



# 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 with Non-Criminal or Misdemeanor Involvement

##### A. Before stopping the vehicle, the officer shall:

1. Advise communications of their unit number and intent to conduct a traffic stop. After acknowledgment from communication the officer should advise the registration plate number of the violator vehicle, the location of the stop and the make, model, color of the violator vehicle, if possible.
2. Do not stop the vehicle until acknowledgement from Communications is received.

##### B. When stopping the vehicle, the officer shall:

1. Select a satisfactory place for stopping the violator vehicle.
2. If possible, the officer should make his/her stop on populated business street where they would have a distinct psychological advantage.
3. When the stopping site has been selected, the officer should use the blue light, horn, hand signal, spot-light, siren, or any combination of these to attract the attention of the violator and let him know you want him to stop.

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

4. The patrol vehicle should be parked so that it is from eight to fifteen feet from the rear of the violator car (when possible) and off-set two to three feet to the left of the violator car. The officer will be protected from other traffic due to the off-set position.
5. Get out of the patrol vehicle and up to the violator vehicle as soon as possible. (Don't wait inside the patrol vehicle to give the suspects extra time to get a weapon from the glove box, etc.)
6. The blue light will remain on during the stop to warn approaching motorists.
7. The officer shall make his/her approach from the left rear or right rear (officer's discretion), keeping close to the violator car. (The officer should be able to look into the rear and side windows.)
8. The officer's gun hand should be free.
9. The officer should stand slightly to the rear of the left or right door of the violator car, causing the driver to turn to the rear to observe and talk to the officer.
10. In a situation where the officer must exceed the posted speed limit, the officer shall activate his/her blue lights and siren if exceeding 20 mph over the posted speed limit to overtake the violator.

C. If the officer asks the violator to step from the car, the officer should:

1. Use the non-gun hand to open the door of the violator car (officer's discretion).
2. When the door is open, the officer should move backward with the swing of the door. This allows the officer to face oncoming traffic and also observe all of the violator's movements while leaving the car.
3. The officer and violator should then walk to the curb and hold all conversations off the street keeping the violator between the officer and violator vehicle. This will allow the officer to observe both the violator and the interior of the vehicle.

## **II. Traffic Stops with Unknown Risks**

An unknown risk stop could be described as a suspect vehicle in which the officer has reason to believe the conditions or circumstances exist outside that of a normal misdemeanor or non-criminal traffic stop, for example: leaving the area of a breaking and entering, leaving the scene of a domestic call, leaving the scene of a burglary alarm, leaving the scene of a fight call, etc.

A. Before stopping the vehicle, the officer shall:

1. Advise communications of his unit number,

2. Registration plate number of the violator vehicle,
3. Location of the traffic stop,
4. Number of occupants.
5. Request an additional unit for back-up.
6. Do not stop the vehicle until acknowledgement from communications is received.
7. Whenever possible, wait for additional unit(s) to arrive before stopping vehicle.

B. When stopping the vehicle, the officer shall:

1. Select a satisfactory place for stopping the violator vehicle.
2. If possible, the officer should make his/her stop on populated business street where they would have a distinct psychological advantage.
3. The officer should select a well-lit area when possible.
4. When the stopping site has been selected, the officer should use the blue light, horn, hand signal, spot-light, siren, or any combination of these to attract the attention of the violator and let him know you want him to stop.
5. The officer should use the take-down lights or high beam headlamps to fully illuminate the vehicle.

C. Approaching the Vehicle

1. If back-up is not already on the scene, wait for back-up to arrive. (If back-up is not available, step one is excluded)
2. The initiating officer shall determine which side of the vehicle to approach and the back-up officer should approach from the opposite side.
3. The officer's gun hand should be free.
4. Officers should stand in a position to allow for his/her maximum safety while making contact with the driver.

D. If the officer asks the violator to step from the car, the officer should:

1. Use the non-gun hand to open the door of the violator car (officer's discretion).
2. When the door is open, the officer should move backward with the swing of the door. This allows the officer to face oncoming traffic and also observe all of the violator's movements while leaving the car.
3. The officer and violator should then walk to the curb and hold all conversations off the street keeping the violator between the officer and violator vehicle. This will allow the officer to observe both the violator and the interior of the vehicle.

### **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 should notify Communications of the intention to do so.

C. In his initial broadcast, prior to taking any action, the officer shall:

1. Give the unit number.
2. Give the location.
3. Give a description and the license number of the suspect vehicle.
4. Give the direction of travel and the last street crossed.
5. Number of occupants in the vehicle.
6. Any unusual characteristics about the vehicle.

D. Obtain confirmation from Communications.

E. The lone officer should follow the suspect(s) until assistance arrives or is immediately available.

F. Select the stopping site and, if possible, have some of the assist units shut off both pedestrian and vehicular traffic both in front and behind the stopping area.

1. Stop at a known address or location if possible.
2. If the stop is made at night, attempt to make it in a well-lighted area.

G. Signal the suspect vehicle to stop and position the officer's car (now known as command car) fifteen to twenty feet to the rear of the suspect's vehicle. The command car should be off-set 45 degrees to the left. The backup car 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.

\*If only one optional vehicle is to be used, it is preferred that the optional vehicle situated at the driver's door of the suspect vehicle is the one to be used.

H. When the suspect vehicle has stopped, the command officer should:

1. Leave the police vehicle with the gun drawn.
2. Use the service weapon instead of the shotgun. (This applies to the command and backup officer. The officer in the optional police vehicle may use a shotgun).
3. Use the engine block of the car as cover.

4. If the stop is made at night, the officer should use the spotlight to shine in the rear window of the suspected car.
5. Identify himself and tell the suspect(s) that they are considered armed and dangerous and will do what is told.
6. Order the suspect to place both hands on top of the head or flat against the windshield, or to place both arms out of the left front window, hands empty, where they can be seen.
7. Order the driver to use his/her left hand to turn off the ignition of the car and throw the key into the street. When this had been done, the officer should order the suspect back into position.
8. The command officer should give all commands. The officer should order the suspect(s) from the car in the following sequence:
  - a. Driver
  - b. Front seat passenger
  - c. Passenger in the left rear seat
  - d. Passenger in the right rear seat
9. The command officer shall then order the suspect(s) to walk backwards (one at a time with hands in the air) towards the command car.
10. When the suspect arrives at the command car, the backup officer shall talk the suspect to a position behind the command car. At that point, the suspect shall be handcuffed before being searched. This step should be repeated for each vehicle occupant.

#### **IV. Selective Traffic Enforcement Activities**

- A. Compilation and Review of Traffic Collision/Crash Data and Enforcement Activities -  
The Support Services Commander or their designee shall on a bi-annual basis, conduct a traffic crash analysis to determine areas of special traffic need. Enforcement data is maintained in WebRMS. The Support Services Commander or their designee shall bi-annually and/or as necessary 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:
  1. Time of collision/violation

2. Location
3. Type of violation
4. Causative factors, to include:
  - a. Kinds/types vehicles involved
  - b. traffic volume
  - c. environmental factors
  - d. other

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 Support Services 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.**

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

## A. Physical Arrest

1. Officers should make physical arrest in the following situations:
  - a. Violations of traffic laws pertaining to Driving While Impaired.
  - b. Whenever a felony has been committed involving a vehicle.
  - c. When the operator cannot produce sufficient identification to verify his/her identity and a charge is made
  - d. When the violator is licensed by a non-reciprocal state.
  - e. When the officer has reason to believe that the person will not comply with the citation if issued. (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 forms section of PowerDMS.
  - c. The arrestee's vehicle will be disposed of in accordance with existing departmental policy.
  - d. If the arrestee is physically and mentally stable, he/she will be transported to the Alamance County Sheriff's Department 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 violators 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 will approach the vehicle and ask for the violator's driver's license and registration. If the violator is unable to produce a valid driver's license, the officer should not rely solely on the violator's word as to his/her identity.
2. The officer shall advise the reason for stopping the vehicle prior to issuing any citation.
3. When the citation is completed according to the provisions of [NCGS 15A-302](#), the officer will explain to the violator the contents of the citation.
4. The violator will be provided with the defendant copy of the citation along with instructions explaining the options available to the violator regarding court appearance and/or payment of fine and court cost. These options should also be

given verbally by the officer.

5. The officer should point out the court date, location, and time, so that the violator 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 Clerks Office and Alamance County District Attorney's Office.

#### C. Warnings

A. Warnings, either written or verbal, should be issued to violators 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.

B. 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.

### VI. 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 violator 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 violator a citation is forbidden from requiring the non-resident member violator to post bond and is required to release the violator upon personal recognizance.
  - c. Officers issuing citations to non-resident members shall complete the "Acknowledgement/Personal Recognizance for Appearance" section located at the bottom of the citation by marking the appropriate box if necessary. The section should then be explained to the non-resident member and a signature obtained.
3. The following states are not members of the Nonresident Violator Compact as of November, 2022 (<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, a juvenile petition must be obtained through Juvenile Justice Services.
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, 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 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** (*Refer to [GPD Policy 77](#)*)

## **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 drivers license under [NCGS 20-8 \(1\)](#) "Persons exempt from license".

## **VII. Information to be provided to Violators**

- A. Court date, time, and location
- B. Whether court appearance by the violator is mandatory
- C. Whether the violator may be allowed to enter a guilty plea and/or pay the fine by mail
- D. The location of the Magistrate's office

## **VIII. 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 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 violator will not show up in court. The violator 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 should be conducted 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 towing and storing of vehicles. 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 operators license laws, as would any other motor vehicle 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, ie. 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 Departments 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.

- a. Prior to any substantial increase in enforcement directed toward pedestrian traffic, sufficient publicity will be conducted by the department's administration.
  - 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 are not 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.

## **IX. 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 violators, 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.

**X. Officer/Violator Relations** - Traffic enforcement is a common task performed by patrol officers, but for the violator 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 violator with the impression that the officer has performed a necessary task in a professional and courteous manner.

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 violator's future driving behavior. This requires a thorough understanding of human relations and demands flexibility on the part of the officer. Traffic stops and subsequent citations have a propensity for resulting in complaints against the charging officer.

The following guidelines are recommended to minimize conflict which may develop between the officer and the violator and assist in achieving the two objectives of the traffic stop. Once the officer has stopped the violator and is about to communicate with him/her, officer-violator relations have begun. The officer should:

- A. Present a professional image in dress, grooming, language, bearing, and emotional stability.
- B. Be certain of violations observed.
- C. Have the necessary forms and equipment which are needed, immediately available.
- D. Greet the violator with an appropriate title and in a courteous manner.
- E. Request the violator's operator's license or other identification and the vehicle registration.
- F. Inform the violator of the traffic law(s) he/she has violated and your intended action. Allow the violator reasonable discussion about the violation and intended action.

Discussions with violators should be conducted in a courteous and businesslike manner, and unfavorable reactions from violators are not to adversely influence an officer's decision regarding charges or behavior toward the violator.

- G. Complete the forms required for the enforcement action taken, or give a verbal warning.
- H. Make sure the violator knows when and where to appear if the enforcement action requires a court appearance. Explain any alternatives to the violator, but do not predict actions of the court.
- I. 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.
- J. After completing the contact, assist the violator, if necessary, in re-entering the traffic flow safely.

## **XI. 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. All traffic and patrol 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.
- 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 violator 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 to ensure its accuracy once quarterly.

## **XII. 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 motorists.
  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. motorist by characteristic driving behavior.
    - c. The proper administration of field sobriety test.
    - 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.

1. 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.
    - 1) The charging officer must assist in contacting a person to give the test in accordance to NCGS20-139.1(d) by allowing the arrestee access to a telephone.
    - 2) The person who comes to administer such test must be allowed access to the defendant and the charging officer must notify jail personnel that someone is coming to the jail to administer an additional test.
- 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. This does not preclude the charging officer from offering to the magistrate an opinion or assistance concerning such decision.
  - 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, 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. If the vehicle must be towed and the vehicle is not being seized, the arresting officer should request the next available tow company on our agencies rotational wrecker service.
  - 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.

### **XIII. 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

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

Officers on patrol will monitor their assigned areas for parking violations and take action to remedy such problems. Parking violation notices should be written when appropriate.

The agency parking enforcement officer will also monitor their assigned area, which encompasses the business district.

- A. 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.
- B. 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.
- C. Parking enforcement may be conducted while on vehicle patrol, or officers may do so while on foot patrol, issue parking violation notices.

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

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

### **A. Response to Collision/Crashes**

- 1. Officers shall respond to all reports of collision/crashes, to include the following;
  - a. Death or injury
  - b. Hit and Run
  - c. Impairment of an operator due to alcohol/drugs
  - d. damage to public vehicles or property
  - e. Hazardous materials
  - f. Disturbances between principals
  - g. Damage to vehicles, to the extent that towing is required.
- 2. The level of 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 [Policy 15](#), entitled "Police Response to Calls".
- 3. Upon arrival, the first responding officer shall perform the following duties:
  - a. Position the police vehicle 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. Arrange for the moving of vehicles from the roadway, if necessary.
- g. Collect information, to include; witness statements, measurements, driver information, injury information etc.

## B. Traffic Investigation and Reporting

1. 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 when no injury is obvious
  - c. Hit and Run
  - d. Impaired drivers
  - e. Property damage to the extent of \$1000.00 or more
  - f. Hazardous materials
  - g. Damage to City of Graham vehicles or City of Graham Property
  - h. A disturbance between the principals involved.
  - i. Any involved party in the collision/crash request that a crash report be completed
  - j. Occurrences on private property shall be investigated and documented on a standard "Incident Investigation Report" form, utilizing the above guidelines.
2. 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).
3. All traffic collision/crash reports submitted should be completed in their entirety.
4. Officers 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 diagram is a representation of the collision/crash that is based upon physical evidence, driver's statements, and witness testimony. In the event motor vehicles involved in collision/crash have been moved, the investigating officer will indicate in the right-hand corner of the diagram section. A good faith effort should be made by the investigating officer to determine what happened, and to formulate a diagram despite limited information.
5. If an investigating officer feels that sufficient extenuating circumstances exist that make it impossible to gather enough information to formulate a diagram, then the

officer shall contact his/her supervisor, who will determine if a diagram can be made based on the limited information available.

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 designee.

#### C. Additional Duties

1. Notification of next of kin
  - a. In the event of death/fatality, proper notification will be made in a timely and considerate manner by the appropriate shift supervisor or designee.
  - 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.
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 - An investigating officer will 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 public streets or highways - An investigating officer will 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. Investigating Officer

1. The investigating officer will be that officer initially assigned by the telecommunications center, unless otherwise directed by a shift supervisor. The investigating officer will take charge of the scene upon his/her arrival. Any other officer(s) present will assist the investigating officer.
2. The responsibilities of the investigating officer at the scene include the following:

- a. Locate and interview principals and witnesses.
  - b. Examine and record vehicle\property damage.
  - c. Examine and record effects of the collision/crash on the roadway.
  - d. Record appropriate measurements, and take any necessary photographs.
  - e. Collect and preserve other evidence. Follow proper evidence guidelines for collected evidence.
  - f. Gather necessary information to complete the collision/crash report (if report taken).
  - g. Exchange information among the principals.
  - h. Secure personal property and effects of involved parties, when necessary. If personal property is collected, follow proper evidence guidelines for storage of the property until it is released.
3. 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/crime scene technician and or CID Investigator, for collection preservation of evidence, photographs other investigating not performed by a uniform patrol officer.

#### E. Enforcement Action

1. Enforcement actions arising out of traffic collision/crashes shall be taken when appropriate, and in accordance with [North Carolina General Statute 15A-401](#).
2. At a collision/crash, citations shall be issued by an officer only upon having sufficient probable cause, and only under any of the following conditions:
  - a. The collision/crash occurs in the officer's presence.
  - b. There is death or personal injury.
  - c. The collision/crash involves a hit and run offense.
  - d. The collision/crash involves an operator who is impaired, or other implied consent laws.
  - e. Insurance violations are detected on vehicle(s) involved.
  - f. There are detected violations of licensing, registration, or inspection/equipment laws, or other non-moving violations.
  - g. Charges that constitute criminal offenses and serious traffic charges (eg. death by vehicle) will typically require additional investigative efforts and documentation. These additional proceedings should be conducted in the same manner as other criminal casework.

#### F. Hit and Run Investigations

1. Generally, 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 a "attempt to locate" for suspect vehicle has been issued via police radio, if possible.
  - c. Officers should be especially attentive while driving 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. Arrangements need to be made for canvassing the surrounding area of the collision/crash scene.
  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 (eg. vehicle mobility etc.), especially if within the immediate time period of the collision/crash.
  7. Hit and run collision/crashes should be recorded on form DMV-349.

#### G. Collisions/Crashes on Private Property

1. Traffic collision/crashes occurring on private or public vehicular areas will be investigated and reported using the same procedures as for collision/crashes occurring on streets or highways with the exception that collision/crashes occurring on private property shall be documented on a standard "Incident Investigation" form, rather than form "DMV-349". If there is doubt as to whether an collision/crash is on a public vehicular area or private property, the officer should use form DMV-349 until further investigation determines the status of the area.
2. 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.
3. 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. Exceeding safe speed for conditions
- e. All hit and run violations
- f. Failure to notify a law enforcement agency of collision/crash
- g. Overcrowded/overloaded vehicle
- h. Death by vehicle
- i. Excessively dark shaded windows
- j. Consuming alcoholic beverage by driver
- k. Operation of moped by driver under 16 years of age
- l. Leaving vehicle unattended without first stopping the engine and effectively setting the parking brake.
- m. Certain motorcycle violations
  - 1) Failure to burn headlamp at all times
  - 2) Failure of driver/rider to wear helmet
  - 3) Allowing excessive number of persons to ride (more than designed to accommodate).
- n. Parking violations
  - 1) Handicapped violation
  - 2) Fire lane violation

#### H. Delayed Reports of Collision/Crashes

1. On occasion, individuals report collision/crashes that occurred at an earlier time or date, thus prohibiting on-site investigation.
2. In these instances, the following procedures shall apply:
  - a. Officers are to determine if sufficient evidence exist to reasonably show that a collision/crash actually occurred.
  - b. If an officer reasonably believes that a collision/crash occurred, then an investigation shall be performed.
  - c. The investigating officer shall attempt to conduct the best possible ex post facto investigation, including the completion of DMV-349 in its entirety.
  - d. The investigating officer shall write in the wording "Delayed - not reported at scene" in the upper left hand corner of the report form.
  - e. Delayed reports of collision/crashes that cannot be completed in their entirety or are questionable as to its existence may be documented on a standard "Incident Investigation" form.

#### I. **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 then notify the supervisor on duty of the danger.
- c. The officer will provide any fire suppression service possible, such as fire extinguisher.
- d. The officer will establish vehicle and crowd control to prevent injury or further collision/crashes.
- e. Additional units will be summoned, as necessary, to assist with crowd and vehicle control.

## 2. Hazardous Material Procedures

- a. The first responding officer suspecting hazardous materials at a collision/crash scene shall contact the communications center 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. For tactical guidelines, see [Policy 37](#) entitled "Unusual Occurrence Plan".

## J. **Collision/Crash Investigation Follow-up Activities** - Further Investigation when necessary

- 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 witnesses etc. if needed.
- 5. Prepare any necessary formal reports or documentation to support any criminal charges arising out of the incident.
- 6. 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 Graham Reconstructionists if available or from neighboring agencies or the North Carolina State Highway Patrol at their toll-free number (1-800-662-7956).

## K. **Control of Property belonging to Collision/Crash Victims**

- 1. The investigating officer should ensure that property belonging to collision/crash

- victims is protected from theft or pilferage, and is removed to a place of safekeeping if the owner is unable to care for it.
2. Small items at the scene may be temporarily stored in the trunk of the police car if necessary.
  3. Larger items may require special provisions dependant upon the situation.
  4. An officer should follow departmental procedures for evidence whenever he/she takes possession of any property of a collision/crash victim for safe keeping.
  5. As soon as possible thereafter, the officer should attempt to return the item(s) directly to the owner/caretaker utilizing the property form as a receipt.
  6. If circumstances exist that preclude the officer from making a direct return of the property within a reasonable time after taking possession, the officer should place the item(s) in the department property room for storage.
- L. Conformity of Motor Vehicle Traffic Collision/Crash Program - In order to gather uniform data on motor vehicle collision/crashes and to promote uniformity and comparability of traffic collision/crash statistics, the Graham Police Department utilizes the manual "Vehicle Damage Scale for Traffic Crash Investigators", published by the National Safety Council, in classifying motor vehicle traffic collision/crashes.

## **XVI. 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 dispatcher 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 Managers 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 Local, Regional, State, or National Authorities - 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. 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.

## **XVII. Uniform Hand Signals and Gestures for 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.
- 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 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 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.
  - 3. Right Turns - Drivers usually effect their turns without the necessity of being directed by the officer. When directing a right turn becomes necessary, the officer should proceed as follows: if the driver is approaching from the officer's right side his extended right arm and index finger and gaze are first directed toward the driver, followed by swinging the extended arm and index finger in the direction of the

- driver's intended turn; if the driver is approaching from the officers left side, either the same procedure may be followed utilizing the left arm extended or the extended left forearm may be raised to a vertical position from the elbow while closing the fingers so that the remaining extended thumb points in the direction of the drivers intended turn.
4. Left Turns - Drivers should not be directed to effect their movement while the officer is also directing oncoming traffic to proceed; therefore, the officer should either direct opposing vehicles to start while avoiding left turn gestures directed at turning drivers, which will lead them to complete their turn only when there is a gap in the oncoming traffic, or to stop or hold oncoming drivers, after which the left turning driver can be directed into his/her turn. The officer's right side and arm should be toward the oncoming traffic, and the left side and arm should be toward the left turning driver. After stopping oncoming traffic by using the right arm and hand, the right hand should remain in the halt gesture, then the extended left arm and index finger and officer's gaze is directed towards the driver who intends to effect a left turn. When the left turning driver's attention has been gained, the extended left arm and index finger are swung to point in the direction the driver intends to go.
- 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 blast
  3. To gain attention - several short blast
- 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.

## **XVIII. 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.

## **XIX. 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 normally 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 be used only after the investigating officer has surveyed the area for fire hazards.
  - 4. Handle flares carefully!! A flare burns at approximately 1500 degrees Fahrenheit, and thus, can damage uniforms and burn flesh severely.
- 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 on coming 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.

## **XX. Traffic Control at Scenes of Critical Incidents 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 to the Communications Center.
- C. There should be enough personnel summoned 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. Those spectators that arrive on foot should be kept behind the established fire line or perimeter area so that fire fighters and other emergency personnel will have room to work.
- I. Officers should assist in keeping vehicles from crossing fire hoses and any other equipment that is in the street. (*Fire hoses could rupture causing the fire to get out of control*)
- J. Officers should coordinate the movement of traffic, with the fire department and or other emergency management officials in charge.

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

- A. Upon discovery of an adverse condition/hazard that is correctable, officers 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.

## **XXII. 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, ie., 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.

## **XXIII. Traffic Safety Educational Materials**

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

## **XXIV. Hazardous Highway Conditions**

- A. 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 itself.
  - 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
- B. The communications center shall contact the appropriate assisting agency to handle the problem



## **XXV. Ancillary Services**

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

## **XXVI. Abandoned Vehicles, Towing and Towing Records**

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

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