

**East Lansing Police Department  
Policy & Procedure**

<b>Subject: Conducting Motor Vehicle Stops and Uniform Enforcement of Violations Policy</b>	<b>ELPD Policy #: 300-35</b>
<b>Effective Date: 3-1-2022</b>	<b>Distribution: Departmental</b>
<b>MACP Accreditation Standard: Conducting Traffic Stops and Uniform Enforcement</b>	<b>MACP Standard: 3.6.1 &amp; 3.6.2</b>

**I. PURPOSE**

The purpose of this policy is to provide guidelines for improving public safety through education and enforcement of traffic related laws.

**II. POLICY**

It is the policy of the East Lansing Police Department that motor vehicle stops shall be performed professionally and courteously. Uniform officers will patrol in a proactive manner enforcing the motor vehicle laws. Motorists will only be stopped or detained where there is reasonable suspicion to believe they have committed or are committing an infraction or violation of the law, or as otherwise permitted by law.

Guided enforcement will be used by the department to enforce traffic laws involving drivers, pedestrians, and bicyclists.

As part of the overall community policing model at ELPD, it is vital that we as an agency remove any chance of bias, implicit or otherwise from the performance of our duties. The ability to build positive relationships with our community and instill trust in law enforcement is deeply rooted in fair and equitable treatment. Our goal is to actively eliminate any bias, implicit or otherwise, in the execution of legitimate and lawful traffic safety management activity that has a goal of improving the safety and quality of life for everyone.

Traffic enforcement activities should be directed at reducing violations through preventative patrol and active enforcement of identified motor vehicle code violations. Officers are expected to enforce traffic related laws in a uniform and consistent manner.

Officers shall not stop or detain an operator or occupant of a motor vehicle based upon their race, ethnicity, national origin, religion, sex, sexual orientation, gender identity, or expression, socio-economic status, age, cultural group, or disability nor engage in any other bias-based policing practices. Biased based policing is the selection of individuals based on a common trait of a group, including race, ethnicity, gender, sexual orientation, gender identity or expression religion, economic status, age, cultural group, or any other identifiable group.

Officers of the East Lansing Police Department shall not participate in the stopping of motorists, the detention of a person and/or the searching of a vehicle based solely on the individual's race color, sex, sexual orientation, gender identity or expression religion, national origin, age, disability (handicap), marital status, height, weight, or any other prohibited basis.

The content of this policy and procedure shall not be interpreted to supersede or violate provisions of existing or newly enacted laws or regulations.

### III. **PROCEDURE**

#### A. Traffic Violations

1. ELPD encourages and supports traffic enforcement that provides a safer environment for the citizens of the City of East Lansing and the motoring public. Each officer has the duty of enforcing the Uniform Traffic Code, City of East Lansing Ordinances and State Law. Every uniform officer, regardless of the officer's specific assignment, should take appropriate enforcement action, when they observe a traffic law violation. Department members assigned to uniformed patrol function will emphasize the enforcement of violations that contribute to traffic accidents and will consider the hours and locations where traffic accidents tend to occur. Members will take directed enforcement action on request, and random enforcement action when appropriate. Members shall maintain high visibility while working general enforcement, especially in areas where traffic accidents frequently occur.
2. Except where an officer reasonably believes, based on articulable facts, that the violation is of a nature or magnitude that poses an immediate risk of harm to person(s) or property, a law enforcement officer employed by the City of East Lansing shall not stop or detain the operator or occupant of a motor vehicle based solely on one of the following offenses:
  - a. Cracked or chipped windshield.
  - b. Loud exhaust.
  - c. Tinted windows.
  - d. Object hanging from rearview mirror.
  - e. Cracked, broken or burned-out tail lamp where at least one tail lamp remains functional and properly illuminated.
  - f. Registration plate lighting violations.
  - g. Location of registration sticker.

- h. Location of temporary or paper registration plate, so long as it remains clearly visible from the rear of the vehicle.
- 3. ELPD Officers must comply with city ordinance 1541 and only make those type of stops when a public safety situation exists. All stops will be documented on a daily activity report and/or SRMS report by the officer.

B. Traffic Stops [3.6.1]

- 1. When conducting traffic stops, officers will do so with their safety and the safety of the motorist being given the highest priority. Officers need to remain tactically flexible and must consider the following:
  - a. Pre-stop observations, including excessive movement in the vehicle or erratic driving behaviors.
  - b. Making the stop in a location that provides reasonable safety and provides a tactical advantage, where possible.
  - c. Positioning the patrol vehicle to establish protection for the officer as they approach the motorist's vehicle.
  - d. The foot approach to the motorist's vehicle and the officer's position during the contact.
- 2. While the East Lansing Police Department recognizes officers may develop individual approaches that work best for them in minimizing conflict during officer/motorist contacts, the following is a recommended progression of events for officers to employ while conducting traffic enforcement stops.
  - a. Prior to initiating a traffic stop, announce it via police radio stating the location of stop and license plate.
  - b. Utilize the in-car camera, consistent with the East Lansing Police Department In-Car Camera Policy.
  - c. Officers shall greet the motorist in a professional, courteous and confident manner, identifying themselves and the police department they work for.
  - d. Officers shall indicate the reason for the stop prior to requesting the motorist's paperwork.
  - e. Indicate to the motorist the disposition of the traffic stop,

i.e., warning, citation.

f. All efforts should be made to complete the traffic stop in a timely fashion. Explain any delay in terminating the stop, such as slow computer response, etc.

g. Assist the motorist back into traffic.

3. If the violator wishes to make a complaint against the conduct of the officer, the officer may advise the violator they may appear at or call the police station to speak with a Shift Supervisor. Officers shall provide their name and/or badge number upon request.

### C. Uniform Enforcement Policy for Traffic Violators

#### 1. Operating While Intoxicated (OWI) [3.6.2a]

a. It is the policy of the East Lansing Police Department to actively enforce the laws pertaining to operating a vehicle while under the influence of alcohol and/or drugs. Officers should arrest drivers found to be in violation of these laws. Arrests will be made based on observation of the driver, operation of a motor vehicle, or involvement in an accident and the results of field sobriety tasks administered on the scene.

#### 2. Driving While License Suspended (DWLS) [3.6.2b]

a. It is important for officers to determine not only the status of the driver who may have a suspension, but also the number of previous suspensions imposed on the driver. An officer should take appropriate enforcement action including, but not limited to, full custodial arrest or cite and release. The suspended driver should not be permitted to drive from the scene of the traffic stop.

#### 3. Speeding Violations [3.6.2c]

a. Officers should exercise discretion in issuing citations to speeding violators. Consideration should be given to weather conditions, traffic volume, pedestrian traffic, and the general location of the violation.

#### 4. Hazardous Violations [3.6.2d]

a. Hazardous traffic violations are defined as violations of any law or ordinance enacted primarily to regulate the safe movement of vehicles and pedestrians. Unsafe behaviors and unsafe

conditions, as created by the violator, are the two considerations in such violations and officers may issue citations at their discretion for such violations.

5. Off-Road Recreational Vehicles [3.6.2e]

- a. Major emphasis on enforcement of violations involving off-road vehicles will be directed towards the reduction of traffic accidents and citizen complaints; however, emphasis will also be placed on the removal of unlicensed and non-registered off-road vehicles from the streets and highways.
- b. Officers must investigate crashes involving off-road recreational vehicles on private property or public roadways the same as they would any other vehicle.
- c. There are several violations which an operator of an off-road recreational vehicle may be prosecuted under all circumstances and locations:
  - i. Operating While Intoxicated (OWI)
  - ii. Reckless Driving
  - iii. Careless Driving
  - iv. Drive While License Suspended (DWLS)

6. Equipment Violations [3.6.2f]

- a. Equipment violations must be enforced consistent with city ordinance 1541.
- b. Officers should only enforce equipment violations if they are public safety violations (no headlights on after dusk or no brake lights) within this agency's jurisdiction. Officers may exercise discretion as to whether a citation will be issued in each individual case.

7. Public Carrier/Commercial Vehicle Violations [3.6.2g]

- a. Commercial motor vehicles will be treated the same as any other member of the motoring public regarding issuance of traffic citations. Uniform enforcement policies and procedures outlined in this directive are applicable to all commercial carriers.

8. Licensing, Registration, or Insurance Violations [3.6.2h]

- a. Licensing, registration, or insurance violations that pose no

immediate threat to the public may be resolved by issuing a verbal warning or issuance of citation. However, if the motor vehicle in question is not legally allowed to be on the roadway, the officer should conduct a vehicle impound, or otherwise not allow the vehicle to proceed on a public roadway.

9. Parking Enforcement [3.6.2i]
    - a. Officers will be aware of the various types of parking violations covered by state law and local ordinance, relating to parking enforcement and be prepared to take appropriate action when such violations are reported or detected. Officers should recognize the need to enforce such laws with particular focus on those violations which may impede the flow of traffic or where the safety of persons or property may be compromised.
  10. Newly Enacted Laws and/or Ordinances [3.6.2j]
    - a. Generally, the policy for issuing citations for violations of newly enacted laws becomes effective immediately when the law takes effect; however, these enforcement policies should only supplement the officer's judgment, experience, and common sense in educating the motoring public of the new ordinance prior to taking enforcement action.
  11. Violations Resulting in Traffic Crashes [3.6.2k]
    - a. Citations may be issued at all traffic crash scenes for the violation(s) revealed by the investigation.
      - i. Per MCL 257.742(3) officers may issue a citation to a driver of a motor vehicle involved in an accident when, based upon personal investigation, the officer has reasonable cause to believe that the person is responsible for a civil infraction in connection with the traffic crash.
  12. Pedestrian, Bicycle and Motorized Bicycle Violations [3.6.2l,m]
    - a. The citation has been designed to accommodate violations by pedestrians and bicyclists. Officers should be aware that pedestrians and bicyclists contribute to motor vehicle collisions regularly. By warning or citing these individuals, it may save a life and/or facilitate safer travel conditions.
- D. Unknown or High-Risk Traffic Stops [3.6.1]

1. The following procedures may be employed by officers where it is preferable to execute an unknown risk or high-risk vehicle stop:
  - a. When planning to stop the vehicle, the officer should notify dispatch of the vehicle plate, location, and description, as well as communicating the reason for the high risk stop and other appropriate information to aid assisting units.
  - b. A high-risk stop should not be initiated individually. Whenever possible, officers should wait for back up units, unless the urgency of the situation demands immediate action.
  - c. The stop should be executed in a manner that maximizes opportunities for cover, minimizes the possibility of crossfire, and in a manner that will illuminate the interior of the stopped vehicle. Once the vehicle has stopped, officers should assume positions of cover by using their patrol vehicle or as otherwise appropriate.
  - d. Only one officer should issue commands. The officer shall give appropriate instructions to the occupants of the vehicle to exit, allowing them to be safely detained by assisting officers. If practical, the instructions should be given over the patrol car Public Address (PA) system.
  - e. Once the occupants of the vehicle have exited and have been safely detained, officers should, with appropriate cover, approach the vehicle and inspect the passenger compartment and trunk, as may be necessary and justified, under the given circumstances.

**IV. Cancellation**

NA

Authorized By:

*Jennifer Brown*

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Jennifer Brown, Interim Chief of Police

3/9/2025

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Date