be parked so that it is from ten to fifteen feet from the rear of the vehicle (when possible) and off-set two to three feet to the left of the vehicle. This off-set position will allow for a layer of protection for the officer from other traffic.
2. If the stop is occurring at night, the officer should utilize vehicle mounted spotlight, take-downlights, and/or high-beam headlamps to fully illuminate the vehicle.
3. Exit the patrol vehicle and approach the offender's vehicle as soon as possible.
4. The blue light(s) will remain on during the duration of the stop to warn approaching motorists. After the initial approach to the vehicle and during the investigative stage of the stop, officers may (officer's discretion) turn off forward facing blue lights leaving just the rear blue lights illuminated for approaching motorists.
5. The officer shall make his/her approach from the left rear or right rear (officer's discretion), keeping close to the vehicle. The officer should be able to look into the rear and side windows.
6. The officer's gun hand should be free.
7. The officer should stand slightly to the rear of the left or right door, depending on side of approach, of the vehicle causing the driver to turn to the rear to observe and communicate with the officer.

D. If the officer asks the occupants to step out of the vehicle, the officer should:

1. Use the non-gun hand to open the door of the vehicle (officer's discretion).

2. When the door is open, the officer should move backward with the swing of the door. The officer should position himself/herself as to allow for the observation of the individual's movements, and if applicable, observe other individuals located within the vehicle.
3. The officer and individual should then walk to the curb and hold all conversations off the street keeping the individual between the officer and stopped vehicle. This will allow the officer to observe both the individual and the interior of the vehicle.
4. The officer should not remove multiple individuals from the vehicle at the same time unless a back-up officer(s) is present to assist.

### **III. Traffic Stops with High Risk**

- A. When the suspect is a known or suspected felon or when there are multiple known or suspected felons in the vehicle, or when the officer reasonably believes that the occupants may be armed and/or dangerous, the officer should call for assistance. The decision to conduct a high-risk traffic stop should be made based on the officer's knowledge of the circumstances along with the officer's training and experience.
- B. Prior to initiating a high risk stop, the officer shall:
  1. Notify Communications of his/her unit number and the intention to conduct a high risk stop.
  2. After acknowledgment from communication the officer shall:
    - a. Give location and direction of travel.
    - b. Give a description of the vehicle to include license plate number and state, make, model, and color of vehicle, and any unusual or distinctive characteristics about the vehicle.
    - c. Give the number of occupants in the vehicle.
    - d. Give reason for the stop and any known information concerning suspect(s).
    - e. Request back-up unit(s).
  3. Obtain confirmation from Communications.
  4. If possible, the officer shall follow the suspect vehicle until back-up arrives or is immediately available.
- C. When stopping the vehicle, the officer shall:
  1. Select a satisfactory location for stopping the vehicle. This location should allow for a clear line of site, sufficient lighting, and optimal safety for both the officer and the suspect vehicle and suspects.

2. Advise Communications of the location of the stop and wait for acknowledgement.
3. Use the blue light(s), and if necessary, horn, hand signal, spot-light, siren, or any combination of these to attract the attention of the driver and let them know you want them to stop.
4. In a situation where the officer is attempting to overtake the vehicle and the officer must exceed the posted speed limit and/or take proactive maneuvers such as making a U-turn, weaving through traffic, or proceed through an intersection, the officer shall activate his/her blue lights and siren.

D. Upon stopping the vehicle, the officer shall:

1. Position the primary officer's vehicle (now known as command vehicle) fifteen to twenty feet to the rear of the suspect's vehicle. The command vehicle should be offset 45 degrees to the left.
2. The backup vehicle should be parked directly behind approximately twelve feet from the suspect's vehicle with the backup vehicle driver's door positioned at or about the rear bumper of the command vehicle. If possible two additional units should be positioned at a 90-degree angle to the suspect vehicle.
3. If possible, have some of the assist units shut off both pedestrian and vehicular traffic both in front and behind the stop location.
4. Leave the patrol vehicle with the appropriate firearm drawn, based upon the officer's training and experience.
5. Use the patrol vehicle as cover.
6. If the stop is occurring at night, the officer should utilize vehicle mounted spotlight, take-downlights, and/or high-beam headlamps to fully illuminate the vehicle.
7. The primary officer (now known as command officer) shall identify himself/herself and tell the suspect(s) that they are considered armed and dangerous and will do what is told.
8. The command officer should give all commands.
9. Order the suspect(s) to place both hands on top of the head, flat against the windshield, on the interior roof of the vehicle, or to place both arms out of the window, hands empty, where they can be seen.
10. If the driver's side window is not down, order the driver to slowly roll down the driver's side window.

11. Order the driver to use their left hand to turn off the vehicle, remove the keys from the ignition, and drop the keys out of the window.
12. Order all occupants from the vehicle, individually and following steps 13 and 14 below, in the following sequence:
  - a. Driver
  - b. Front seat passenger
  - c. Left rear seat passenger
  - d. Right rear seat passenger
  - e. All other occupants with clear orders on which door to exit out of.
13. The command officer shall then order the individual to walk backwards with hands in the air towards the command car.
14. When the individual arrives at the command car, the backup officer shall talk the individual to a position behind the command car. At that point, the individual shall be handcuffed and searched. This step should be repeated for each vehicle occupant.

#### **IV. Uniform Traffic Enforcement**

- A. Driving While Impaired - Operating a vehicle while impaired by drugs or alcohol constitutes a serious offense. The danger posed by such drivers present a grave risk to the public. Officers are expected to regard such violations as serious and dangerous situations, and take the appropriate action to ensure public safety.

[North Carolina General Statute 20-138.1](#). Impaired Driving

- B. Operation of Vehicle with Suspended or Revoked Driving Privileges - Revoked / Suspended License - Persons operating motor vehicles whose driving privileges have been suspended may be arrested or released on their own recognizance, if the officer has no reason to believe the Offender will not show up in court. The Offender under either situation, shall not be permitted to operate their vehicle.

[North Carolina General Statute 20-28](#). Unlawful to Drive While License Revoked or While Disqualified

- C. Moving Violations

1. Speed Violations - Enforcement of speed regulations may be taken by officers in any area within their jurisdiction. Enforcement of speed regulations is strongly encouraged in those areas where collision/crashes have occurred as a result of speeding, areas where speeding is prevalent, areas in which citizens have complained about speeding, and areas where speeding constitutes an actual hazard. Such locations should be determined from traffic analysis, instructions from supervisors, consultation with traffic engineers, and through officer experience. Officers should

exercise discretion when deciding if a verbal warning, written warning, or citation is appropriate.

[North Carolina General Statute 20-141](#). Speed Restrictions.

2. Hazardous Moving Violations - Hazardous violations are defined as those violations that pose a direct hazard to the safe and efficient flow of traffic. In addition, these violations contribute substantially to collision/crashes. Violations include, but are not limited to; careless and reckless driving, violation of traffic control devices, and other collision/crash related violations. The infringement of other people's safety should be a key determining factor for enforcement action in these situations.

[North Carolina General Statute 20-140](#). Reckless Driving

[North Carolina General Statute 20-158](#). Vehicle Control Sign and Signals

3. Off-road Vehicle Violations - Officers are to take appropriate enforcement action for violations committed by operators of off-road recreational vehicles (e.g., dirt bikes, all terrain, vehicles, mini-bikes) that are observed or reported.

See [North Carolina General Statute 20-4.01](#). Definitions, Section (1c) All Terrain Vehicle or ATV

Officers are authorized to have such vehicles towed from the roadway when unlicensed, unregistered, and/or uninsured. Refer to [GPD Policy 24](#) Towing/Wrecker Services. Refer to [GPD Policy 46](#), Property and Evidence Control.

- a. Juvenile offenders will be handled the same as adult offenders. The seriousness of the offense will be taken into consideration when determining if a parent or guardian should be contacted or if further action will be taken with Juvenile Services.
- b. Any recreational vehicle driven upon the public roadways will be governed by registration laws and operator's license laws, as would any other motor vehicle being driven upon public roadways.
- c. If misuse of private or public property occurs while operating a recreational vehicle (e.g., DWI, trespassing, reckless driving) enforcement action can be taken by officers.

#### D. Non-Moving Violations

##### 1. Equipment Violations

Enforcement actions for vehicles that are improperly equipped, i.e., no headlights, worn tires, overweight trucks, will be guided by officer discretion. Officers are reminded that voluntary compliance is the goal of enforcement actions for minor violations.

[North Carolina General Statute 20-129](#). Required Lighting Equipment of Vehicles  
[North Carolina General Statute 20-183.2](#). Description of Vehicles Subject to Safety or Emissions Inspection; definitions

2. Non-Hazardous Non-Moving Violations - Enforcement efforts for non-hazardous violations (those that do not affect the safety or property of others) will be left to the discretion of the officer. Officers should take the appropriate action in which voluntary compliance can be achieved.

Ex: Expired Registration Plate, Expired Inspection Sticker, Required Insurance

- E. Public Carrier/Commercial Vehicle Violations - Public/Commercial carriers who violate traffic laws will be treated in the same manner as the general public. Uniform enforcement policies and procedures outlined in this policy are applicable.

Ex: [North Carolina General Statute 20-138.2](#). Impaired Driving in Commercial Vehicle

- F. Multiple Violations - When multiple violations by a driver are involved, officers are authorized to charge for more than one offense. This should depend on the totality of the circumstances surrounding each incident. In all cases of multiple violations, the enforcement action taken shall be sufficient to support a comprehensive and complete prosecutorial effort.
- G. Newly Enacted Laws and/or Regulations - When new traffic laws/regulations are enacted, The Chief of Police will review them to determine the level and schedule of enforcement action to be taken by departmental personnel. At his/her discretion, the Chief of Police may authorize verbal or written warnings as the Department's primary enforcement action until the provisions of the new laws/regulations are better known to the public. North Carolina legislation may also prohibit an officer from taking any action other than a warning by specifying that there will be a warning period, which is usually six months from the date of the new law.
- H. Traffic Collisions/Crashes as a Result of Violations of the Law - Officers are expressly authorized to take enforcement action in any traffic collision/crash incident resulting from a violation of the law. Officers, in determining what enforcement action to take should consider the time of day, flow of traffic, witness statements, personal injury, property damage, drug or alcohol use, etc. Officers should obtain assistance from their supervisors in all serious traffic collision/crashes such as hit and run involving personal injury, DWI, death by motor vehicle, etc.
- I. Pedestrian and Bicycle Violations
  1. The enforcement of traffic laws pertaining to pedestrians requires broad discretion from individual officers. The following procedures should be followed in such enforcement.



- 1) Prior to any substantial increase in enforcement directed toward pedestrian traffic, sufficient publicity will be conducted by the department.
  - b. Officers will concentrate their efforts in areas where pedestrian collision/crashes have been frequent and/or severe.
2. The use of bicycles is governed by many of the same laws that govern motor vehicles. A substantial number of bicycle operators are juveniles and whom may not be familiar or instructed in their proper use pertaining to traffic. The following procedures are intended to result in a uniform and consistent application of the law.
  - a. In areas where congestion and frequency of traffic collision/crash experience involving bicycles is predominant, those laws pertaining to the proper operation of bicycles shall be strictly enforced.
  - b. On those roadways with a substantial flow of vehicular traffic, and where hazardous moving violations are observed involving persons operating bicycles, the applicable laws shall be enforced.
  - c. In those areas where traffic flow is minimal, visibility is unobstructed, and traffic collision/crash experience is low, officers should exercise broad discretion in the application of the laws regarding the operation of bicycles.
  - d. Officers should be less tolerant with adult offenders who should be more aware of the hazards inherent in the operation of a bicycle. Officers should be more lenient in the enforcement of laws and more instructive in their response to youthful offenders.

## **V. Traffic Patrol Practices**

- A. Visible Traffic Patrol - Normal traffic enforcement involves visible patrol by officers during the performance of normal duties. Based on the premise that patrol in a marked vehicle is the most effective deterrent to traffic law offenders, officers will be alert to the occurrence of violations while engaged in patrol duties. The types of visible patrol to be utilized are as follows:
  1. Area Patrol - Traffic enforcement within the officer's assigned area.
  2. Line Patrol - Traffic enforcement on a specific street or particular section of roadway.
  3. Directed Patrol - Traffic enforcement that is conducted at specific times and/or locations or for specified offenses.
- B. Stationary Observation - Stationary observation at a selected place, usually one with an unfavorable collision/crash rate, traffic flow problem, or numerous speed complaints, can serve as an effective traffic enforcement technique.
  1. Covert Stationary Patrol - Stationary observation in which the observer is not visible to persons, using ordinary powers of observation, from the roadway being observed. Covert patrol will only be used after approval from the shift supervisor.

2. Overt Stationary Patrol - Stationary observation in which the observer is in plain view so as to serve as a deterrent to other drivers. This technique is encouraged when completing reports or conducting other activities that necessitates the officer being out of service for brief periods.
- C. Unmarked Vehicles - At the discretion of the Chief of Police, unmarked vehicles may be used to accomplish a traffic enforcement purpose. Officers will wear a regulation uniform, and when making traffic stops will take all reasonable measures to make known to drivers that they are police officers. All unmarked vehicles used for traffic enforcement will be equipped with blue lights and siren.

## **VI. Selective Traffic Enforcement Activities**

### **A. Compilation and Review of Traffic Collision/Crash Data and Enforcement Activities –**

1. The Patrol Commander or their designee shall on an annual basis or necessary, in addition to annually, conduct a traffic crash analysis to determine areas of special traffic need. During this analysis the Patrol Commander shall compile and review agency traffic collision data and traffic enforcement activities data in order to plan and initiate effective problem-solving selective enforcement techniques, procedures and programs. Traffic records will be analyzed with special emphasis on the following:
  - a. Time of collision/violation
  - b. Location
  - c. Type of violation(s)
  - d. Causative factors, to include:
    - 1) Kinds/types of vehicles involved
    - 2) Traffic volume
    - 3) Environment Factors
    - 4) Other pertinent factors
2. The results of the analysis shall be distributed to all affected supervisors and personnel as a guide in deployment of enforcement personnel and resources.

### **B. Implementation of Selective Enforcement Techniques and Procedures**

1. Patrol Officers of this department have the responsibility to enforce all traffic laws as set forth in the North Carolina General Statutes (Chapter 20) and the Graham City Code. This does not preclude other non-patrol personnel from taking action when necessary.
2. Officers should enforce all traffic laws and regulations with fairness and uniformity in order to promote efficient traffic flow, reduce vehicular collision/crashes and to provide effective police service to the community.

3. Traffic enforcement involves all police activities that relate to the observance, detection, and the prevention of traffic violations. Enforcement not only involves arrest and citations, but includes education of the public, to include effective warnings to drivers and pedestrians which help prevent minor and inadvertent violations. Traffic enforcement can be reactive to observed violations, at collision/crash scenes, in response to citizen complaints, or proactive to effectively prevent traffic violations and collision/crashes. Officers must evaluate all elements of each violation and apply the correct level of enforcement.
- C. Deployment of Traffic Enforcement Personnel - Patrol Supervisors shall deploy traffic enforcement personnel to areas having the greatest need, based on collision/crash data, citizen complaints, traffic volume, traffic conditions, and enforcement activity records.
  - D. Annual Review of Selective Traffic Enforcement Activities - The Patrol Division Commander or their designee shall perform a documented annual review of the selective traffic enforcement activities. The report shall be forwarded to the Chief of Police through the chain of command. This report shall include measurable problem-solving plans.

## **VII. Procedures for Taking Enforcement Action Incidental to Traffic Law Violations**

### **A. Physical Arrest**

1. Officers should make a physical arrest in the following situations:
  - a. Violations of traffic laws pertaining to Driving While Impaired.
  - b. Whenever a felony involving a vehicle has been committed.
  - c. When the driver cannot produce sufficient identification to verify his/her identity and a charge is made.
  - d. When the offender is licensed by a non-reciprocal state and the offense charged is a misdemeanor offense.
  - e. When the officer has reason to believe that the person will not comply with the citation (for a misdemeanor violation) if issued. (Mere refusal to sign a citation is not reason to believe the person will not comply).
2. In those incidents where physical arrest is authorized, the following procedures will apply:
  - a. Arrestees will be informed of the specific charge(s) against them that warrant their arrest.
  - b. If the officer intends to question the arrestee about the violation, the arrestee is to be advised of their rights against self-incrimination and their right to counsel (refer to [Miranda Warning](#) in the forms section of PowerDMS).
  - c. The arrestee's vehicle will be handled in accordance with existing departmental policy. (Refer to [GPD Policy 24](#) Towing/Wrecker Services. Refer to [GPD Policy 46](#), Property and Evidence Control).

- d. If the arrestee is physically and mentally stable, he/she will be transported to the Alamance County Detention Center for necessary processing and subsequent appearance before a magistrate.
- B. Citation/Notice to Appear - The issuance of a Uniform Traffic Citation is applicable in most cases for those Offenders who commit a minor traffic misdemeanor or infraction which jeopardizes the safe and efficient flow of vehicular and pedestrian in traffic, including hazardous moving violations, or operating unsafe and/or improperly equipped vehicles. When a citation is issued, the following procedures shall apply:
1. The officer shall advise the offender of the offense(s) for which the citation is being issued.
  2. When the citation is completed according to the provisions of [NCGS 15A-302](#), the officer will explain to the offender the contents of the citation.
  3. The offender will be provided with the defendant copy of the citation along with instructions explaining whether court appearance is mandatory, the options available to the offender regarding court appearance and/or payment of fine and court cost. These options should also be given verbally by the officer.
  4. The officer should point out the court date, location, and time, so that the offender will know where the information appears on the citation. (Court dates are assigned by the Patrol Operations Captain and dispersed to the affected personnel, including the Alamance County Clerk of Court's Office and Alamance County District Attorney's Office. Administrative/Traffic Court Date's are established by the Alamance County Clerk of Court's Office).
  5. If fines and court costs can be paid without the offender having to appear in court the officer should provide to the offender information pertaining to the locations (Magistrate's Office and Clerk's Office) where they can pay the fine and court costs, and/or explain to the offender the options available for paying the fine and court costs by mail.
- C. Warnings
1. Warnings, either written or verbal, should be issued to offenders whenever there is a minor traffic infraction, equipment violation, or when the act may be a unique violation or where the traffic collision/crash potential is minimal.
  2. Warnings or other non-punitive enforcement actions should be substituted for arrest or citations when circumstances warrant, especially in the case where the driver was unaware of the violation.

## **VIII. Special Processing Conditions**

#### A. Non-residents of North Carolina

1. Often, an officer will stop a driver for traffic offense only to discover that the driver is not a resident of North Carolina. Officers must choose the appropriate enforcement action for the situation.
2. [North Carolina General Statutes 20-4.1 through 20-4.20](#) governs the reciprocity agreements between North Carolina and other states and regulate when an officer may arrest a non-resident for a violation of the motor vehicle laws of North Carolina.
  - a. [NCGS 20-4.19](#) provides that an officer shall issue a citation to a non-resident member offender if the offense is one which would not result in the suspension or revocation of the person's license under the laws of North Carolina.
  - b. An officer issuing a non-resident member offender a citation is forbidden from requiring the non-resident member offender to post bond and is required to release the offender upon personal recognizance.
3. The following states are not members of the Nonresident Offender Compact as of April, 2025 (<https://aamva.org/>):

Alaska	California	Michigan	
Montana	Oregon	Virginia	Wisconsin

#### B. Juveniles

1. Juveniles under the age of 18 who have committed a traffic violation generally will not be taken into custody. The parents, custodian, or guardian will be notified as soon as possible, and the juvenile will be released into their custody providing that intake is not warranted by the nature of the offense. To charge a juvenile under the age of 18, officers should follow the provisions of [GPD Policy 51](#) and applicable state law regarding issuing citations, filing petitions, and making arrests.
2. In all cases where a juvenile is taken into custody, the officer is responsible for notifying the juvenile's parents, custodian, or guardian of the circumstances as soon as possible under [NCGS 15A-505](#) – “Notification of Parent and School”.
3. In all cases where a juvenile is investigated for a traffic violation, the officer is to obtain the juvenile's name, date of birth, parents names, address of both parents, and a telephone number for both parents. This information shall be included on the incident report to be used if further action is to be taken.
4. If a juvenile is charged with a felony offense, except for a criminal offense under Chapter 20 of the General Statutes, the officer shall notify the principal of any school the person attends of the charge as soon as practical but at least within five days under [NCGS 15A-505](#). This notification may be made in person or by telephone. If the person is taken into custody, the law enforcement officer or their immediate

supervisor shall notify the principal of any school the person attends of the person's arrest. This notification shall be in writing and within five days of the date of arrest under [NCGS 15A-505](#).

#### C. Legislators

1. Members of the U.S. Congress and N.C. State Legislature are, in all cases except treason, felony offenses, and breach of the peace, immune from arrest during their attendance at the session at their respective house, and in going to and returning from the same.
2. There are no North Carolina laws which exempt any state, or local official, either appointed or elected, from federal, state, or local laws. The issuance of a traffic citation, warning (verbal or written), or a physical arrest in those cases where physical arrest is authorized, is allowed.

D. Consular Officers/Foreign Diplomats - Officers should refer to [GPD Policy 77](#) for handling Consular Officers and Foreign Diplomats.

#### E. Military Personnel

1. Military Personnel whose permanent residence and/or duty station is located outside the state of North Carolina will be treated as a non-resident.
2. In cases where a physical arrest is made, the investigating officer's supervisor shall notify the liaison officer of the nearest Armed Forces Investigative Headquarters Division. This does not apply to the issuance of a traffic citation when an actual physical arrest is not made.
3. Any person operating a motor vehicle, the property of and in the service of the United States Armed Forces is exempt from obtaining a North Carolina driver's license under [NCGS 20-8 \(1\)](#) "Persons exempt from license".

### IX. Speed Measuring Devices

#### A. Radar/Lidar

1. All radar and lidar units used by this department must be of a type approved for use by the North Carolina Criminal Justice Education Commission, Training and Standards Commission, and the Secretary of Crime Control and Public Safety pursuant to [North Carolina General Statute 17C-6](#).
2. Radar and Lidar units shall be operated only in accordance with the procedures established by the Training and Standards Commission, and set forth in the Radar/Lidar Operators Training Manual.

3. Officers that utilize radar and/or lidar shall be responsible for ensuring the care and upkeep of all radar and lidar units assigned to their vehicles. Any malfunctions and/or damage to a radar or lidar unit shall be reported to the shift sergeant as soon as possible after the problem is identified. The shift sergeant shall then notify the Patrol Operations Captain of the malfunction/damage through their chain of command.
  4. All department radar and lidar equipment shall annually be calibrated and tested for accuracy by a Federal Communications Commission (FCC) approved technician pursuant to [North Carolina General Statute 8-50.2\(c\)](#). Any problems identified by the technician shall be corrected.
  5. A written certificate showing that each instrument has been tested as accurate shall be issued by the radar/lidar technician and maintained by the Graham Police Department. These certificates shall be eligible as prima facie evidence of radar/lidar competence in any court proceeding.
  6. In order to achieve proper state certification, an officer must successfully complete a formal radar and or lidar operator training course for law enforcement officers as prescribed by the North Carolina Department of Justice, Criminal Justice Education and Training and Standards Commission ([N.C.G.S. 8-50.2](#)). The course shall consist of training in the necessary topic areas as set forth in the North Carolina Administrative Code ([12 NCAC 09B.0408](#) & [12 NCAC 09B.0409](#)).
- B. Speedometer - A secondary method used to measure Offender speed is a certified speedometer. All patrol vehicles' speedometers, used as a basis for issuing a citation for a speeding violation, will have the speedometer checked by Radar or Lidar to ensure its accuracy once quarterly.

## **X. Impaired Driver Enforcement Countermeasure Program**

- A. The Graham Police Department recognizes that drivers impaired by alcohol and/or other impairing substances represent a serious threat to the safety of others. Because of the seriousness of this problem, the Graham Police Department maintains the following ongoing program.
1. All patrol officers shall be responsible for the detection, apprehension, and processing of impaired drivers.
  2. Officers of the Graham Police Department shall receive formal training in D.W.I. enforcement which includes, but is not limited to:
    - a. Identifying the behavioral signs of intoxication.
    - b. Identifying D.W.I. motorists by characteristic driving behavior.
    - c. The proper administration of field sobriety tests.
    - d. Completion of required D.W.I. reports, forms, and citations.

- B. Community Services - Every officer has access to crime prevention materials that are available to concerned community interest groups and school aged children with programs and literature available in the area of alcohol, drug awareness and safety.
- C. Selective Enforcement - Efforts to enforce traffic laws related to impaired driving shall include:
1. Selective assignment of personnel to locations where and when analyses indicate that a significantly high ratio of collision/crashes and impaired driving related violations occur.
  2. Selective surveillance techniques along roadways at times of high incidents of impaired driving related offenses.
  3. Checkpoints specifically aimed at detecting impaired drivers and meeting the requirements set forth in [NCGS 20-16.3A](#).
  4. Applying special emphasis to enforcement efforts of Drinking-driving laws during times, dates, and on locations where analyses indicate that a significantly high ratio of collision/crashes and impaired driving violations occur.
- D. Impaired Motorist Processing and Handling - Officers engaged in D.W.I. enforcement should be mindful of the strict legal limitations surrounding the apprehension of impaired subjects and the scope of authority as it relates to enforcement.
1. Probable Cause
    - a. An officer's observations are crucial in establishing the requisite probable cause necessary to arrest a motorist for D.W.I. Officers must rely on their formal training and experience in this area, putting particular emphasis on those driving actions that give rise to the officer's belief that a motorist is driving while impaired. Officers shall keep detailed notes of these driving actions that establish reasonable suspicion.
    - b. Once an officer decides to stop a vehicle and the motorist has pulled over, the officer should continue establishing probable cause for arrest, and:
      - 1) Request the motorist's operator's license and/or other acceptable identification.
      - 2) Interview the motorist, determining that he/she was in control of the vehicle.
      - 3) Note the number of persons in the vehicle note any observations that add to your suspicion of intoxication and/or impairment (slurred speech, strong odor of alcohol red or glassy eyes etc.).
      - 4) If impairment is detected, request the driver to exit the vehicle safely, then administer field sobriety test in a safe location and out of traffic.
  2. Preliminary Roadside Testing - An officer may require a driver to submit to one or



more psychophysical and/or impairment screening evaluations. Requiring a person to submit to such evaluations does not constitute an arrest. The fact of their refusal, or the test results, may be used as probable cause to arrest for D.W.I. Such test may include, but are not limited to:

- a. Horizontal Gaze Nystagmus
  - b. Walk and Turn
  - c. One Leg Stand
  - d. Alcohol Screening Device
3. Arrest - Once the elements of the D.W.I. violation are clearly established, the officer shall effect an arrest following current departmental procedures, and request the driver to submit to a Chemical Analysis in accordance with [NCGS 20-16.2](#).
  - a. The charging officer will choose the analysis to be administered, either breath or blood.
  - b. The officer will advise communications of the arrest.
  - c. The driver will be transported to the site of the chemical analyst by the charging officer. All breath tests are conducted at the Alamance County Jail or surrounding agencies if necessary while blood test shall be conducted at Alamance Regional Medical Center or by EMS personnel if available.
  - d. The driver will be taken before a chemical analyst granted a valid permit by the North Carolina Department of Health and Human Services under [NCGS 20-139.1\(b\)](#) to perform chemical analysis.
  - e. If the charging officer feels that the arrested individual may be impaired by some substance other than alcohol, they may request the assistance of a State Certified Drug Recognition Expert (DRE) to assist with the investigation.
4. Chemical Analysis - Officers of the Graham Police Department shall utilize the following guidelines for test selection.
  - a. Submission to a breath test(s) will be requested unless:
    - 1) The arrestee is sick, injured, unconscious, admitted to a medical facility, or otherwise unable to be administered such test(s).
    - 2) The breath analysis instrument is not operating properly, preventive maintenance has not been performed, or a valid chemical analyst is not available.
    - 3) At the time of arrest, there is reason to believe that the offender is under the influence of drugs (prescription or controlled substance).
  - b. Submission to a blood test will be requested when submission to a breath test is not requested for the reasons above.
  - c. Additional test (blood/urine) may be requested by the offender after he/she submits to the charging officer's initial chemical analysis request. If an additional

test is requested the charging officer must:

- 1) Within a reasonable amount of time assist the offender in contacting a person to give the test in accordance to [NCGS 139.1\(d\)](#) by allowing the arrestee access to a telephone.
- 2) Notify jail personnel that someone is coming to the jail to administer an additional test and allow the person who comes to administer such test access to the defendant.

#### 5. Incarceration

- a. Persons arrested for D.W.I. are to be taken before a magistrate. Any decision to release the arrestee to the custody of a responsible third party will be at the magistrate's discretion.
- b. In the event that an individual to be charged with D.W.I. is to be admitted to a hospital for medical care, officers may utilize a citation in lieu of arrest and taking the offender before a magistrate. In the event the individual was already placed under arrest prior to being admitted to the hospital, the charging officer must make arrangements to have a magistrate brought to the hospital to set the conditions of release.

#### 6. Vehicle Disposition - Vehicles under the control of a person arrested for D.W.I. are to be inventoried and towed at the direction of the arresting officer in accordance with [GPD Policy 24](#) Towing/Wrecker Services, unless:

- a. The arrestee's vehicle can be left at the scene as long as it is in a safe, legal location and not causing a traffic hazard.
- b. The vehicle can be released to a responsible third party who is approved by both the officer and the arrestee.

#### 7. Juveniles - The same procedures shall be followed for a juvenile 14 years of age or older as for an adult with the following exceptions:

- a. The charging officer shall notify the juvenile's parents or legal guardian of the juvenile's apprehension and request that they meet the officer at the appropriate location where the juvenile will be released to them once the approved test has been administered.
- b. If the legal parent or guardian cannot be located or does not respond, the juvenile, after the administration of the test, shall be held until a determination can be made by the Alamance County Juvenile Services Division, Department of Social Services, or a District/Superior Court Judge concerning the juvenile.

## **XI. Request for Re-Examination**

Persons who have suspected incompetence, physical or mental disabilities, disease, or other

conditions that might prevent them from exercising reasonable and ordinary care over a motor vehicle should be reported to the Division of Motor vehicles. A written request for re-examination can be made by completing form HP-640 "Driver Re-examination Recommendation". This request should be made in addition to any reports related to the action or incident for which the motorist was contacted.

[North Carolina General Statute 20-29.1](#). Commissioner may require Reexamination; Issuance of Limited or Restricted Licenses

## **XII. Parking Enforcement Objectives and Activities**

- A. Officers on patrol will monitor their assigned areas for parking violations and take appropriate action to remedy such problems.
- B. The agency's Civilian Traffic Investigator will monitor their assigned area for parking violations, which encompasses the business district and areas as directed by the Support Services Division Commander.
- C. Vehicles in violation of parking ordinances shall be towed only when such vehicle is constituting a traffic hazard or is parked in a tow away zone.
- D. In cases where numerous complaints have been lodged concerning traffic violations in a particular area, general surveillance or concentrated efforts may be used to curtail the situation.
- E. Parking enforcement may be conducted while on vehicle patrol or while on foot patrol.
- F. Below is a list of NC laws that govern parking regulations:
  - 1. [NCGS 20-161](#) – Stopping on Highway Prohibited; Warning Signals; Removal of Vehicles from Public Highway
  - 2. [NCGS 20-161.1](#) – Regulation of Night Parking on Highways
  - 3. [NCGS 20-162](#) – Parking in Front of Private Driveway, Fire Hydrant, Fire Station, Intersection of Curb Lines or Fire Lane
  - 4. [NCGS 20-162.1](#) – Prima Facie Rule of Evidence for Enforcement of Parking Regulations
  - 5. [NCGS 20-163](#) – Unattended Motor Vehicles

## **XIII. Traffic Collision/Crash Investigation**

- A. Response to Collisions/Crashes

1. The agency's Civilian Traffic Investigator (CTI), when available, shall respond to all reports of collisions/crashes that only involve damage to property. The Civilian Traffic Investigator may request assistance from officers.
2. Officers shall respond to all reports of collisions/crashes when the Civilian Traffic Investigator is unavailable and to all collisions/crashes which include the following:
  - a. Injury or Death
  - b. Hit and Run
  - c. Suspected Impairment of an operator due to alcohol or drugs.
  - d. Hazardous materials involved
  - e. Disturbances between parties involved.
3. The level of officer response will be determined by the magnitude of the collision/crash and will be conducted in accordance with the policies and procedures set forth in [GPD Policy 15](#), entitled "Police Response to Calls".
4. The investigating officer/CTI will be that officer/CTI initially dispatched or first on the scene unless otherwise directed by a shift supervisor. The investigating officer will take charge of the scene upon arrival. Any other officer(s) present will assist the investigating officer.
5. Upon arrival to the scene of a collision/crash the Civilian Traffic Investigator shall perform the following duties:
  - a. Position his/her assigned vehicle in such a manner as to provide protection of the scene.
  - b. Establish safe travel patterns around the scene.
  - c. Ensure that no one is injured. If an injury is found call for patrol officer and appropriate medical personnel.
  - d. If the vehicles are able to be moved, arrange for the moving of vehicles from the roadway.
  - e. Locate and interview involved parties and witnesses.
  - f. Examine and record vehicle/property damage.
  - g. Examine and record effects of the collision/crash on the roadway.
  - h. Collect information, to include; witness statements, measurements, driver and passenger(s) information, and all other information needed for the North Carolina Traffic Crash Report (DMV-349).
  - i. Exchange information among drivers/parties involved.
6. Upon arrival to the scene of a collision/crash the first responding officer/investigating officer shall perform the following duties:
  - a. Position his/her assigned vehicle in such a manner as to provide protection of the scene.
  - b. Identify injured persons and provide for emergency medical treatment to the

extent possible.

- c. Identify fire hazards or hazardous materials and summon additional medical (EMS), fire, police, tow truck, or other assistance as needed.
  - d. Protect the scene and preserve short-lived evidence.
  - e. Establish safe travel patterns around the scene.
  - f. If the vehicles are able to be moved, arrange for the moving of vehicles from the roadway.
  - g. Locate and interview involved parties and witnesses.
  - h. Examine and record vehicle/property damage.
  - i. Examine and record effects of the collision/crash on the roadway.
  - j. Collect information, to include; witness statements, measurements, driver and passenger(s) information, and all other information needed for the North Carolina Traffic Crash Report.
  - k. Collect and preserve evidence following evidence guidelines established in [GPD Policy 46](#), Property and Evidence Control.
  - l. Exchange information among drivers/parties involved.
  - m. Ensure that property belonging to parties involved in collision/crashes is protected from theft or pilferage and secure personal property and effects of involved parties, when necessary, following evidence guidelines established in [GPD Policy 46](#), Property and Evidence Control.
7. In motor vehicle collision/crashes whereas a Fatality occurs, the on-duty supervisor or his/her designee will make the determination to call out the departments evidence custodian, and/or CID Investigator for collection preservation of evidence, photographs other investigating not performed by a uniform patrol officer.
  8. If collision/crash reconstruction becomes necessary, the investigating officer should notify his/her supervisor who can request a traffic collision/crash reconstructionist by calling for assistance from a Graham PD Reconstructionist, if available, from neighboring agencies, or the North Carolina State Highway Patrol.

## B. Traffic Investigation and Reporting

1. Officers and Civilian Traffic Investigators will thoroughly investigate and complete a North Carolina Traffic Crash Report (DMV-349) on all vehicle collision/crashes, including those that occur on Public Vehicular Areas (PVA) or Private Property, involving property damage to the extent of \$1000.00 or more and when any involved party requests that a crash report be completed.
2. Officers will thoroughly investigate and complete a North Carolina Traffic Crash Report (DMV-349) on all vehicle collision/crashes involving any of the following circumstances;
  - a. Death
  - b. Personal injury, including the complaint of pain
  - c. Hit and Run

- d. Impaired Drivers
- e. Hazardous Materials
- f. Damage to City of Graham Vehicles or Property
- g. Occurrences on PVAs or Private Property involving any of the above listed circumstances.

***\* Some collision/crashes, such as those involving Death, Serious Injury, or Hit and Run, may require the completion of an Incident Report in addition to a North Carolina Traffic Crash Report (DMV-349).***

- 3. All traffic collision/crash reports shall be completed in accordance with the "North Carolina Traffic Crash Investigation Manual". These reports are designed to comply with the uniform data compilation requirements of the American National Standards Institute (ANSI).
- 4. All traffic collision/crash reports submitted should be completed in their entirety.
- 5. Officers and Civilian Traffic Investigators are to include a diagram on each collision/crash report. This should be done whether or not the collision/crash occurs on a roadway or public vehicular area, and whether or not the vehicles have been moved prior to the investigating officer's arrival. A good faith effort should be made by the investigating officer to determine what happened, and to formulate a diagram despite limited information.
- 6. Information such as road widths, lane widths, and other measurements may be recorded on the diagram if appropriate.
- 7. In situations where a collision/crash report will not be completed, officers are to assist the involved parties in the exchange of information.
- 8. During times of extreme workloads (e.g. snow emergencies, etc.) the investigation and reporting of traffic collision/crashes not required by state law, may be suspended temporarily. This determination will be made by the Chief of Police, or his/her designee.

#### C. Additional Duties

- 1. Notification of next of kin
  - a. In the event of death/fatality, proper notification will be made to the next of kin in accordance with [GPD Policy 54](#) Victim/Witness Assistance Section "Next of Kin Notification".
  - b. In cases of injury, the investigating officer, if possible, is to ascertain the desires of the injured party regarding notification of individuals, and take steps to ensure such notification is made.

2. Disposition of remains - All traffic fatality victims, and other death victims whose case is investigated by the police department, will be transported to an appropriate facility following authorization of the Medical Examiner, and upon completion of on-scene investigation.
3. Disruption of public utilities - Immediately notify communications in the event that any public utility is disrupted as a result of a traffic collision/crash or other occurrence.
4. Damage to streets or highway - Immediately notify the communications center in the event that a public street or highway is significantly damaged (creating a hazard) as a result of a traffic collision/crash or other occurrence.

#### D. Hit and Run Investigations

1. Officers should respond to the scene of a hit and run in much the same way as responding to a regular collision/crash except for the following;
  - a. Responding officers need to be sure that they have all the available information concerning the incident and suspect vehicle.
  - b. Responding officers need to be sure that an "attempt to locate" for suspect vehicle has been issued, if possible.
  - c. Be especially attentive while enroute so as not to overlook the escaping suspect vehicle.
2. Upon arriving at the scene and confirming the collision/crash is a hit and run, detailed descriptive data, last known direction of travel, and any other important information should be relayed to the telecommunications center for broadcast.
3. Evidence should be gathered and retained for possible identification of the suspect vehicle.
4. Witnesses should be identified and interviewed to obtain essential information about the collision/crash and suspect vehicle/driver.
5. Assistance should be requested and arrangements made for canvassing the surrounding area of the collision/crash scene to attempt to identify/locate the suspect driver/vehicle.
6. If the suspect vehicle is located, any pertinent evidence on the vehicle should be photographed (if possible) and immediately removed from it for comparative purposes. This may be done without a court order pursuant to exigent circumstances (e.g. vehicle mobility etc.), especially if within the immediate time period of the collision/crash.
7. Hit and run collision/crashes should be recorded on a North Carolina Traffic Crash

Report (DMV-349). Hit and run collision/crashes may also require an Incident Report in addition to the North Carolina Traffic Crash Report (DMV-349).

E. Collision/Crash Follow-up Investigations/Activities

1. Additional information shall be recorded on a supplemental DMV-349 in accordance with instructions in the North Carolina Traffic Crash Investigation Manual.
2. File or amend charges as appropriate.
3. Collect off-scene data, such as blood test results, paint analysis, or other lab results.
4. Obtain and record formal statements from involved parties, witnesses, etc. if needed.
5. Prepare any necessary formal reports or documentation to support any criminal charges arising out of the incident.
6. Review/analyze any evidence collected. This may include digital evidence.

F. Enforcement Action

1. Enforcement actions arising out of traffic collision/crashes shall be taken only upon having sufficient probable cause and in accordance with [North Carolina General Statute 15A-401](#).
2. At a collision/crash, citations/charges may be issued (officer's discretion) if appropriate, only upon the officer having probable cause to believe that a traffic violation or criminal offense has occurred.
3. Officers are strongly encouraged to issue citations/charges under the following circumstances;
  - a. The collision/crash occurs in the officer's presence.
  - b. There is death or serious injury as the result of negligence.
  - c. The collision/crash involves a hit and run offense.
  - d. The collision/crash involved an operator who is impaired, or other implied consent offenses.
  - e. There are insurance, licensing, or registration violations.
4. No enforcement actions shall be taken for traffic violations that occur on private property that is not a public vehicular area, unless the violation constitutes a criminal offense.
5. Traffic enforcement actions on public vehicular areas are limited to the following violations:



- a. Driving While Impaired
- b. Careless and Reckless Driving
- c. Safe Movement Violation
- d. Hit and Run Violations
- e. Failure to notify Law Enforcement of collision/crash involving injury or death
- f. Death by motor vehicle
- g. Consuming alcoholic beverage by driver
- h. Leaving the vehicle unattended without first stopping the engine and effectively putting the vehicle in park or setting the parking brake.
- i. Certain motorcycle violation
  - 1) Failure to burn headlamp at all times
  - 2) Failure of driver/rider to wear helmet
  - 3) Allowing excessive number of persons to ride
- j. Handicapped and Fire Lane violations.

#### G. Special Hazards

##### 1. Fire Hazard Procedures

- a. The first responding officer that determines that a fire hazard exist or that there is a potential for such hazard, is to contact the communications center and request Fire Department assistance.
- b. The officer will provide any fire suppression service possible, such as fire extinguisher.
- c. The officer will establish vehicle and crowd control to prevent injury or further collision/crashes.
- d. Additional units/personnel will be requested to assist as necessary.

##### 2. Hazardous Material Procedures

- a. The first responding officer suspecting hazardous materials at a collision/crash scene shall contact communications and request Fire Department assistance.
- b. The officer will then notify the on-duty supervisor of the danger.
- c. The officer will attempt to identify the hazardous materials by any container placards, vehicle identification or shipping documents. The officer shall consult the [Emergency Response Guidebook](#), published by the U.S. Department of Transportation for this purpose.
- d. Officers at the scene are to secure the area and evacuate non-essential personnel. Only properly equipped and trained personnel are to be allowed to enter the area.
- e. Follow the guidelines for Hazardous Materials outlined in [GPD Policy 37](#) entitled "Unusual Occurrence Plan".

## XIV. Traffic Engineering Responsibilities

### A. Complaints or Suggestions Concerning Traffic Engineering

1. When a citizen reports to the police department a complaint involving a traffic engineering problem, the receiving officer or department personnel shall take the information regarding the complaint as well as the citizen's name.
2. An officer may be sent to the scene of the problem to determine if the complaint is justified. Traffic engineering problems that require immediate attention will be reported immediately to the Public Works Department, if it is a city street. If the problem is on a state-maintained street, the officer should contact the North Carolina Department of Transportation (DOT). If the report is unfounded, no further action will be taken.
3. If a complaint is founded and immediate action is not necessary, a report shall be prepared and forwarded to the City Traffic Engineer, through the Patrol Division Commander. Request for additional stop signs, speed limit changes, road markings etc., shall be presented to the City Manager's office by the Chief of Police recommending the means of improving traffic conditions. Citizens may also make request at regularly scheduled City Council meetings held monthly.

**B. Procedures for Transmitting Local Collision/Crash and Engineering Data to Traffic Engineering Authorities**

1. The Records Division will have the responsibility for all collection of traffic data. Such information will consist of, but is not necessarily limited to, traffic collision/crash reports, warning citations, and uniform traffic citations.
2. Traffic collision/crashes are transmitted by the reporting officer, upon completion, to the North Carolina Department of Motor Vehicles for entry into their computer system.

**XV. Manual Traffic Direction and Control**

- A. All personnel will at all times give due consideration to their own safety while carrying out manual traffic direction and control.
- B. Personnel will position themselves so that they can clearly be seen by all traffic, usually in the center of the roadway or intersection.
- C. All personnel directing traffic, or in the roadway controlling traffic shall wear reflective clothing at all times, preferably an ANSI approved traffic vest/shirt.
- D. Personnel will employ uniform procedures, gestures and signals to enhance driver and pedestrian recognition and response to their direction, to include the following:
  1. To stop traffic - The officer/employee should first extend his/her arm and index finger toward, and look directly at the person to be stopped until the person is aware, or it can be reasonably assumed that he/she is aware of the officer's gesture. Second, the

- pointing hand is raised at the wrist so that its palm is toward the person to be stopped, and the palm is held in this position until the person is observed to stop. To stop traffic from both directions on a two-way street, the procedure is repeated for traffic coming from the other direction while continuing to maintain the raised arm and palm toward the traffic previously stopped.
2. To start traffic - The officer/employee should first stand with shoulder and side toward the traffic to be started, extend his/her arm and index finger toward, and look directly at the person to be started until that person is aware, or it can be reasonably assumed that he/she is aware of the officer's gesture. Second, with palm up, the pointing arm is swung from the elbow only, through a vertical semi-circle until the hand is adjacent to the chin. If necessary, repeat this procedure until traffic begins to move. To start traffic from both directions on a two-way street, the procedure is repeated for traffic coming from the other direction.
- E. The police whistle may be used to gain the attention of drivers and pedestrians; however, the whistle should be used judiciously:
1. To stop- One long blast
  2. To start- Two short blasts
  3. To gain attention- Several short blasts
- F. Occasionally, a driver or pedestrian will not understand the officer's directions. When this happens, the officer should move reasonably close to the person and politely and briefly explain his/her directions. No officer shall exhibit loss of temper by shouting or otherwise indicate antagonism toward those who do not understand or who do not wish to obey the officer's directions.
- G. A flashlight may be used to halt traffic. To stop traffic, slowly swing the beam of the light across the path of the oncoming traffic so that the beam from the light strikes the pavement as an elongated spot of illumination. After the driver has stopped, arm signals may be given in the usual manner with the headlights of the vehicle providing illumination.
- H. Police department personnel are not authorized to employ manual operation of signal devices beyond that of placing the signal into flash mode. Should further manual operation be required, officers should advise the communications center of the situation so that they can notify the appropriate city or state agency.

## **XVI. Temporary Traffic Control Devices**

- A. Temporary traffic control devices may be deployed in support of traffic direction and control services.

- B. These devices include traffic cones, movable barricades, and portable signs.
- C. Usage of such devices must be authorized by the shift supervisor and shall be removed as soon as possible after the need dissipates.

## **XVII. Use of Road Flares**

- A. Road flares are an excellent visibility tool, and may be used to prevent possible injury to citizens and to property, especially at the scene of a night-time collision/crash.
- B. Safety Guidelines:
  - 1. Flares should be placed on the ground and be used for fixed point traffic control.
  - 2. Flares will not be used as a hand-held traffic control device.
  - 3. Flares will only be used after the area has been surveyed for fire hazards.
  - 4. Flares should be handled carefully! A flare burns at approximately 1500 degrees Fahrenheit which can damage uniforms and severely burn flesh.
- C. The improper use of flares at a collision/crash/disaster scene can cause vehicles to become involved in collision/crashes. It is important to give oncoming traffic ample warning by allowing sufficient distance in which to start taking defensive measures to safely negotiate the scene.
- D. Following is a list of recommended minimum distances at which a line of flares should be started away from any collision/crash/disaster scene:
  - 1. 25 MPH Zone - 100 feet warning, then every 25 feet to the scene.
  - 2. 35 MPH Zone - 200 feet warning, then every 30 feet to the scene.
  - 3. 45 MPH Zone - 300 feet warning, then every 40 feet to the scene.
  - 4. 55 MPH Zone - 375 feet warning, then every 40 feet to the scene.
- E. In any speed zone where flares are used to channel traffic from one lane to another, the flares should be placed approximately 20 feet apart. This eliminates any doubt to the motorist as to what is expected, and it will lessen the possibility of any motorist driving between flares into the wrong traffic lanes.
- F. Each traffic patrol unit should maintain flares as part of its standard equipment.

## **XVIII. Traffic Control at Critical Incident and Fire Scenes**

- A. Upon arrival at the scene of a fire or critical incident, an officer should position his/her vehicle in a manner to assist in guiding oncoming traffic into a desired pattern, and to protect all emergency personnel and equipment at the scene.
- B. The first officer on the scene should quickly survey the situation, determine if additional officers are needed, and make any necessary request.
- C. There should be enough personnel requested to the scene to provide adequate traffic and crowd control.
- D. At large fires or critical incidents, the first officer on the scene should notify the shift supervisor.
- E. When directing traffic at fire scenes or critical incidents, officers should be concerned about keeping traffic from entering the fire and or critical incident area, as well as assisting trapped vehicles out from behind the established fire and or perimeter lines.
- F. Once traffic has been cleared from the fire or critical incident area, no vehicles other than authorized personnel shall be allowed to enter the fire or the critical incident area.
- G. Officers should ensure that a travel lane is kept open for emergency vehicles to enter and leave the scene as needed.
- H. Officers should plan where traffic needs to be detoured.
- I. Those spectators that arrive should be kept behind the established fire line or perimeter area so that fire fighters and other emergency personnel will have room to work.
- J. Officers should assist in keeping vehicles from crossing fire hoses and any other equipment that is in the street.
- K. Officers should coordinate the movement of traffic, with the fire department and or other emergency management officials in charge.

#### **XIX. Traffic Control for Adverse Road and Weather Conditions**

- A. Upon discovery of an adverse condition/hazard that is correctable, officers/employees shall immediately notify the communications center of the situation so that the proper assisting agency can be notified.
- B. Officers will provide traffic direction and control services and scene protection as appropriate for the existing conditions.
- C. If necessary, temporary traffic control devices may be deployed if authorized by the shift supervisor.

**XX. Hazardous Highway Conditions** - Officers shall contact the communications center when the following defects/hazards are observed or noted.

1. Major debris in the roadway. Officers should remove small/lightweight objects.
2. Defects in the roadway.
3. Visually obstructed or damaged traffic control devices.
4. Lack of traffic control devices.
5. Lack of or defective roadway lighting.
6. Any other roadway hazards.

**XXI. Use of Roadblocks**

- A. Officers shall not use stationary or moving roadblocks except under circumstances where the use of deadly force is authorized and appropriate, i.e., to prevent the death or serious bodily injury of a person.
- B. No vehicles, except Graham city police vehicles, will be used as a roadblock or in conjunction with any roadblock operation.
- C. Before a roadblock will be used, permission to do so must be obtained from the shift supervisor.
- D. No officer or passenger will remain in the police vehicle after it is stationed as part of a stationary roadblock.

**XXII. Traffic Safety Educational Materials**

Educational materials concerning traffic safety are available to every officer/employee of Graham PD. Any officer/employee may use such materials to support enforcement efforts and enhance public understanding of traffic safety.

**XXIII. Ancillary Services**

See [GPD Policy 23](#) entitled "General Assistance to Motorist"

**XXIV. Abandoned Vehicles, Towing and Towing Records**

See [GPD Policy 24](#) entitled "Towing/Wrecker Services"

See [GPD Policy 46](#) entitled "Property and Evidence Control"