

PROCEDURE MANUAL

06-01



MICHIGAN STATE POLICE

Speed Enforcement

Purpose: This manual provides guidance and procedures on the use of speed measurement in enforcement duties to promote uniformity and effective enforcement of laws related to speed control.

Effective Date: April 19, 2022

Table of Contents

Speed Enforcement

Section 1: Air Speed Timing	1
Section 2: Traffic Speed Measurement Enforcement Guide	3
2.1 Assignment of Speed Measurement Devices	3
2.2 Post Technology Liaison Office (TLO)	3
2.3 Instructors	3
2.4 Operator Training/Certification	3
2.5 Enforcement	4
2.6 Servicing Speed Measurement Devices	4
2.7 Public Information	5
Section 3: Speed Limit Enforcement and Policy	5
3.1 Speed Enforcement	5
3.2 Traffic Crash Investigation	5
3.3 Speed Limits	5
3.4 Work, School, and Hospital Zones	6
3.5 Evidence for Maximum Speed Limit Violations	6

Definitions:

None

Section 1: Air Speed Timing

- a. When it is determined that air speed timing is appropriate by the post commander and approved by the district commander, only a departmental aircraft shall be used. In addition, only pilots and observers properly trained and authorized by the Field Support and Aviation Section commander shall be utilized.
- b. The pilot in command of the aircraft has final authority in determining if proper conditions exist for the safe and suitable operation of the aircraft.
- c. During the planning stage, post commanders shall consult with the Field Support and Aviation Section for assistance in identifying and marking suitable target zones.
 - i. The Field Support and Aviation Section maintains guidelines for the establishment of these zones which consist of precise quarter mile zones designated by painted lines on the highway.
 - ii. Prior to commencement of air speed timing, post commanders shall ensure that participating enforcement members are familiar with the target zones. Each enforcement member assigned shall actually measure the distance of these target zones

and record the date and time of such measurements on the enforcement member's daily report. This information will be necessary for court appearances.

- d. A properly trained observer from within the participating district shall accompany the pilot on all missions. In the event a trained observer from within the district is not available, the Field Support and Aviation Section shall be contacted for assistance in locating a suitable replacement.
- e. When available, two fully marked patrol cars and two uniformed enforcement members should be used on the ground. Additional enforcement members may be required depending on the location and existing traffic conditions.
- f. The Uniform Law Citation (UD-008) shall be signed by the enforcement member issuing the citation. The designation for aircraft-timed speed ("A") shall be used in the Local Use Box.
- g. The senior enforcement member on the ground detail shall carry the activity on the officer's daily report in the number two column and the junior enforcement member in the number one column. The officer's daily report shall show the name of the pilot and observer.
- h. The observer shall submit daily reports to the district traffic services coordinator indicating the total number of citations, arrests, and hours spent in actual air speed timing.
- i. Chronometers are the speed-measuring devices utilized for air speed timing and are assigned to the Field Support and Aviation Section. The chronometers will be temporarily assigned to the appropriate observers prior to commencement of air speed timing operations.
 - i. Each chronometer shall be checked for accuracy against Universal Coordinated Time on Station WWV, which is operated by the National Bureau of Standards. A maximum of 1/20th of a second variation during a two-minute run shall be the minimum tolerance.
 - 1. An initial accuracy check shall be made upon assignment and once per month thereafter until the chronometer is returned.
 - 2. Observers shall record the results on the watch log accompanying each chronometer.
 - 3. Upon completion of air speed timing enforcement, all chronometers and watch logs shall be returned to the Field Support and Aviation Section.
 - a) The Field Support and Aviation Section shall retain all watch logs in accordance with the approved agency specific retention and disposal schedules.
 - b) Enforcement members shall contact the Field Support and Aviation Section for a copy of the watch log when needed for court appearances.
- j. When conducting air speed timing enforcement, observers shall verify the accuracy of each chronometer a minimum of twice daily, at the beginning and end of each shift, utilizing the following method.
 - i. The chronometer shall be checked against another chronometer for 15 seconds and the results recorded on the enforcement member's daily report.

- ii. If a difference of more than 1/20th of a second is noted, a third chronometer may be used to determine which one is faulty.
- iii. If the tolerance limit is exceeded, the chronometer shall be replaced.

Section 2: Traffic Speed Measurement Enforcement Guide

2.1 Assignment of Speed Measurement Devices

- a. The district or division commander shall assign speed measurement devices to the posts under their command.
- b. All speed measurement devices, including RADAR, LIDAR, and time-distance devices (VASCAR) shall be inventoried to the post where they are assigned.

2.2 Post Technology Liaison Office (TLO)

- a. Posts shall have a post "Technology Liaison Officer" (TLO). TLOs may be a trooper or sergeant assigned to the post.
- b. TLOs shall coordinate field testing, RADAR/LIDAR, in-car camera repair, and dissemination of RADAR/LIDAR/in-car camera information to post members.

2.3 Instructors

- a. Michigan Commission on Law Enforcement Standards (MCOLES) certified speed measurement operators are eligible to become speed measurement instructors. Certification as a speed measurement instructor requires successful completion of an MCOLES approved speed measurement instructor course.
- b. Speed measurement instructors shall be certified to teach the "Speed Measurement Enforcement" course and the "Update/Recertification Course."
- c. The Training Division and each district shall have at least one certified speed measurement instructor.

2.4 Operator Training/Certification

- a. Enforcement members whose duties involve the use of traffic speed measurement devices are eligible for speed measurement operator training. Enforcement members shall only operate a speed measurement device that they are certified to operate.

Probationary enforcement members do not receive speed measurement training during the recruit school. Probationary enforcement members who have prior law enforcement experience and are certified speed measurement operators retain this certification.

- b. Speed measurement operator training may be obtained from the following:
 - i. An MCOLES approved training provider.
 - ii. Organizational Development Division
 - iii. District speed measurement instructor.

- c. Successful speed measurement operator training requires 24 hours of instruction, including a written test, a field examination, 100 hours per year of speed measurement device use, and recertification every five years.
- d. Enforcement members shall follow the MCOLES standards for training, operation, and recertification of speed measurement devices.

2.5 Enforcement

- a. Every precaution shall be taken to ensure that the patrol car is not causing a traffic hazard when a speed measurement device is being operated.
- b. Enforcement action shall not be made on the basis of a speed measurement device speed reading alone. Supporting evidence (e.g., a complete tracking history of visual observation and estimation of speed, Doppler audio, target speed display, vehicle within operational area of the beam at the time the target's speed verification) shall be obtained in addition to the speed measurement device speed reading.
- c. A Uniform Law Citation, UD-008 or MC-008, for speed measurement device-timed speed shall contain the following designations in the space provided.
 - i. MR for moving RADAR
 - ii. SR for stationary RADAR
 - iii. L for LIDAR

2.6 Servicing Speed Measurement Devices

- a. The Training Division's Precision Driving Unit shall maintain a current list of approved speed measurement device repair facilities.
- b. Enforcement members shall not attempt to repair a speed measurement device unit. Repairs shall be made by an approved speed measurement device repair facility.
- c. Prior to submitting a speed measurement device unit for servicing, it shall be screened by the post TLO. A Speed Measurement Device Service Request, UD-082, (enlisted members) or MC-082 (motor carrier), shall be prepared noting the deficiency.
 - i. The original UD-082 (enlisted members) or MC-082 (motor carrier) shall be sent with the speed measurement device to an approved speed measurement device repair facility. A copy shall be retained at the post.
 - ii. The repair facility will forward an estimate for the repair to the Training Division, Precision Driving Unit, (enlisted members) or the CVED at Headquarters (motor carrier members). The Precision Driving Unit (enlisted members) or the CVED (motor carrier members) shall then determine if the speed measurement device will be repaired or replaced based on cost of the repair and repair history and will provide direction on how to proceed.
- d. Questions concerning repairs, bills, warranty repairs, etc., shall be referred to the Precision Driving Unit or the CVED.

- e. All invoices and bills for payment for repair of a speed measurement device shall be forwarded to the Precision Driving Unit (enlisted members) or the CVED (motor carrier members) for payment. Worksites shall not pay invoices or bills for service to speed measurement devices.

2.7 Public Information

In areas where speed measurement devices are used, invitations to attend a demonstration of the speed measurement device should be extended to the prosecuting attorneys, judges, magistrates, and members of the press so they may become familiar with its operation. Members shall follow the guidelines set forth in directives regarding contact with elected officials and members of the media.

Section 3: Speed Limit Enforcement and Policy

3.1 Speed Enforcement

- a. Pacing Citations for exceeding the speed limit as a result of pacing shall not be issued unless the speedometer of the patrol vehicle has been calibrated in accordance with directives on vehicle maintenance. Proper enforcement when pacing another vehicle will depend on the enforcement member's good judgment.

- b. RADAR and LIDAR

Refer to Section 2.4 for the proper use of RADAR and LIDAR.

3.2 Traffic Crash Investigation

- a. In many crash investigations, it is difficult to prove the speed violations involved. Therefore, it is suggested that citations under [MCL 257.627\(1\)](#), "VBSL (Violation of Basic Speed Law) failed to stop within assured clear distance" or [MCL 257.626b](#), "Careless Driving" are more appropriate if the elements of these violations can be proven.
- b. When a citation is issued for "VBSL, too fast or too slow for conditions," the estimated speed driven and the applicable speed at that location shall be listed on the citation pursuant to [MCL 257.633\(1\)](#). This estimation of speed shall be a conclusion based on an evaluation of tire marks, damage to the vehicle, and other physical evidence at the scene.

3.3 Speed Limits

- a. Basic Speed Law [MCL 257.627\(1\)](#)
- b. Maximum and Minimum Speed Limit on Freeways [MCL 257.628\(3\)](#)
- c. Maximum Numerical Speed Limits [MCL 257.628](#)
- d. Maximum Commercial Vehicle Speed Limits [MCL 257.627\(4\)](#)
- e. School Bus Limits [MCL 257.627\(4\)](#)
- f. Bridges, Causeways, or Viaducts [MCL 257.631](#)
- g. Designated Work Zones [MCL 257.627\(6\)](#)

3.4 Work, School, and Hospital Zones

When an enforcement member cites a driver for a speed violation or any other moving violation within a work, school or hospital zone, the specific zone shall be identified in the “offense description” section of the Uniform Law Citation (UD-008) or Commercial Law Citation (MC-008).

3.5 Evidence for Maximum Speed Limit Violations

- a. Any speed in excess of the maximum limit is a violation regardless of existing conditions. It is not necessary for an enforcement member to testify with respect to existing conditions, but these should be recorded on the citation. The citation shall specify the speed at which the defendant is alleged to have driven and the applicable speed limit.
- b. Establishing speed limits other than what is provided by statute can be accomplished after a speed study is conducted and a traffic control order is issued. A public record shall be filed in the office of the county clerk for such modified speed limits to be valid. Each district headquarters maintains a file of these orders for reference purposes. A certified copy from the county clerk is needed when a speed violation is challenged for validity.

Review Responsibility: Field Operations Bureau; Professional Development Division

Accreditation Standards: CALEA