



Chapter: Traffic Enforcement and Crash Investigation
Subject: 06-01 – Traffic Enforcement
Effective: October 31, 2024
Supersedes: Official Order 06-01, dated April 19, 2022
Distribution: Department Members

PURPOSE: This Order provides policies and procedures to enforcement members on the performance of traffic enforcement duties. The policies and procedures established in this Order are designed to aid enforcement members in achieving maximum effectiveness for safe traffic flow and prevention of traffic crashes.

06-01-1 POLICY

It is the department's policy that all traffic violations shall be enforced fairly, with enforcement members exercising sound judgment and discretion in their actions, while remaining accountable for their actions. Priority should be placed on violations likely to cause traffic crashes, with the goal of reducing injuries and disruption to traffic. Violations that could result in serious injury in the event of a crash, such as child restraint violations and failing to wear safety belts, shall be vigorously enforced.

06-01-2 COMMAND RESPONSIBILITY AND TRAINING

- A. District commanders, post commanders, and district motor carrier lieutenants shall ensure that enforcement members are thoroughly familiar with patrol procedures, traffic laws, and traffic crash investigation, as well as related prosecution and court procedures. The contents of this Order should be considered in preparing the agenda for district and post meetings to ensure enforcement members have complete familiarity with its requirements.
- B. District commanders shall, through appropriate means, bring the policies and procedures established in this Order to the attention of prosecuting attorneys and courts handling traffic cases for this department. They shall enlist support and assistance in giving it full effect and shall establish a program of continuing coordination and cooperation.

06-01-3 DEPLOYMENT OF TRAFFIC ENFORCEMENT RESOURCES AND SELECTIVE ENFORCEMENT

- A. Traffic patrols, including specialized enforcement operations and initiatives, shall be scheduled to obtain the most effective results by using data to focus on areas having high traffic volumes and high numbers of traffic crashes. Enforcement members are encouraged to provide high visibility patrols in these areas, both stationary and mobile, to provide deterrence and facilitate a safe flow of traffic.
- B. Worksite commanders shall develop selective traffic operations that seek to reduce crashes and emphasize enforcement of careless driving, distracted driving, speeding, and impaired operation.

06-01-4 TRAFFIC ENFORCEMENT POLICY

A. Enforcement action can be in the form of a verbal warning or issuance of a traffic citation. Enforcement members shall use discretion in determining the proper and most appropriate corrective action to be taken in each case.

- (1) A citation may be issued when an enforcement member observes a violation of the traffic laws and a citation is, in the enforcement member's best judgment, the most appropriate corrective action. Weather, traffic conditions, and carelessness shall be considered as factors in every violation whether moving or non-moving. If these conditions are unfavorable or likelihood of injury is greater, a citation should be considered.
- (2) Where the enforcement member has reason to believe that a citation is not the most appropriate corrective action, a verbal warning may be issued to the offending driver in lieu of other action.
 - a. Regardless of the number of violations brought to the driver's attention, no more than one verbal warning shall be recorded on the enforcement member's eDaily report.
- (3) Enforcement of pedestrian or bicycle violations shall be reasonable and consistent, with consideration of how likely the violation is to cause a crash or injury.
- (4) Drivers determined to be operating a motor vehicle with no license, or a license that has been suspended or revoked, shall not be allowed to continue driving and appropriate enforcement action shall be taken.
- (5) Enforcement members shall maintain awareness of newly enacted traffic laws, as well as their effective date, which can be found through the [Michigan Legislature](#). When determining the appropriate enforcement action, consideration shall be given to the following factors:
 - a. The recency of the traffic law
 - b. The amount of efforts toward public awareness of the law
 - c. The seriousness of the violation

B. Enforcement members are encouraged to adopt a zero-tolerance approach with no verbal warnings when enforcing safety belt and child restraint violations.

C. Enforcement members shall exercise good judgment when issuing multiple citations.

When more than one violation is observed, but the driver's action is not believed to constitute careless or reckless driving, the violation which is most likely to contribute to a crash shall be enforced rather than issuing a citation to the violator for each individual violation. In the event additional violations are deemed both reasonable and appropriate, no more than four additional violations may be issued from the following list:

- (1) Driving a vehicle with defective equipment written under [MCL 257.683](#).
- (2) Violation of vehicle registration and/or insurance laws.
- (3) Violation of driver licensing and/or qualification laws.
- (4) Overweight and/or oversize.

- (5) Safety belt and/or child restraint violation.
 - (6) Transporting open intoxicants.
 - (7) Refusal to take a preliminary breath test.
- D. Enforcement action for commercial vehicles shall be performed consistent with this Order, as well as all written directives and traffic laws governing commercial vehicle enforcement.

06-01-5 PROCEDURE FOR APPREHENSION OF A VIOLATOR

When practical, enforcement members shall stop drivers observed to have committed a violation of law. In all cases, for protection of the enforcement members and the person stopped and to provide greater public exposure, the emergency lights on the patrol car shall be used during and shall remain activated throughout the stop, except Wig-Wag headlights, which should ordinarily be extinguished after the vehicle has stopped. Leaving Wig-Wag headlights activated during the remainder of the patrol stop provides little or no benefit once the suspect has stopped and potentially hinders the vision of oncoming drivers.

After stopping the violator, the following action shall be taken:

- A. Enforcement members shall be courteous and maintain a professional demeanor throughout the traffic stop.
- B. Enforcement members shall provide the driver with their rank, name, and reason they were stopped upon contact.
- C. Request and examine the operator's or chauffeur's license of the driver, certificate of registration, and proof of vehicle insurance. The driver may display an electronic copy of their certificate of insurance and registration certificates using an electronic device. Enforcement members shall only view the electronic copy of the certificate of insurance/registration certificates and shall not manipulate the electronic device to view any other information on the electronic device. Enforcement members may require the person to electronically forward the electronic copy of the certificate of insurance/registration certificate to a specified location provided by the enforcement member so the enforcement member may then view the electronic copy of the certificate of insurance/registration certificate in a setting in which it is safe to verify that the information contained in the electronic copy of the certificate of insurance/registration certificate is valid and accurate. ([MCL 257.328](#) and [MCL 257.223](#))
 - (1) If there is an operator's license violation, vehicle registration violation, insurance violation, or vehicle defect is found, a citation may be issued.
 - (2) If the driver does not have a registration certificate, the plate, and Vehicle Identification Number (VIN) shall be file checked through LEIN and the National Crime Information Center (NCIC).
 - (3) Since states differ on certificate of registration and insurance regulations, a citation shall not be issued to a nonresident for failing to have a certificate of insurance or registration.
- D. The VIN and equipment on the vehicle shall be inspected, following the procedure manual related to motor vehicle inspections. If the enforcement member determines the vehicle, or parts of the vehicle are not stolen, further equipment inspection may be omitted.

- E. Appropriate enforcement action shall be taken by either issuing a citation or a verbal warning.
- F. If a citation is issued for a violation other than the violation for which the person was stopped, the reason for the stop shall be listed in the remarks section of the citation.

DIRECTOR

Annual Review Responsibility: Field Services Bureau

Accreditation Standards: CALEA 61.1.1 D, 61.1.2 C, and 61.1.5 F