

A. **PURPOSE.** To set forth principles and guidelines for traffic encounters and the enforcement of the Michigan motor vehicle code and local ordinances

B. **GOALS**

1. To establish appropriate traffic patrol techniques and strategies that serve to regulate traffic flow, reduce traffic crashes, curtail traffic violations, and decrease criminal activity.
2. To establish traffic enforcement techniques and strategies that maximize all necessary precautions to ensure the safety of the officer, motorists, and general public.
3. To provide guidelines for officers, in the enforcement of traffic laws and ordinances, to ensure that traffic enforcement is carried out in a proactive manner within the constraints of the law and department policies, so all citizens are dealt with fairly.

C. **GENERAL PROCEDURE**

1. **Traffic Enforcement**

- a. Officers are encouraged to utilize uniform and consistent enforcement of traffic laws and ordinances to promote voluntary compliance with traffic laws, while still exercising officer discretion.
- b. Officers are encouraged to take a proactive approach to qualitative traffic enforcement action while being continually alert for traffic violations.
- c. When taking enforcement action, each officer shall take into account the totality of the circumstances associated with each individual encounter and shall use discretion in determining what enforcement action to take. Totality of the circumstances includes severity of the infraction, driving history if available, and whether the infraction was inadvertent or not.
- d. The objective of traffic enforcement is to take immediate action to halt an on-going violation of the law, to detect additional offenses, to have a positive effect on the driver's future driving behavior, and to have a symbolic effect on other traffic and the community.

## 2. Special Driver Class Procedures

- a. Officers shall follow the outlined procedures for each of the special classes of drivers listed below:
  - (1) Juveniles: For juveniles processed on misdemeanor offenses, officers shall indicate a juvenile is involved with the check box on the citation.
  - (2) Foreign Officials: Officers may issue citations for traffic civil infractions and local ordinances to subjects claiming diplomatic immunity. Copies of the citation and any accompanying documentation shall be forwarded to the Traffic Unit Supervisor for distribution to the US Department of State. For misdemeanor violations the officer shall contact the Watch Commander, who shall consult the Diplomatic and Consular Immunity Guide for Law Enforcement kept in the Watch Commander's Office for guidance.
  - (3) Active Military Personnel: Officers may enforce traffic laws and ordinances with active duty military personnel; however, active duty military personnel are exempt from carrying a driver's license in certain situations under MCL 257.302.
  - (4) United States Senators and Representatives are exempt from arrest during sessions and while traveling to and from sessions. Officers may issue citations and notices to appear, but will not make a custodial arrest, except for cases of treason, a felony, or breaches of the peace (such as assault or OWI).

## 3. Enforcement Procedures

- a. When making contact with the driver, the officer shall follow Manual of Conduct 10.3, which requires the officer to greet the driver and explain the reason for the traffic stop.
- b. In making contact with the driver or occupants, officers will present a professional image and treat the subjects with respect and courtesy. During the contact officers will remain cognizant that criminal activity unrelated to the traffic stop may be present.
- c. The contact will be closed once appropriate law enforcement action has been taken and there is not articulable reasonable suspicion of

other criminal activity. The officer will then inform the motorist on how to take care of any citation issued. This includes:

- (1) The court appearance schedule
  - (2) Optional or mandatory court appearance
  - (3) How to plea and pay the fine by mail or in person
  - (4) Other information that may be necessary for the motorist
- d. Officers are encouraged to enforce traffic laws in a uniform manner consistent with this policy, while examining the totality of the circumstances. All enforcement action should be consistent with the violation. Officers should exercise proper judgement when enforcing traffic laws and ordinances in regards to:
- (1) Speed violations
  - (2) Hazardous violations
  - (3) Off-road vehicle violations of DNR provisions
  - (4) Equipment violations
  - (5) Commercial vehicle violations
  - (6) Non-hazardous violations
  - (7) Drivers committing multiple violations
  - (8) Violations of newly enacted laws or ordinances
  - (9) Pedestrian and bicycle violations
  - (10) Violations resulting in a traffic crash
- e. Officers shall have access to the electronic citation system. Issued citations will be labeled with unique identifying numbers and stored electronically in the RMS. Access to electronically stored citations will follow the same protocols as other stored electronic data in the RMS.

#### 4. Traffic Control Procedures

- a. Officers shall utilize uniform hand signals to manually direct and control traffic in order to maintain and restore the flow of traffic.
  - (1) To stop traffic extend the arm raised well above the shoulder with the palm facing approaching traffic.
  - (2) To start traffic extend the arm towards the first vehicle in line with the palm facing up and bend the elbow bringing the hand back towards the shoulder.
  - (3) To turn traffic extend the arm towards the first vehicle and then bring the hand across the front of the body, bending the elbow slightly, and point in the direction the traffic is to go.
- b. In instances of very heavy traffic flow that require manual operation of traffic control devices, Officers will manually operate traffic control devices in order to restore the normal flow of traffic or until the traffic control equipment can function independently.
- c. Upon discovering a hazardous roadway condition, officers shall investigate and evaluate the situation in order to determine the most appropriate course of action.
  - (1) Officers shall notify the appropriate department (City Streets, MDOT, etc.).
  - (2) In conditions of extreme danger to the public, Officers shall protect the scene until such time as they are relieved or the hazard is remedied.
  - (3) Examples of hazardous road conditions include, but are not limited to: icy roads, downed power lines, and large sink holes.

## 5. Traffic Assistance Procedures

- a. Officers will make every effort to assist motorists in need of service, when practical, to include:
  - (1) Providing directions and information.
  - (2) Removal of vehicles in the roadway.
  - (3) Coordinating mechanical assistance and/or tow service response.

- (4) Remaining on scene for increased visibility or until it is determined the motorist is safe and no longer in need of assistance.
- (5) Transport of stranded motorists to a safe location with supervisor approval.
- (6) In emergency situations officers should provide first aid, fire suppression, scene protection, or other necessary measures to care for a motorist while coordinating the response of appropriate emergency personnel.