
	<b>LEXINGTON POLICE DEPARTMENT</b>  <b>POLICY AND PROCEDURE GENERAL ORDER</b>	Distribution	General Order Number
		ALL PERSONNEL  Original Issue Date  01/06/2024	<b>5.09</b>  Reissue/Effective Date  01/06/2024
Order Title:  <b>TRAFFIC ENFORCEMENT</b>	CALEA Accreditation Standard:  46.2.7; 61.1.1; 61.1.2; 61.1.3; 61.1.4; 61.1.5; 61.1.6; 61.1.7; 61.1.8; 61.1.11; 61.1.12; 61.3.1; 61.3.2; 61.3.3; 61.4.1; 61.4.2; 82.3.3; 82.3.4  VLEPSC: OPR 07.01; 07.02; 07.03; 07.04; 07.08; 07.09; 07.11; 07.12a	Section  5	
	Rescinds: OPR 07-01; 07-05; 07-06;		
Section Title:  <b>PATROL FUNCTIONS</b>	  <b>Angela M. Greene, Chief of Police</b>		

*This General Order is for departmental use only and does not apply in any criminal or civil proceeding. This General Order should not be construed as creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this General Order will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.*

## I. PURPOSE

The purpose of this General Order is to establish and provide written guidelines that describe the Lexington Police Department's procedures relating to traffic enforcement activities.

## II. POLICY

It is the policy of the Lexington Police Department ("Department") to establish procedures for traffic enforcement activities, including provisions that officers enforce traffic laws and regulations in a fair and equitable manner in an effort to increase voluntary compliance with motor vehicle laws, deter collision-causing violations, and promote the safe and efficient flow of traffic.

### III. PROCEDURES

#### A. Selective Traffic Enforcement Activities and Procedures

The ultimate goal of the Department's selective enforcement program is to reduce traffic collisions and increase voluntary compliance with traffic laws. The Department maintains a records system that collects data related to traffic collisions, traffic enforcement and roadway hazards. Traffic enforcement and traffic collision data summaries and analysis will be used to support field operations, program planning, development of countermeasures, and evaluation of program effectiveness, including the following:

##### 1. Analysis of Traffic Collisions

The Lieutenant will be responsible for conducting a monthly analysis of all traffic collisions investigated by our Department. This analysis will be used to assign personnel to any identified hazardous locations for selective enforcement activities. This analysis will be submitted to the Chief of Police as part of the monthly *Traffic Analysis Report* (See Section A.5., *Evaluation of Selective Traffic Enforcement Activities*.) The analysis will include:

- a. The monthly number of collisions by classification, including property damage only, personal injury, and fatalities
- b. Temporal analysis of traffic collisions, including day of week and hour of day
- c. Geographic analysis of traffic collisions

##### 2. Analysis of Traffic Enforcement Activities

The Lieutenant will be responsible for conducting a monthly analysis of all traffic enforcement activities conducted by our Department. This analysis will be used to assist in gauging the effectiveness of selective enforcement countermeasures and other traffic programs. This analysis will be submitted to the Chief of Police as part of the monthly *Traffic Analysis Report* (See Section A.5., *Evaluation of Selective Traffic Enforcement Activities*.) The analysis will include:

1. A summary of all traffic citations according to day of week, hour of day, and location
2. An officer summary of citations, traffic stops, and radar posts.

### 3. Implementation of Selective Enforcement Techniques

While the implementation of selective enforcement techniques are the responsibility of all Patrol Supervisors, the Chief of Police may designate certain supervisors and officers whose primary duties and responsibilities would include concentrating on selective enforcement techniques and activities, including:

- a. Geographical/temporal assignment of personnel and equipment
- b. Preventive patrol designed to deal with specific categories of unlawful driving behavior

The use of such techniques should be based upon crash data and experience, enforcement activity records, traffic volume, and traffic conditions.

### 4. Deployment of Personnel for Traffic Enforcement

Supervisors will deploy patrol personnel to selective enforcement activities in conjunction with routine patrol responsibilities, including the following activities:

- a. Observe and report traffic flow
- b. Look for improper driving behavior
- c. Identify and act on emergency, hazardous conditions, and other service needs

### 5. Evaluation of Selective Traffic Enforcement Activities

The Lieutenant will be responsible for conducting a monthly evaluation of the Department's selective enforcement activities through a *Traffic Analysis Report*, which will be due by the 15<sup>th</sup> of each following month. An annual analysis will be completed and submitted by the 15<sup>th</sup> of February. This analysis will attempt to determine the correlation, if any, between the number and type of traffic accidents (*Section A*) and the Department's enforcement efforts (*Section B*). The Lieutenant will include any findings and recommendations. The analysis may include factors listed below, and may be supported with graphs and charts:

- a. Implementation of selective enforcement techniques and procedures
- b. Deployment of traffic enforcement personnel
- c. Analysis of selective traffic enforcement activities
- d. Contributing factors to traffic accidents, including:
  - Types of violations
  - Temporal and geographic factors

- Engineering or environmental factors
  - Roadway hazards
- e. Traffic complaints from the public and neighbors
  - f. Results of Speed Studies and Speed Trailer Monitor Reports Analysis of traffic accidents.

## B. Enforcement Procedures for Traffic Violations

Enforcement procedures for traffic violations include provisions for the following:

### 1. Making a Physical Arrest

Officers should make a physical in-custody arrest of persons who are in violation of serious traffic laws, such as, DUI, felony traffic offenses, and other serious violations as required by the court.

### 2. Issuing a Citation

The issuance of a traffic citation (infraction or misdemeanor summons) is applicable in the majority of cases involving all traffic violators. A traffic citation should be issued to all violators who qualify for a pay by mail ticket, or who can be issued a summons with a court date.

### 3. Issuing a Written and/or Verbal Warning

Except for the following types of offenses, a written and/or verbal warning may be a proper alternative used by officers in response to a minor traffic infraction:

- a. All felony and misdemeanor traffic offenses handled by the Court
- b. Unregistered vehicles and vehicles with expired registrations
- c. Vehicles deemed by the officer to be unsafe
- d. Other violations as determined by the Chief of Police

Similarly, a written and/or verbal warning may be appropriate for a minor equipment failure (such as license plates not illuminated) of which the driver was unaware. Verbal warnings may be supported by some written documentation, such as an entry into the CAD System, or a similar manual reporting system.

## C. Motor Vehicle Stops

### 1. Stopping the Violator

After the decision to make a stop is made, the officer should choose an appropriate location to make the stop based on several factors including:

- a. Location of the violation.
- b. Traffic and road conditions.
- c. Weather conditions.

Conduct the traffic stop as soon after the violation as practical based on the above conditions.

## 2. Guidelines for Stopping the Violator

- a. Signal the violator your intention to pull them over by using flashing lights, "wig-wag" headlights, and audible signal (air horn/siren) as deemed necessary;
- b. Radio headquarters and advise dispatch of the following:
  - The location of the stop
  - The plate number of the offending vehicle
- c. If the license plate is not visible, a description of the vehicle such as make, model and color and the number of occupants shall be communicated.
- d. Park the police cruiser behind the offending vehicle in a safe position and at a safe distance, establishing an "aisle of safety" by off-setting the cruiser two to three feet to the traffic side of the offending vehicle.
- e. In the event the vehicle operator refuses to stop, the procedures for motor vehicle pursuits found in General Order *3.06: Vehicle Pursuits*, shall be strictly adhered to.

## D. Procedures for Handling Special Traffic Law Violators and Situations

On occasion, officers may encounter traffic violators or situations that may require special procedures to be followed. These situations include, but are not limited to, any of the following:

### 1. Violators Who Live Outside the Commonwealth of Virginia

- a. When an out-of-state traffic violator is issued a minor misdemeanor traffic citation, the officer shall inform the operator that their privileges to operate a motor-vehicle in Virginia and other states may be suspended/revoked if they do not appear in court as required.

### 2. Juvenile Violators

- a. Motor vehicle operators 16 years of age and older may be summonsed to court for motor vehicle violations. Motor vehicle operators under the age of 16 who have committed traffic violations, will not normally be taken into custody, but will be issued a juvenile summons instead, unless the alleged violation is one of the following:
  - 1) Vehicular homicide
  - 2) Driving under the influence of alcohol and/or drugs
  - 3) Fleeing and eluding a police officer
  - 4) Leaving the scene of an accident
  - 5) Other circumstances deemed necessary by a Supervisor
- b. If an adult operator is not able to be notified to retrieve the vehicle in a timely manner, it may be towed.
- c. Any time a juvenile is to be given a summons, the officer shall notify the juvenile's parent or guardian of the circumstances as soon as possible. For those offenses that do not result in an in-custody arrest, the officer will either summon the parent or guardian to the scene, or take the juvenile home. If an officer deems that a juvenile should remain in custody pending a hearing, the officer must first obtain proper authorization in accordance with the provisions in General Order *6.06: Youth Investigations*.
- d. It should be noted that juveniles are permitted to operate farm equipment or related implements as defined in the statutes without an operator's license, as such are not legally defined as "motor vehicles."

### 3. State or Federal Legislators

In those instances where state or federal legislators are stopped for a motor vehicle violation, citations may be issued to such persons in the same manner as any other citizen.

### 4. Foreign Diplomats, Consular Officials, and Foreign Nationals

Diplomatic and consular officers may be accorded special privileges, rights, and immunities as directed by law and federal statutes. At the same time, it is the duty of all persons enjoying such rights and privileges to respect local laws and regulations. Questions that may arise regarding a traffic violator's diplomatic status may be directed to the U.S. Department of State.

### 5. Military Personnel

Military personnel who violate the traffic laws should be treated with the same discretion as any other violator. When a physical arrest of an active armed

forces member occurs, the arrestee will be allowed to call his/her duty officer, similar to that of any other arrestee.

Military personnel who are assigned to an in-state post may maintain an out of state license and/or registration, so long as they comply with the requirements set forth in their home state.

Military personnel who have been on active military duty either in another state or overseas may be issued a temporary license without a photo during the time of their absence from this state. On their permanent return, however, they must obtain a photo license.

E. Information to be Provided to Traffic Law Violators

When a motorist is charged with a traffic violation, the officer will provide the violator with at least the following information:

1. Court appearance schedule, if applicable
2. The optional or mandatory nature of a court appearance by the motorist, including the date, time, and location of the scheduled court appearance, if applicable.
3. Notice of whether the motorist is allowed to enter a plea and/or pay the fine by mail or at a specific location, along with an explanation of the options and procedures in regards to paying or contesting the ticket and the possible consequences of failing to appear, or pay the fine, as required.
4. The motorist shall be advised of any other information deemed necessary in a clear, concise, and professional manner. The officer should make every effort to ensure that the motorist has understood the instructions and has no questions.

F. Uniform Enforcement of Traffic Laws

1. Uniform enforcement action for traffic violations is a key step in achieving the Department's traffic safety goals. Ultimately, uniform enforcement guidelines combined with properly used discretion will ensure appropriate actions by the police, and gain the public confidence in traffic enforcement.
2. To establish uniform traffic law enforcement within the discretion vested in each officer, Officers will adhere to the following guidelines:
  - a. Officers engaged in traffic enforcement shall be in full uniform and utilizing an authorized police vehicle.
  - b. Vehicles may be used in a highly visible manner in order to enhance the deterrent effect on the public. Vehicles may also be positioned in a

concealed manner to the extent that it is not visible to persons using ordinary powers of observation. These methods may be used at the officer's discretion while operating radar or monitoring traffic.

- c. An officer may or may not elect to take enforcement action if certain extenuating circumstances or certain aggravating conditions are present.

**The following procedures are designed to provide direction in each of the following circumstances. However, these enforcement guidelines are not intended to supplant officer judgment, as the officer must decide what enforcement action is proper based upon a combination of training, experience, and common sense. Officers should enforce traffic laws violations in accordance with the Code of Virginia.**

<b>UNIFORM TRAFFIC ENFORCEMENT</b>	
<b>VIOLATION</b>	<b>ENFORCEMENT ACTION</b>
<b>A. Driving Under the Influence of Alcohol/Drugs</b>	Officers of the Department shall aggressively enforce the laws pertaining to driving under the influence of alcohol/drugs, and arrest any driver found to be in violation of these laws when probable cause exists, in accordance with the Code of Virginia. Probable cause can be established by observation of the driver's vehicular operation, field sobriety tests, and other sensory observations of the officer, as well as, blood/urine tests. If probable cause is established, the driver shall be taken into custody and processed for DUI. Warnings for DUI violations are not authorized.
<b>B. Driving while Suspended/Revoked</b>	All drivers who are driving during a period of suspension or revocation should be considered flagrant violators of the law and will be issued summonses.
<b>C. Speeding Violations</b>	<p>Officers should consider the degree of hazard, location, road condition, weather, and traffic conditions, when deciding what action to take against a driver. The following can serve as a guide for speeding violations:</p> <ul style="list-style-type: none"> <li>• 1-15 M.P.H. above the speed limit - officers may use their discretion to stop the vehicle, and if so, issue either a verbal or written warning, or a traffic summons</li> <li>• 16 -20 M.P.H. above the speed limit - Officers should stop the vehicle and issue either a written warning or issue a traffic summons</li> <li>• 21 M.P.H. and more over the speed limit – Officers will stop the vehicle and issue a traffic summons</li> </ul>



<b>D. Other Hazardous Violations</b>	<p>As with speeding violations, the officer may consider the following circumstances before deciding to issue a summons:</p> <ul style="list-style-type: none"> <li>• The hazard committed by the driver (e.g., disregarding a traffic control device/signal, improper lane changes in high volume traffic, or following too close.)</li> <li>• The location and time of day of the offense</li> <li>• The current enforcement emphasis of the department</li> <li>• Road, weather, traffic conditions when the violation was committed</li> <li>• Driving history of operator, if known</li> </ul>
<b>E. Off-Road Vehicles</b>	<p>Officers will enforce all laws and ordinance governing the operation of off-road vehicles on public land, parks, private property, etc. If an officer observes an unlicensed vehicle or one that cannot be legally operated on public roadways operating on such roads, he will order the operator to remove the vehicle and will take appropriate enforcement action, including the towing of the vehicle.</p>
<b>F. Equipment Violations</b>	<p>Officers should issue citations for serious equipment defects, and towed from the roadway, if necessary</p>
<b>G. Public Carrier/ Commercial Vehicle Violations</b>	<p>Operators of commercial vehicles are subject to the same treatment as other motorists. Uniform enforcement policies and procedures noted in this General Order are applicable to commercial vehicles.</p>
<b>H. Other Non-Hazardous Violations</b>	<p>Non-hazardous violations are defined as violations of laws or ordinances affecting the use or protection of streets or highways, but not enacted primarily to regulate safe movement of vehicles or pedestrians. Such violations may include minor equipment defects, no license on person, etc.</p> <p>Except in cases of flagrant violations, non-hazardous violations may be handled by verbal or written warning when deemed appropriate by the investigating officer.</p>
<b>I. Multiple Violations</b>	<p>Enforcement action in incidents involving multiple violations may vary greatly, depending on the circumstances. Generally, officers should use discretion and not file multiple charges against persons if both charges involved would be the result of one single event or act. If multiple violations have been committed, the officer should issue a citation for at least the most serious offense, unless serious independent violations exist, which then may warrant more than one charge.</p>
<b>J. Newly-enacted laws and regulations</b>	<p>Normally the Department observes a thirty (30) day grace period during which officers will issue verbal warnings and advise violators of the new law or regulation. The Chief of Police, by Special Order, may establish leniency periods of different lengths for individual laws/regulations; however, this enforcement guideline is not intended to supplant officer judgment. Each officer must decide what enforcement action is proper based on a combination of training, experience, and common sense.</p>

<b>K. Violations Resulting in Collisions</b>	Officers will investigate traffic accidents as outlined in General Order <i>5.08: Traffic Accident Investigations</i> .
<b>L. Pedestrian and Bicycle Violations</b>	<p>The enforcement of traffic laws pertaining to pedestrians and bicycles necessitates broad discretion from individual officers. To provide guidance in this discretion the following procedures are established, which should result in more uniform and consistent application of the law:</p> <ul style="list-style-type: none"> <li>• Sufficient public town and community awareness campaigns should be initiated prior to any substantial increase in the enforcement effort toward pedestrian and/or bicycle traffic</li> <li>• Officers should concentrate their efforts on pedestrian and bicycle violations in those areas where pedestrian congestion or bicycle accidents have been frequent and severe, or in areas where such violations are known to frequently interfere with traffic</li> </ul>

G. Enforcement Practices

The most effective deterrent to traffic law violations is visible patrol in a marked vehicle. All personnel are responsible for traffic law enforcement and other traffic related activities during non-committed times. The following types of traffic patrol may be used for traffic enforcement:

1. Visible Traffic Patrol

This type of patrol includes the following activities:

- a. *Area Patrol*: Moving or stationary observation in the officer's area of assigned responsibility that covers a particular number of streets, roads, or sections of highway
- b. *Line Patrol*: Moving or stationary observation on a specified route between two points, usually on one City street or a section of highway
- c. *Directed Patrol*: Area, line, or stationary patrol, usually performed in an "out-of-service" capacity, at the direction of a supervisor for specified times, locations, and violations

Officers have the option of using area or line patrol at any time during their tour of duty. Officers may be assigned a directed patrol area at any time a supervisor believes a special area needs a greater concentration of traffic enforcement.

2. Stationary Observation, Covert, and Overt Traffic Patrol

- a. Stationary observations may be made from either covert or overt

locations depending upon collision history or specific traffic flow problems and the type of location to be observed. Observation from conspicuous locations will serve to deter violators, while covert observations will likely offer the opportunity to detect more violators. If operating speed checks by radar during dark, officers should keep parking lights illuminated on the police vehicle if parked on the roadway or for some other safety reason.

- b. Radar posts will not be conducted from private property without the owner's permission. This does not preclude officers from running radar on private property that is open to public use, such as, shopping center parking lots and City property.

### 3. Use of Unmarked or Unconventional Vehicles

Shift Sergeants may approve the use of unmarked police vehicles for the purpose addressing a specific traffic enforcement problem. Officers assigned to bicycle patrol may perform traffic enforcement and conduct traffic stops within the limits of the bicycle and officer's capabilities (*See General Order 5.01: Patrol Administration*).

### 4. Use of Roadside Safety Checks

Roadside safety checks are a systematic method of stopping vehicles for selective enforcement. Consideration must be given to visibility and stopping distance, traffic and call volume, and staffing levels. A minimum of two officers shall be assigned to any checkpoint. The use of roadside safety checks requires the advance approval of the Shift Sergeant (*See Section M below for further information*).

## H. Procedures for Stopping Traffic Law Violators

1. Maintain a reasonable distance between the vehicle and the police unit.
2. Locate a safe spot to stop the vehicle.
3. Activate the emergency blue lights and, when necessary, siren to signal the vehicle to stop.
4. Advise Central Dispatch of the intention to stop the particular vehicle, giving:
  - a. Location of the stop - Including street name as well as a cross reference which may be either the nearest street or an address or a landmark.
  - b. Vehicle's license tag number and/or other description when necessary.

5. The officer should position the police vehicle approximately one half to one car length behind the violator's vehicle. The police vehicle will be positioned so that it will offer the officer some protection from oncoming traffic. This position will be two feet outside and to the left of the violator's vehicle. This position provides maximum safety to the violator, the officer, and all other traffic.

I. Procedures for Approaching Traffic Law Violators

1. Statistics indicate that a high percentage of the incidents resulting in officer injuries and deaths begin as “routine traffic stops.” Officers should approach all traffic stops with caution and remain flexible in the tactics used depending on the circumstances involved in a particular stop.

2. Unknown Risk Stops

- i. At best, stops for moving violations, equipment violations, and other reasons that appear to initially present minimal threats to the officer can only be categorized as having an unknown risk to the officer, regardless of the apparent lack of threat potential.
- ii. It is difficult to describe the factors involved in determining this level but considerations should be given to the following: reason for the stop, number of occupants in the vehicle, time of day, any information the officer may possess that would require extra awareness on the part of the officer. The following may be considered by the officer when conducting such stops.
  1. Wait to approach the vehicle until a second unit arrives. This is the most important tactic when the risk is unknown.
  2. Approach from the right side of the vehicle.
  3. Request the driver/occupants exit the vehicle.
  4. Conduct a High Risk Stop as described in this policy

3. High-Risk Stops

- i. High-risk traffic stops would involve circumstances where the threat potential against an officer is either known or believed to be high, based on specific information, including stopping of stolen vehicles, vehicles containing wanted or suspected felons, vehicles with known or suspected deadly weapons inside, and stops at the conclusion of a pursuit.

## ii. High Risk Stop Procedures

1. When a vehicle contains a threat to officer safety, the stopping officer should never make the stop without having backup. The supervising officer should be notified immediately by the officer or communications when there is a high risk stop situation.
2. The officer should advise communications of the exact location and direction of travel of the violator's vehicle, what the situation is, where the officer wants the backup police unit deployed and how many other units are needed. It is recommended that the stopping officer be no closer than 50' while trailing the vehicle to allow proper reaction time.
3. The stop location should be an area with adequate lighting, nearby cover, and a minimum amount of pedestrian and vehicular traffic. If the violator stops where the officer does not want the car to be stopped, the officer should use the public address system to direct the violator to move the vehicle to a proper location for the stop. Failure to comply with directions should heighten the risk of the stop.
4. Based on the threat, the officer shall position their vehicle at a distance that allows adequate reaction time and protection. Based on the distance from the violator, the officer should consider the use of the patrol shotgun or rifle. When the first vehicle is positioned as stated above, the second officer should park their vehicle to the left of the first unit and parallel or slightly angling the front of the vehicle to the front of the first officer's vehicle. There should be enough distance between the two vehicles to allow the doors to open and be used as cover if needed. Based on the location of the first vehicle the subsequent responding officers may have to improvise with the location of their vehicle to ensure a safe response.
5. The driver of the primary police unit should give all commands to the occupants of the vehicle. During night time stops the auxiliary lights on the police unit shall be shown into the rear window or outside mirrors of the violator's vehicle.
6. The driver shall be ordered to shut off the vehicle and place the keys on the vehicles roof. All occupants should be ordered to raise their hands above their heads while still seated in the vehicle to allow the officers to observe their movements. The all

occupants of the vehicle should be ordered to exit through the driver's door or driver's side of the vehicle. When possible the secondary or backup police unit shall utilize the spotlight to fully illuminate the person and impair their vision towards the officers.

7. Once out of the vehicle, the occupants should be ordered to raise their hands over the head as high as possible and turn completely around 360 degrees. This action will provide the officers an opportunity to view the person for weapons. If heavy or baggy clothing is obstructing the officer's view, particularly of the waist band, the person may be advised to lift or move the clothing with their left hand (as the majority of persons are right handed). If a weapon is visible, advise the violator that any move other than those instructed shall be considered aggressive. Do not have the violator remove the weapon as this will put the weapon in the violators hand or on the ground where other occupants may gain access.
8. The officer shall order the occupant into a position for the secondary officer to take over commands. The secondary officer will place the occupant in either a kneeling or prone position between the suspect vehicle and the police vehicles. The officer will make a safe approach keeping the suspect vehicle in view at all times. The officer will control and handcuff the suspect.
9. After cuffing, the occupant should be escorted to the rear of the police vehicles to be thoroughly search for weapons and briefly questioned about other occupants in the vehicle and the existence of any weapons. Once searched and questioned, the occupant should be secured in the back of the police vehicle as other occupants are removed and/or the vehicle is approached and cleared.
10. New officers shall receive instruction and conduct practical exercises on high risk stops during their entry level training program.

4. Depending upon the situation and the officer's assessment, officers shall use procedures and tactics that are including in their training on this topic.

J. Officer Conduct During Traffic Enforcement Activities

1. While traffic law enforcement is a routine task for police officers, it is usually not a routine experience for the general public. Traffic enforcement should be accomplished by conducting the traffic stop in an organized and professional

manner, including those factors listed on the cover of the Infractions Book. In addition, officers should:

- a. Presenting a confident and professional image in dress, grooming, language, bearing and emotional stability
  - b. Allowing the driver to reasonably discuss the violation
  - c. Being alert for any impairment, emotional stress, or illness exhibited by the driver
  - d. Making a reasonable effort to answer the violator's questions and to assist him/her with entering back into the flow of traffic
2. Officers should be mindful that this might be the only contact that a citizen may have with the Department, and the manner in which they treat the violator can reflect favorably or unfavorably on the citizen's perception of the department as a whole.

K. Use of Speed Measuring Devices for Traffic Law Enforcement

1. The use of speed measuring devices is an invaluable tool to aid in traffic law enforcement. More specifically, police radar/laser and speed trailers, have been shown to be an effective device in carrying out the following departmental traffic enforcement objectives:
  - a. Reducing traffic accidents in high collision areas where speed is a factor
  - b. Reducing speeding violations in response to citizen complaints
  - c. Reducing speeding where speed limit violations are prevalent
2. Radar and laser will be operated in accordance with Federal Communications rules and regulations. Radar and laser units will be operated in a manner consistent with the operator's training and the unit's instruction manual, keeping in mind the requirements of Virginia law.
3. The radar/laser operator will select a site where road conditions provide a minimum possibility of distortion. At the beginning and end of each use the radar/laser will be tested for accuracy. Officers will make visual observations that the suspect vehicle is traveling unreasonably fast prior to determining its speed, using the radar or laser.
4. Equipment Specifications

The equipment standards of electronic speed measuring devices used by the Department, including radar units, laser units, speed monitoring trailers, and similar devices, will be equivalent to the model standards promulgated by the

National Highway Traffic Safety Administration.

5. Operational Procedures

Each officer shall have a thorough understanding of the operational procedures for all speed measuring devices and will adhere to the manufacturer's recommendations as outlined in the instruction manual. Other operational procedures include:

- a. All officers certified in the use of electronic speed measuring devices will inspect the unit prior to its use to ensure it's working properly.
- b. The calibration will be checked in the proper manner according to training at the beginning and end of the radar post.

6. Proper Care and Upkeep

If the operator of a speed-measuring device does not get a proper calibration check or feels the device is malfunctioning at any point during its operation, an equipment repair slip will be completed and turned into the Lieutenant. The unit will not be placed back in service until it has been properly checked and/or repaired. The Lieutenant will be responsible for the operational readiness of all traffic enforcement equipment.

7. Programmed Maintenance

The Lieutenant will ensure that every speed-measuring device is maintained according to manufacturer recommendations, and receives a certified calibration at least semi-annually, either by the manufacturer or a qualified technician. All certification, service, and repair records for each speed will be forwarded to the Court Liaison officer for filing.

8. Operator Training and Certification

The effective use of speed measuring devices is dependent upon the operator's training and understanding of the specific limitations and use of each device. No officer shall operate any speed-measuring device unless he/she has received property training in its use, including certification when applicable.

L. Speed Trailer

1. The operations and maintenance of the speed trailer is assigned to Special Enforcement.



2. The speed trailer is used for educating the motoring public by displaying their speed in relation to the posted speed limit.
3. Set up locations for the speed trailer shall be determined by the shift supervisor or coordinated with the Lieutenant.
4. Priority will be given to locations determined to be unsafe for the motoring public due to excess traffic crashes or motor vehicle complaints.
5. The speed trailer will not be set up in high wind, or during any inclement weather.

M. Identification and Referral of Drivers for Operator's License Reexamination

1. In instances when Officers encounter drivers who no longer appear to be competent to operate a motor vehicle, a Medical Review Request for recertification may be made to the DMV .
2. Licenses shall be confiscated under the following circumstances:
  - a. The age, physical condition or mental instability of the operator indicate to the officer that the operator is unfit to drive.
  - b. The officer has probable cause to believe the operator's right to drive is suspended and the operator holds a Virginia driver's license.
  - c. The license appears to have been altered in any way.
3. Once the license has been confiscated, the following steps shall be taken:
  - a. A Suspension-Revocation-Disqualification (DSA10) form will be completed, and the driver's license will be attached to the transmittal, and will be reviewed by a supervisor.
  - b. Whenever a license is seized, a written report will be completed citing the officer's observations of the operators conduct and any appropriate violations
  - c. A copy of the Form DSA 10 will be attached to the police report.
  - d. The report will be completed within the guidelines of the report writing standard.
  - e. All reports, forms and the license will be forwarded to the Records Division

#### N. Parking Enforcement Activity

1. It shall be the responsibility of all officers to properly respond to complaints of illegally parked vehicles, as well as, to take enforcement action against violators observed during the normal tour of duty.
2. All parking violation tickets will be completely and properly filled out with special emphasis on recording correct information.
3. The violator is issued the ticket by carefully placing it under the wiper blade of the vehicle or some secured area to prevent it from falling off or blowing away. The white paper part of the ticket shall be turned into Special Enforcement at the end of the officer's tour of duty. Tickets printed from the parking enforcement print will be placed in the same manner.
4. The tickets shall be given to Special Enforcement or deposited in the designated box. The photos of the offense are then emailed to [parking@lexingtonva.gov](mailto:parking@lexingtonva.gov).
5. In the event an officer loses his issued book of tickets, the officer will notify their supervisor as soon as possible. They will then obtain a new ticket book from the Special Enforcement office.
6. When an officer issues all the tickets from his first book they shall obtain a new one from the Special Enforcement office. This allows all full-time officers to always have a book of tickets available.
7. Other sworn personnel, to include part-time police officers, detectives, and administrators shall be issued one (1) book of tickets.
8. Limited time parking controls the business district and five-day parking limits in residential areas. The digital chalking of the vehicles' tires and return inspection after the elapsed time enforces this. The same officers must do the digital chalking of the tire/vehicle and issuance of the violation ticket. Digital chalking is done with the parking enforcement mobile device or the parking enforcement vehicle cameras. No physical chalk marks will be placed on any vehicle at any time.
9. Any vehicle illegally parked within the City of Lexington may be ordered towed away by the officer, with the Supervisor's approval, at the expense of the owner or custodian of the vehicle. This should only occur when the officer believes the violation to be of such a nature as to require immediate removal for traffic or safety purposes. (Fire lane, danger to traffic, etc.)
10. Any vehicle illegally parked on any way within the City of Lexington, which has three (3) or more outstanding parking violations, may be towed and stored, with the Supervisor's approval, until such matter is resolved with the owner or custodian.

11. If a citizen wishes to contest a ticket, they should do so through the online portal listed on the ticket. This will be viewed by the Special Enforcement office, and determined if it meets the criteria for contesting. Citizens must do so within seven (7) business days of the offense.
12. The Lieutenant or his/her designee may be responsible to meet with members of the public for the purpose of discussing the circumstances of the violation or issuance of the ticket. The Lieutenant or his/her designee shall have the authority to alter or void any parking violation ticket, which he believes was issued in error.

O. Reporting Motor Vehicle Stops

1. Verbal warnings

In the event a verbal warning is issued; location, license plate, operator's name and date of birth, and the violation and statute number will be documented in the Computer System. Verbal warnings should not be routinely substituted for written warnings and should only be given due to special circumstances, i.e. called from scene for emergency assignment, etc.

2. Written warnings

Written warnings and emissions warnings require no additional report(s). The call number shall be written on the front of the warning ticket or emissions warning. Warning tickets will be placed in the records basket prior to the end of the issuing officer's shift

3. Infractions/summons

Officers will complete an infraction/summons report in the IMC computer system and attach it to the ticket. If an infraction or summons is issued pursuant to an accident or a DWI arrest, the infraction/summons report is not necessary. Infractions/summons will be placed in the records basket prior to the end of the issuing officer's shift

4. Voiding of Infractions/Misdemeanor Summons Complaints

Infractions or misdemeanor summonses issued to motorists will not be rescinded, under any circumstances. If the summons or infraction has been issued and the motorist believes that it was issued in error, they shall be instructed to plead not guilty to the offense and state their reasons in court. If an officer writes out a summons or infraction and discovers that it was written in error, i.e. incorrect charge, defective traffic control, etc., the officer will do the following:

- Take all copies of the summons or infraction, write the word "VOID" across the summons, and submit an inter-office memo to the Records Department requesting that the ticket be voided, and explaining the reasons that the officer wants the ticket voided.
- The voided ticket will then be disposed of in a manner appropriate with state records retention guidelines.

P. Issuance of Infractions and Misdemeanor Summons Book

1. Officers needing infraction and misdemeanor summons complaint books are to request it from their respective Supervisor. Supervisors are responsible for assuring that pre- issued citations are kept in a secure location.
2. Officers shall follow a similar procedure if they are in need of printer paper for the e-ticket printers. Such printer paper shall be kept in a secure location and be issued by the Shift Supervisor.
3. The receiving officer will fill out the receipt stub completely and turn it over to their Sergeant before removing the infraction or misdemeanor summons book from the office.
4. The issuing Supervisor will sign the receipt stub and forward the form to records.
5. The Lieutenant is responsible for conducting monthly audits of the citation process to assure all citations are accounted for.
6. Records personnel will assure that all completed citations are kept in a secure areas.

Q. Observation of Off Duty Traffic Violations

If an officer observes a traffic violation while off duty, or for the purpose of this section on the way to or from work, the officer shall not take immediate enforcement action, but may choose to make a complaint based on the severity of the violation. The officer will then call in the violation using portable radio or phone. An on duty officer will be assigned. Off-duty officers witnessing a violation will not investigate their own complaints.

R. Escort Services

1. The department recognizes that there are legitimate and reasonable requests for police escort services to ensure safe, orderly, and efficient movement of special traffic or to expedite delivery of special items. The department shall make every effort to honor such requests to the extent practical and consistent with the need

to ensure that the act of escorting or emergency relay itself does not create unnecessary risk to the public. The patrol commander or his/her designee shall review and approve all requests for escorts or relay and determine if the activity can be handled by existing personnel or require detail officers to fill the assignment.

2. Requests for escorts that may be obliged may include, but are not limited to, the following:
  - a. Funerals;
  - b. Motorcades;
  - c. Public officials and dignitaries;
  - d. Oversized vehicles;
  - e. Highway construction and maintenance vehicles; and
  - f. Hazardous or unusual cargo
3. Emergency vehicles, particularly ambulances, shall not be escorted by officers, except under specific circumstances approved by the Supervisor. An example of an escort which may be approved is the escort of an emergency vehicle from the town limits to a hospital or address in City.
4. Officers shall not escort civilian vehicles except in unusual medical emergencies. Possible options include:
  - a. Call for rescue and provide emergency medical care until relieved by Rescue personnel;
  - b. Direct the operator to proceed to the hospital under normal speed and operation; or
  - c. If, in the officer's opinion, delay or transfer would jeopardize a person's life, the officer may, with the approval of the Supervisor or OIC, escort the vehicle to the nearest medical facility. During this escort, all emergency equipment (lights and siren) shall be utilized, officers will travel at a safe speed for both vehicles and officers will stop before all intersections and assure the way is safe before proceeding.

S. Adverse Weather, and Hazardous Road Conditions

1. Adverse weather or road conditions include, but are not limited to:
  - a. Accidental hazards, such as debris that has fallen onto the roadway. Examples include debris from another motor vehicle, power lines, and trees;
  - b. Acts of nature, such as fog, ice, snow, etc.; or

- c. Engineering hazards, such as exposed guardrail ends, potholes, missing drain covers, or other objects that may cause unnecessary additional damage or injury during a crash.
2. Officers dispatched to or finding hazards on the roadway will take the appropriate action to remove the hazard or call for the assistance of other town departments to mitigate the hazard and remain at the scene as long as necessary to ensure public safety.
3. The Supervisor should consider notifying the local newspapers, radio stations, public works, and fire department of the adverse road condition(s) when it appears that the event may close the road for an extended period.
4. The Supervisor will assure that the Department of Public Works (DPW) office or on-call personnel are notified when an incident or weather conditions create a hazardous condition that requires DPW intervention.

T. Manual Traffic Direction Locations

1. Manual direction will be used in situations where traffic control signals or devices are not present, inadequate due to traffic flow or malfunctioning. Emergency conditions may dictate the manual control of traffic.

U. Manual Traffic Direction Procedures

1. All persons on manual traffic duty will wear a traffic vest.
2. Clear, uniform hand signals shall be used. Hands and arms will be kept in a position to be clearly visible to motorists who are signaling to stop. Officers must recognize vehicle signals before others are allowed to proceed.
3. Officers will take into consideration bad weather, darkness, bright sunlight or flashing cruiser lights, which might obscure motorist's vision.

V. Manual Operation of Traffic Control Devices

1. All officers are provided with keys to the traffic control boxes and shall operate traffic signals manually when:
  - a. The signal light malfunctions but can still be operated manually and traffic is too heavy to leave the light on flashing operations.
  - b. To expedite the flow of traffic during times of unusually heavy congestion.

- c. To control traffic at accident scenes.

#### W. Temporary Traffic Control Devices

1. In cases of natural or man-made disasters, special events, accident, or other emergency situations, it may be necessary for an officer to utilize temporary traffic control devices.
2. Those devices not immediately available in the field may be supplied by Public Works personnel or by other officers transporting those devices from headquarters or the Public Works lot.
3. The following temporary devices may be used:
  1. flares
  2. portable barricades (wood or plastic)
  3. detour signs
  4. reflectors
  5. traffic cones
  6. portable stop signs
  7. police vehicles (emergency situations)

#### X. Special Event Traffic Control

1. Special events are those activities within the City of Lexington that would not be a normal occurrence, that have never taken place before or any other event so designated by the Chief of Police.
2. Special events are any activities that may involve large amounts of vehicular and/or pedestrian traffic. These may include parades, picketing, demonstrations, or any large public gathering.
3. The Patrol Commander shall designate supervisory personnel for special events. All coordination inside and outside the police department will be directed by the designated supervisor of the event. The designated supervisor will provide an After-Action Report to the Patrol Commander regarding the special event.
4. Patrol will develop a plan to provide for traffic direction and control, crowd control and as anticipated crime problems during these events. The plan shall be forwarded to the Chief of Police for review and approval. The plan should address the following concerns:
  - a. A written estimate of crowd control, traffic, and anticipated crime problems for the event.
  - b. Number of officers needed and/or any special operations personnel.

- c. The need for on-street parking restrictions.
- d. A contingency plan for traffic direction and control, which will include a route to allow for normal and emergency activities to continue with minimal disruption.
- e. Information will be provided at the earliest possible time to the media concerning the event.
- f. Officers will be allotted adequate breaks during the course of the event.
- g. Where traffic direction and control is provided by private sources it will be monitored by patrol to insure it is adequate and
- h. Use of special operations personnel, if any.

Y. Fire Scene Traffic Control

- 1. Police officers shall control traffic at fire scenes, as necessary. Police officers will check surrounding areas to see if they are impacted by detours and assist with traffic if needed. Private vehicles driven by volunteer fire fighters are not allowed into the fire zone. The vehicles are to be parked properly and not in a manner as to obstruct traffic.

Z. Adverse Weather/Road Traffic Control

- 1. Adverse road conditions may arise from many situations. These include accidents, power lines and limbs down, or severe weather conditions.
- 2. An officer will be cognizant of changing weather conditions so emergency measures can be taken.
- 3. An officer may be utilized to provide on-scene traffic direction if needed.

AA. Provision of Assistance to Highway Users

- 1. The public, when utilizing public highways, may encounter mechanical or other difficulties requiring assistance from the police. Officers will shall provide general and emergency assistance to motorists in accordance with their training and qualifications Officers will advise the dispatcher of the location and reason for request when assistance is required for:
  - a. Tow trucks (Type of car, problem, whether hook or flatbed is needed);
  - b. Ambulance;
  - c. Emergency assistance; or



d. Traffic control.

2. With a high transient driving population, a stranded/disabled motorists can also be a potentially dangerous condition. Officers will offer reasonable assistance to protect stranded/disabled motorists at all hours of the day. If the officer believes it is necessary to transport a stranded person in their police vehicle, they shall first obtain permission from the Supervisor. Prior to such transport, the officer shall advise dispatch of their location, destination, reason for the transport, and mileage at the beginning and end of the transport. The officer may also remain on scene with the stranded motorist to protect them pending the arrival of other services such as tow trucks.
3. When a citizen requests directions, officers shall provide information and direction consistent with other duties and responsibilities.
4. Procedures concerning towing of motor vehicles are covered in General Order *5.20: Towing Motor Vehicles*.

BB. Hazards/ Highway Mainenance/ Public Utilities

1. Hazardous situations may routinely be identified by officers or announced by local media. Information regarding any hazardous or potentially hazardous situationns shall be reported to the Emergency Services Coordinator and the Lieutenant.
2. Procedures for Reporting Road Hazards and Debris:
  - a. An officer locating hazardous debris in the roadway shall remove it or request Central Dispatch to notify public works to have it removed from the road to a safe location.
  - b. Officers shall report all highway defects to Central Dispatch to notify public works.
  - c. Hazards requiring immediate notification of the proper agency:
    - 1) Essential traffic lights in need of repair
    - 2) Large holes in the road
    - 3) Electrical power lines down
    - 4) Large debri, etc.
    - 5) Breaks in water, gas, or other utility mains,
    - 6) Snow/ice on the road
    - 7) Fire hazards needing immediate attention.
  - d. Hazards requiring notification at the beginning of next business day

- 1) Non-essential traffic lights in need of repair
- 2) Small (non-hazardous) holes in the road
- 3) Telephone/video cables down, but not creating a hazard
- 4) Dead animals in the road
- 5) Potential fire hazards not requiring immediate attention
- 6) Excessive growth of weeds, grass, etc.

- e. Requests or suggestions for additional or new highway safety features will be forwarded through the chain of command to the Chief of Police who will forward the request to the appropriate agency, if the situation warrants. These requests will specify the services and actions requested and the location.

CC. Coordination With City, Regional and State Traffic Authorities

1. The Lexington Police Department Lieutenant is responsible for forwarding all appropriate collision and enforcement data to the Lexington Public Works Department and Virginia DOT.
2. Whenever Lexington staff receive complaints or suggestions concerning traffic engineering deficiencies or become aware of engineering deficiencies based on traffic crash analysis, the information will be forwarded to the Lieutenant who will forward the information to the Lexington Public Works Department or appropriate state authorities.