

## 2.210 TRAFFIC CITATIONS

(61.1.2.b, 61.1.4.a-d)

- A. Officers will complete traffic citations consistent with procedures set forth in the “Law Enforcement Manual” (DR-24) of the Maryland Department of Transportation, Motor Vehicle Administration and the DC/CR 90 collateral book provided by the District Court of Maryland. The Logistics Officer is responsible for ensuring the agency obtains and issues updated copies of the DC/CR 90 collateral book to all appropriate employees as the books become available.
- B. Officers will provide violators required information relative to specific charges at the time violators are charged.
  - 1. Violators should be instructed to carefully read the back of their citation copies for precise instructions and information.
  - 2. Violators can elect to stand trial or pay established fines if offenses are established in the DC/CR 90. Violators will be informed of court dates and locations by the District Court.
  - 3. Violators must stand trial on dates and at locations established by the District Court if offenses are designated as “Must Appear.”
  - 4. Violators will be requested to sign citations, not admitting guilt, but promising to appear for trial or prepay fines.
  - 5. Violators, except persons with diplomatic immunity, are subject to arrest if they refuse to sign citations.
  - 6. Possible consequences of not paying fines or appearing in court may include the suspension of driving privileges and/or issuance of bench warrants.

### 2.210.02 Traffic Citation Disposition

(82.3.4)

- A. When violators are not taken before commissioners, the;
  - 1. White (court) and yellow (law enforcement headquarters) copies will be submitted to Central Records;
  - 2. Completed Supplemental Data Stickers (**UPO.012.D**) will be placed on the back of yellow copies;
  - 3. Issuing officers will retain pink copies;
  - 4. Second white copies (court/defendant’s) will be submitted to Central Records for must appear violations and to defendants for minor violations; and
  - 5. Blue (defendant’s) copies will be given to defendants.
- B. When violators are taken before commissioners;
  - 1. White copies not retained by commissioners will be submitted to Central Records;
  - 2. Yellow copies will be submitted to Central Records;
  - 3. Issuing officers will retain pink copies;
  - 4. Second white copies (court/defendant’s) will be given to Commissioners; and
  - 5. Blue (defendant’s) copies will be given to defendants.
- C. Traffic citations that have not been presented to violators for signature may be administratively voided.
  - 1. In these cases, officers will:
    - a. Write the number of the initial citation on the new citation;
    - b. Write "VOID" in large letters across the citation that contains the error;
    - c. Complete Citation Void Reports (**UPO.097 .D**); and
    - d. Submit all copies of the citations and Citation Void Reports for supervisory approval prior to ending their tours of duty wherein the citations were written.
  - 2. Supervisors will:
    - a. Approve only those Citation Void Reports that are completed and consistent with agency directives; and
    - b. Submit all copies of voided citations and Citation Void Reports to Central Records by the end of their tours of duty on the days wherein the citations were written.

- D. Traffic citations that have been signed by violators must be disposed of in court, through dismissal by judges or by declarations of *nolle prosequi* by Assistant State's Attorneys.

#### **2.210.04 Resignations/Retirements – Disposition of Traffic Citations**

- A. When officers end their employment with the agency, retire, they, in conjunction with their respective commanders, will take reasonable actions to ensure that all open traffic citations are disposed of prior to employees' separation from the agency.
- B. Unused traffic citations will be turned into Logistics for disposal through the MVA.
- C. Employees' commanders will consult with representatives from the Office of the State's Attorney to determine how outstanding traffic citations should be resolved. Requests to have outstanding cases dismissed will be made by commanders only under extremely extenuating circumstances.
- D. Officers who are summonsed to court when they are no longer employed with this agency are individually responsible for fulfilling their obligations to the courts.
1. Former officers who are summonsed to court should contact a commander in this agency as soon as reasonably possible, but not less than two business days before trial dates to request assistance with related documents and any related reports.
  2. Commanders so contacted will coordinate efforts to ensure an officer is assigned to obtain necessary documents, report copies, attend court with former officers, and to maintain the chain of custody on any needed evidence.

#### **2.212 SAFETY EQUIPMENT REPAIR ORDER (SEROs)**

(61.1.5.f)

- A. Consistent with **TR § 23-105**, officers who see vehicles registered in this state being operated with equipment that apparently does not meet the standards established under the authority of **TR 23, Subtitle 1** or **TR § 24-106.(e)** relating to truck load covers, are to stop those vehicles and issue SEROs.
1. Officers should consider the continued safe operation of vehicles, general conditions of vehicle equipment, and types of vehicle equipment defects when enforcing vehicle equipment laws and regulations.
  2. Vigorous enforcement of equipment requirements is a form of preventative action designed to decrease accidents caused by the safety violations.
- B. **TR § 23-105(f)** does not limit or supersede any other laws about vehicle equipment or the means of enforcing the laws about vehicle equipment.
1. Officers are strongly discouraged from issuing state citations, without supervisory authority, to eligible Maryland registered vehicles for equipment violations that are otherwise enforceable by issuing SEROs.
  2. See also the most current edition of the DC/CR 90 collateral book for charging sections and related fines for corresponding equipment violations described in **TR, Title 22, Equipment of Vehicles**.
- C. SEROs will not be issued to vehicles bearing Maryland registrations that are for:
1. Interchangeable registrations, (e.g., dealer, transporter, finance company, special mobile equipment, etc.);
  2. Temporary registrations; or
  3. Historic registrations.
- D. For SEROs:
1. Yellow, gold, and buff copies will be given to violators;
  2. Inspection stations or police agencies that subsequently complete inspections will retain yellow copies;
  3. Owners may retain gold copies;
  4. Owners are responsible for ensuring buff copies are mailed to the MSP;
  5. White copies will be promptly submitted by issuing officers to Central Records:

6. Completed Supplemental Data Stickers (**UPO.012.D**) will be placed on the rear, bottom half of pink copies and submitted to Central Records along with the white copies; and
  7. Central records personnel will enter applicable information into the RMS prior to forwarding originals to MSP.
- E. Officers may certify SEROs only when defects are marked with an asterisk. SEROs violations that are not marked with an asterisk must be certified at authorized inspection stations.
1. When officers certify that repairs have been made within lawful limits, officers will write in the spaces provided:
    - a. Officer's rank, signature and ID number;
    - b. Certification date;
    - c. Agency name;
    - d. Station Number (TS08)
    - e. Agency Code (TSUPD); and
    - f. Agency mailing address.
  2. After certifying and completing SEROs, officers will:
    - a. Give the owner/agent the gold and buff copies; and
    - b. Submit yellow copies to Records.
- F. Citizens must go to a MSP barrack or the Automotive Safety Enforcement Division (ASED) at MVA Headquarters in Glen Burnie, M–F, 0830–1630 hrs., to obtain replacement SEROs, regardless of the agency that issued the SERO.
- G. Officers ending their employment with the agency will submit all unused SEROs to Logistics for disposal.

**2.214 WRITTEN WARNING / FIELD INFORMATION REPORT** (41.2.4, 61.1.2.c)

- A. The agency provides dual purpose Warning Notice / Field Interview Reports (**UPO.024.D**) to be used for:
1. Issuing written warnings to motorists for minor traffic law violations;
  2. Documenting the circumstances and findings of field interviews or investigative detentions that do not result in further enforcement actions or other agency reports being generated; and
  3. Referring minor violations of the Towson University Code of Student Conduct to the Office of Student Conduct & Civility Education (OSCCE) that do not result in further enforcement actions or other agency reports being generated.
- B. Warning/FIRs are the only reports that must be used to document minor traffic violations. Written warnings may be issued in addition to, or along with, traffic citations, SEROs, criminal and civil citations when other chargeable violations occur.
- C. When using Warning/FIRs to issue written warnings for minor motor vehicle violations:
1. Yellow, card stock copies are:
    - a. Given to violators who receive written warnings; or
    - b. Submitted to Central Records if they are used as FIRs;
  2. Pink copies may be retained by issuing officers; and
  3. Originals will have Supplemental Data Stickers affixed to them and completed consistent with **UPO.012.D** and submitted Central Records for data entry into the RMS and retention consistent with the agency's record retention and destruction schedule.
- D. Officers ending their employment with the agency will submit all unused Warnings/FIRs to Logistics for disposal or reissue as appropriate.
- E. See also **2.416 Field Interviews, etc.**

## **2.216 PARKING ENFORCEMENT**

(61.1.13)

### **2.216.02 Parking & Transportation Services**

Parking and Transportation Services has the primary responsibility for enforcing university parking regulations.

#### **2.216.04 Agency Role**

- A. Parking enforcement is a component of the agency's traffic enforcement program.
- B. Special emphasis will be directed to violations that may pose safety hazards or impede traffic flow.
- C. The agency's primary parking enforcement responsibilities are for officers and aides to issue Parking Violation Notices (PVNs) within the agency's primary jurisdiction for:
  1. **Handicapped Area:** Any vehicle parked in a handicapped space without displaying a valid, state-issued handicapped permit or license plate; vehicles parked in an adjacent transfer area, with or without a valid handicapped permit;
  2. **Prohibited Parking:** Any vehicle parked in a fire lane, within 15 feet of a hydrant, in a roadway, on crosswalks or at bus stops;
  3. **Improper Parking:**
    - a. Parking on grass, tree plots, construction areas, sidewalks, or where parking would mar the landscape, create a safety hazard, interfere with the use of university facilities, or hinder the free movement of traffic;
    - b. Any area of the campus that has been closed off by barricades or other traffic control devices;
    - c. Parking on hash marks or over painted parking control designations;
  4. **Stopping, Standing, & Parking: TR § 21-1001 - § 21-1007.**
- D. All other university parking violations are of secondary importance in the agency's parking enforcement responsibilities.
- E. Consistent with the Memorandum of Understanding (MOU) with the Baltimore County Police Department (BCPD), officers may enforce Baltimore County parking regulations only to the extent of immediate public safety interests on the roadways described in the MOU.
- F. Parking and Transportation Services may request that officers assist with towing vehicles for parking violations.
- G. Employees are permitted to use agency provided chalk to mark tires as necessary for parking enforcement.
- H. See also **2.434 Towing and Impounding Vehicles.**

#### **2.216.10 Issuing PVNs**

- A. Employees issuing PVNs will:
  1. Complete them accurately, completely, legibly, and consistent with training;
  2. Obtain new PVN books from the patrol supervisors' supply cabinet with the assistance of patrol supervisors;
  3. Ensure they receive PVN books in numerical order;
  4. Ensure PVN control registries are completed;
  5. Submit completed and separated receipt cards to supervisory personnel promptly after the books are received;
  6. Issue PVNs sequentially from their books, one book at a time;
  7. Ensure an "Administrative Appeal" supplementary sticker is placed directly above the "Attention Visitors" notice on the back side of each PVN payment envelope;
  8. Place the card stock copy (last copy) of the PVN and the attached payment envelope in a highly visible location or give them directly to drivers if they are immediately available;
  9. Retain the fifth copy for at least 12 months from date of issue;
  10. Submit the original and all remaining copies to Central Records by the end of their tours of duty on the days the PVNs are issued; and

11. Turn in PVNs as requested &/or upon ending their employment with the agency.
- B. Supervisors will:
1. Issue PVN books in numerical sequence to employees;
  2. Ensure sign-out logs are completed;
  3. Ensure employees who receive PVN books separate and complete the receipt cards; and
  4. Submit completed receipt cards to Central Records before ending their tours of duty.
- C. The logistics officer will:
1. Coordinate the process of retrieving unissued, obsolete PVNs from employees; and
  2. Attempt to collect unissued PVNs from individuals who end their employment with the agency.
- D. Central Records personnel will:
1. Retain and file PVN receipt cards, agency copies of all issued and voided PVNs, and agency copies of PVN void forms consistent with acceptable business practices and the agency's records retention and destruction schedule;
  2. Send all completed and voided PVN originals, appropriate PVN copies, and void form originals to Parking and Transportation Services on a business-daily basis through the use of transmittal memos and campus mail; and
  3. Notify current and former employees of any parking enforcement related summonses.

#### **2.216.12 Voiding PVNs**

- A. PVNs must be completed once they have been started. Errors made on written PVNs will be corrected by writing new ones.
- B. In order to correct PVN errors, officers and aides will:
1. Issue a correct PVN;
  2. Write the number of the new PVN on the old PVN;
  3. Write "VOID" in large letters across the old PVN;
  4. Complete Citation Void Reports (**UPO.097.D**); and
  5. Submit all copies of PVNs and Citation Void Report forms for supervisory approval prior to the end of their tours of duty.
- C. Supervisors will:
1. Approve only those Citation Void Reports that are complete and consistent with agency directives; and
  2. Submit all copies of voided PVNs and approved Citation Void Reports to Central Records by the end of their tours of duty on the days the PVNs were issued.

#### **2.216.14 Appeals**

- A. Appeals of these violations are handled through the District Court:
1. Handicapped Area;
  2. Prohibited Parking;
  3. Stopping, Standing, & Parking: **TR § 21-1001 - § 21-1007**; and
  4. Violations of Baltimore County parking codes.
- B. All other university violations may be appealed through the District Court or administratively through Parking and Transportation Services.

#### **2.216.16 Complying With Parking Regulations**

- A. Agency vehicles will usually be parked consistent with parking regulations.
1. Non-compliance with parking regulations may be necessary for reasons or conditions that include, but are not limited to:
    - a. Response to emergency calls;
    - b. The need to have ready access to critical supplies, equipment, or transportation; or
    - c. Special event responsibilities.

2. Employees engaged in agency permissible non-compliance with parking regulations will minimize the impact on pedestrian and traffic flow or reasonably known or anticipated public safety matters.
- B. Employees will park their personal vehicles consistent with parking regulations.
- C. Employees are responsible for PVNs received on personal or agency vehicles. However, this does not affect employees' rights to appeal PVNs through established channels.

## **2.218 REVIEW & APPROVAL OF TRAFFIC ENFORCEMENT DOCUMENTS**

- A. This review and approval process applies to situations where officers issue state citations, SEROs, written warnings, and written PVNs that are not related to criminal or traffic arrests. See also **2.614.08 Review & Approval of Criminal Arrest Documents** and **2.616.02 Review & Approval Traffic Arrest Documents**.
- B. Employees issuing traffic enforcement documents are responsible for:
1. Ensuring that all documents are completed appropriately consistent with established standards;
  2. Consulting with on-duty supervisors for assistance as necessary to ensure the documents are completed appropriately;
  3. Submitting completed documents to on-duty supervisors for review, correction as necessary to conform to established criteria, and approval prior to ending their tours of duty wherein the documents were issued.
- C. Supervisors are responsible for:
1. Responding to enforcement scenes as necessary or requested to provide assistance and guidance;
  2. Reviewing, ensuring corrections are made to conform to established criteria, and approving all completed citations and reports prior to officers going off duty from their tours of duty wherein the documents were issued;
  3. Confirming their reviews and approvals by initialing the lower right corner of each document they review that do not already contain spaces for supervisory approval, such as documents bearing Supplemental Data Collection Stickers (**UPO.012.D**);
  4. Ensuring that on-coming supervisors are briefed with all necessary information to facilitate the review and approval of traffic enforcement documents;
  5. Notifying an on-duty commander or the Duty Officer if unusual or complex incidents, such as traffic accidents, are being processed and requesting direction on whether to remain on duty to assist or pass on supervisory responsibility to on-coming supervisors; and
  6. If they are on-coming supervisors, for:
    - a. Ensuring they are briefed on any on-going traffic enforcement activities; and
    - b. Reviewing, ensuring corrections are made to conform to existing criteria, and approving any traffic enforcement related documentation prepared by officers whose traffic enforcement related activities occurred before these supervisors came on-duty.