
	PARADISE VALLEY POLICE GENERAL ORDER Issuing Citations	Order Number
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61.5 Issuing Citations

- A. Following the *stop* of a motor vehicle for a traffic violation, the *officer may* generally decide, based upon all of the circumstances, whether to issue a citation or a written warning. A written warning is appropriate if, in the *officer's* judgment, the driver's future driving behavior has been positively impacted by the contact, or the violation was inadvertent.
- B. When a citation is issued, the *officer shall* explain to the person the steps they *must* take to handle the violation. This *will* include information about and the procedures surrounding a court appearance, whether a court appearance is mandatory, whether the violator *may* plead or pay a fine by mail and other pertinent information.
- C. The *officer shall* have the person sign the citation or provide their electronic signature as applicable, explaining that the person's signature is not an admission of responsibility, but is simply a promise to appear.
 1. If the person refuses to sign for a civil citation, the *officer shall* write the word "served" in the violator's signature block and give the person a copy of the citation. A person *shall* not be booked for refusing to sign a civil citation.
 2. If the citation is for a criminal offense and the person refuses to sign, explain to the person that refusing to sign *will* result in the person being booked. A person who refuses to sign a criminal citation *shall* be booked.
- D. When issuing a citation to a driver who is not a resident of the *State of Arizona*, there are no special guidelines except that *officers should* consider an *arrest*, rather than a cite and release, when the traffic offense involves a serious misdemeanor violation such as DUI, criminal speeding, or reckless driving.

61.5.1 Traffic Enforcement Involving Juveniles

When a juvenile is cited and DOB is inserted in the electronic ticketing system, the system *will* notify the *officer* this is a juvenile. The *officer must* check the "OK" box and the system *will* automatically populate required additional fields (parent name, parent phone number, school...) and select an appropriate court date. When the juvenile citation is printed, it *will* automatically state "*Must be accompanied by a parent.*"

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61.5.2 Traffic Enforcement Involving Legislators

State legislators are privileged from any civil process, including traffic citations, for fifteen days prior to the start of the legislative session and during the session itself. Federal legislators are immune while traveling to attend a session of Congress, during session and when returning home.

61.5.3 Traffic Enforcement Involving Foreign Diplomats and Consular Officials


- A. Foreign diplomats, their families and staff, and Consular officials, are not immune from civil traffic offenses; they *may* be cited for such offenses. They *may* be, however, immune from *arrest* and *search*, even with a warrant. An *officer must* determine the scope of the person's immunity before citing for criminal traffic offenses.
- B. Consular officials *may* be issued both civil and criminal traffic offenses. They *may* have some immunity under certain treaties; they *will* need to assert that immunity through the courts.
- C. *Officers shall* request identification from any person claiming diplomatic immunity and *shall seek verification* of their status with either the *FBI* or the Department of State.

61.5.4 Citation Accountability

Officers are accountable for the paper citations issued to them and *shall* turn in completed citations at the end of *shift*.

61.5.5 Uniform Traffic Enforcement

- A. *A.R.S. § Title 28* will be used for all civil or criminal violations of traffic laws, unless the violation is not represented in *A.R.S. § Title 28*, in which case the *Town Code* may be used as the basis for a violation.
- B. The enforcement action taken against a motorist for a violation is based upon an *officer's* training, experience, and common sense (with a goal of voluntary compliance). However, it is the policy of this *Department* that formal


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enforcement action be taken on criminal and/or hazardous violations such as, but not limited to:

1. DUI
2. Reckless Driving
3. Aggressive Driving
4. Serious violations arising out of the operation of a commercial vehicle
5. Driving with a suspended, revoked, or expired driver's license or vehicle registration
6. Speed violations in excess of 15 miles per hour over the reasonable and prudent speed
7. Traffic collisions
8. Any speed or passing violations occurring in a school zone
9. Occupant Restraint Law: Officers will strictly enforce all occupant restraint laws, to include seat belts and child restraint devices
10. Other hazardous violations

C. Less formal enforcement action (warnings) *may* be taken against a motorist for:

1. Minor speed violations
2. Equipment violations
3. Non-hazardous moving or non-moving violations
4. Less severe violations
5. Newly enacted laws in which the contact would serve to educate the motorist
6. Operating off road vehicles

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- D. Pedestrian and Bicycle Safety: *Officers will* enforce laws and ordinances relating to bicycles and pedestrians.

61.5.6 Speed Enforcement

The use of speed measuring devices in traffic enforcement can be a valuable tool in assisting in meeting the goals of the Department to reduce traffic collisions and citizens' report of speeding vehicle complaints.

A. Operational Procedures

1. An officer who uses a department radar, whether handheld or mounted in a patrol vehicle, will first perform a calibration/operational check of the unit. This is done by turning on the unit and monitoring the internal unit test, then by using the tuning fork to confirm the accuracy of the radar unit.
2. An officer who uses a department lidar will first perform a calibration/operational check of the unit. This is done by turning on the unit and monitoring the internal until test, then by checking the distance and alignment check by using known distances of 100 feet and 150 feet.
3. If an officer observes any defective parts or the unit does not pass either of the calibration or internal tests, the unit must be placed out of service and given to the department's radar/lidar point of contact for Arizona Law Enforcement Radar Technology (A.L.E.R.T) with a notification of what is defective with the unit.
4. The department's radar/lidar point of contact will notify Arizona Law Enforcement Radar Technology (A.L.E.R.T) of what is defective with the unit.

B. Equipment Specification, Care, Upkeep, Maintenance, and Calibration

1. In-car radars, handheld radars, and lidars along with tuning forks will be calibrated annually through Arizona Law Enforcement Radar Technology (A.L.E.R.T). The department's radar/lidar point of contact and records department will keep a record/log of the department's radar/lidar units.
2. The department's Records Section will maintain the annual calibration certificates for the radar/lidar units and tuning forks.



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3. Handheld radar/lidar units will be returned at the end of the shift allowing the oncoming shift to use the radar/lidar units. Lidar batteries shall be placed in the charger for later use.

C. Operator Training and Certification

1. Officers must complete an 8-hour training class that is conducted by a qualified radar/lidar instructor before using the equipment and issuing citations. The certification of completion will be sent to the training sergeant and placed in the officer's training file.
 - a. Certification of completion should consist of a written test and a visual estimation exercise
2. Officers should refrain from effecting traffic stops by using radar/lidar unless they hold a certificate of completion certifying them in using the radar/lidar equipment.