



SYKESVILLE POLICE DEPARTMENT

Traffic Enforcement

General Order 6-29

Effective: 09/01/17

Authorized by: *Michael A. Spaulding* Chief of Police

I. PURPOSE

To provide the procedures for conducting traffic enforcement.

II. POLICY

It is the policy of the Sykesville Police Department to objectively enforce the Maryland Vehicle Law in an effort to save lives, prevent collisions and expedite the flow of traffic. It is believed that reducing the number of driver failures and traffic violations through enforcement will reduce the number of collisions and traffic fatalities. There is a direct relationship between the quality of enforcement and the degree of safety with which citizens use the streets and highways.

It is the policy of the Sykesville Police Department that motor vehicle stops be performed professionally and courteously and that the civil rights of every individual who is stopped be respected. The Sykesville Police Department does not encourage, condone, teach, or authorize its personnel to take any law enforcement action, which is based solely on the race, gender, age, ethnicity, or religious affiliation of the operator or occupants of a vehicle. The Sykesville Police Department, does however, promote, teach, and encourage the use of effective enforcement tactics which meet the standards set by the Constitution of the United States, the State of Maryland, and the decisions of the courts of this country.

III. PROCEDURES

A. Enforcement Action

Officers will take one of the following enforcement actions for each violation of traffic law witnessed or reported to them. All enforcement actions will be accomplished in a firm, fair, impartial and courteous manner using one of the following four methods:

1. Physical Arrest - Officers should effect the arrest of any person in violation of those traffic laws pertaining to driving while intoxicated or under the influence of drugs or alcohol as outlined in TA 21.902 or violations of driving while suspended or revoked either in the State of Maryland or any other state.

2. Citation Issuance - The issuance of a Maryland Uniform Complaint and Citation is applicable in most cases for those violators who commit a traffic offense which jeopardizes the safe and efficient flow of vehicular and pedestrian traffic, whether those violations are moving, parking or safety and equipment violations pursuant to the Maryland Vehicle Law.
3. Written Warning - A written warning is a proper alternative by officers in response to a minor traffic infraction committed in those areas where traffic collision potential is minimal.
4. Verbal warnings are not permitted as an action after a traffic stop.
5. Safety Equipment Repair Order (SERO) - is utilized for equipment violations on vehicles registered in the State of Maryland. The SERO is not applicable to foreign-registered vehicles, and one of the other options listed above will be utilized when dealing with foreign-registered vehicles with equipment violations.

B. Search and/or Arrest

1. Traffic stops resulting in a search of a vehicle and an arrest will require the officer to complete an Incident Report.
2. The report and all corresponding paperwork will be forwarded to the supervisor for review and signature, then to the Records Section for filing.

C. Special Processing Requirements

Contained within this directive are methods of handling particular situations which, by legislative mandate, require a law enforcement response of a different nature than would be required under normal circumstances.

1. Juveniles
 - a. Juveniles who are properly licensed are issued citations in the same manner as adults when the charge is a payable offense (non-must appear).
 - b. A juvenile charged with a must appear violation or a juvenile under the age of sixteen (16) will not be issued any citations even when some of the charges are payable offenses. The juvenile will be taken into custody and transported to headquarters. Upon arrival the officer shall contact the juvenile's parents apprising them of the situation. An Incident Report will be generated along with juvenile charging documents listing all charges, both payable and must appears. Copies will be forwarded to the Department of

Juvenile Services. A parent or legal guardian will be allowed to sign for the juvenile's custody.

- c. If no parent or legal guardian is available then the Department of Juvenile Services will be contacted (see G.O. 6-20 Juvenile Operations).

3. Foreign Diplomats/Consular Officials

- a. Stopping a diplomatic or consular officer and issuing a traffic citation does not constitute arrest or detention and is permissible, although signature of the citation by such individual may not be required. Accordingly, an Officer should never hesitate to follow normal procedures to intervene in a traffic violation which he or she has observed, even if immunity ultimately bars any further action at the scene, the officer should always stop the person committing moving violations, issue a citation if appropriate, and report the incident in accordance with procedures listed in the Maryland Vehicle Law section 16-901 through 16-905. Sobriety tests may be offered but may not be required or compelled (sobriety tests are never required or compelled, regardless of the person's status). If the officer judges the individual to be intoxicated, the officer should not (even in the case of diplomatic agents) permit the individual to continue to drive. The officer's primary concern should be the safety of the community and of the intoxicated individual. Depending on the circumstances, the following options are available: the officer may, with the individual's permission, take the individual to headquarters where they may recover sufficiently to drive; the officer may summon, or allow the individual to summon, a friend or relative to drive; the officer may call a taxi for the individual; or the officer may choose to provide the individual with transportation.
- b. In any event, the officer involved with the incident should fully document the facts of the incident and the identity of the individual, and an Incident Report should be promptly forwarded to the Department of State (in serious cases, report by telephone is also required). It is Department of State policy to suspend the operator's license of foreign mission personnel not considered to be responsible drivers, and this policy may only be effectively enforced if all driving related infractions (DWI/DUI, reckless driving, etc.) are fully documented and reported to the Department of State.
- c. The property of a person enjoying full immunity, including his or her vehicle, may not be searched or seized. Such vehicles may not

be impounded but may be towed the distance necessary to remove them from obstructing traffic or endangering public safety. If the vehicle is suspected of being stolen or used in the commission of a crime, occupants of the vehicle may be required to present vehicle documentation to permit officer verification of the vehicle's status through standard access to "NLETS." Should the vehicle prove to have been stolen or to have been used by unauthorized persons in the commission of a crime, the inviolability to which the vehicle would normally be entitled must be considered temporarily suspended, and normal search of the vehicle and, if appropriate, its detention, are permissible. (Source: United States Department of State publication entitled "Guidance for Law Enforcement Officers, Personal Rights and Immunities of Foreign Diplomatic and Consular Personnel).

4. Military Personnel

- a. As a general policy, no physical arrest will be made on any member of the U.S. Military while going to, remaining at, or returning from his/her duty station. However, on occasion it will be necessary to issue a traffic citation, effect a physical arrest, or investigate a traffic collision involving a member of the armed forces.
- b. Traffic Arrest - When a physical arrest is made, an on-duty Supervisor will notify the liaison officer of the nearest armed forces installation. This does not apply to the issuance of a traffic citation.
- c. Traffic Collision - A Supervisor will make the appropriate notification when armed forces personnel are involved in a traffic collision, and are either killed or injured to the extent they require hospitalization. In this latter case, it will also apply to civilian employees of the armed forces while acting within the scope of their employment.
- d. In any case where U.S. government equipment is seized, towed or confiscated, the appropriate governmental unit will be notified.

5. Legislators

- a. State and Local Legislators: Members of the State or local legislature, regardless of their position or jurisdiction, are not exempt or immune from traffic citations or physical arrest resulting from traffic violations, whether the legislature is in session or not.

- b. Federal Legislators: According to Article 1 of the United States Constitution: "United States Senators and Representatives shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during attendance at the session of their respective houses, and in going to and returning from the same..." However, there is general agreement that Senators and Members of Congress may be detained or arrested if their actions or intended actions cause or threaten to cause serious bodily harm or death. Officers who come in contact with a Senator or Member of Congress under these circumstances will request the assistance of a supervisor. The supervisor in turn may request the assistance of those federal agencies that deal with Members of Congress.

D. Service of Traffic Citations

1. Officers shall as soon as safely possible identify themselves to the violator explaining why the traffic stop was initiated.
2. Officers shall ensure that citations are completed fully before issuance to the violator as per instructions found in the fine schedule issued to them.
3. Officers are to fully explain charges being placed against the violator to include the location of the offense, pre-set fine (if applicable) for the offense and the procedure for requesting a court date for non must appear charges.
4. Officers are to explain that a must appear will require a court appearance and that the District Court will summons the violator by mail.
5. Officers will further explain that additional citation and court information can be found on the back of the driver's copy of the citation.
6. Officers shall remain courteous to the violator at all times answering any questions posed to the best of their ability.

E. Uniform Traffic Enforcement

1. Appropriate uniform enforcement action for traffic violations is important if motorists are to enjoy safe driving in Sykesville, Maryland. Good judgement by the officer in consideration of the circumstances and conditions at the time of the violation will ensure appropriate action and gain the public confidence in traffic enforcement.
2. The ultimate aim of traffic law enforcement is to achieve voluntary compliance with traffic laws and regulations. To achieve this goal the

following policies and procedures are reflective of the vision of the Sykesville Police Department.

3. It is the policy of the Sykesville Police Department to actively enforce the law pertaining to driving under the influence of alcohol and/or drugs. Officers will arrest any driver found to be in violation of this law. Arrests will be determined by the driver's observed operations on the roadway or involvement in a collision or field sobriety tests. Any deviation from this policy must be approved by the on-duty supervisor.

4. Procedures for Speed Violations

a. There is no legal defense for exceeding the posted speed limit or for driving faster than conditions permit, however slight. Practically, however, there exists sufficient reason to believe that factors such as improperly calibrated speedometers, marginal weather conditions and other factors may give a subject cause to believe his/her speed may have been slightly less than the speed stated by the officer or that existing conditions, in their opinion are less severe than stated by the officer.

b. Officers will exercise discretion when deciding if a warning or citation is appropriate. Consideration will be given to the weather conditions, traffic volume, pedestrian traffic and location. At all times, officers will remember there is a direct correlation between excessive speeding and collisions.

5. Reckless or Negligent Driving Offenses

It shall be the practice of the Sykesville Police Department to issue citations for hazardous moving violations. Officers will issue citations for negligent or reckless driving when conditions exist to do so.

Consideration to all other Transportation Article sections will be given for a more concise charge though before using either of these two charges.

6. Equipment Violations

Officers will issue Safety Equipment Repair Orders when vehicles are found to have equipment deficiencies. Only under the most unusual circumstances will a traffic citation be issued instead of the repair order.

7. Violations by Commercial Carriers

- a. Commercial carriers will be treated as the general motoring public. Uniform enforcement policies and procedure delineated in this directive are applicable to the commercial carrier.
 - b. Assistance from the Maryland State Police will be requested with a truck inspection or when a serious equipment violation(s) is located.
8. Non-hazardous violations or minor traffic infractions may be resolved by written warning. Subsequent violations may warrant a citation.
9. Multiple Violations
 - a. Enforcement of hazardous violations will follow established arrest and warning tolerances in multiple violations as well as in the single violations. It is the exception rather than rule or policy for an officer to refrain from issuing a citation for a second hazardous violation when the violation is serious enough to fall within the charging tolerances.
 - b. The exceptions referred to are those situations where the two violations under consideration are similar to the extent that one law exists for the purpose of compliance with the other law. For example: This would apply to some right of way violations. When a driver has failed to stop as required and his/her actions result in a right of way violation, the stop sign citation would be issued and no action would be taken for failing to yield as required.
 - c. On the other hand, if a motorist fails to stop where required and pursuit reveals a speeding violation, both charges will be considered appropriate action taken based on the established tolerance for each violation.
 - d. Generally, one citation will be issued in the case of related, multiple, non-hazardous violations stemming from the same operation. In cases such as this where the elements of one offense are closely related to the element of the second offense, only one citation will be written.
 - e. In all instances, multiple violations found which can be classified separately as hazardous and non-hazardous will be dealt with independently. A motorist stopped for following too closely and subsequently found to be operating without a license will be issued separate citations if the seriousness of the first violation warrants arrest. If the hazardous violation falls within the warning tolerance,

a warning may be issued even when a citation is being issued for an unrelated violation.

10. Officers are frequently in the position of encountering drivers following the detection of a traffic violation who are unable to produce a valid driver's license. This could be the result of various actions not only of the driver, but of the court or the Motor Vehicle Administration.

The officer will initiate a computer check by name and date of birth for the current status of driving privileges. If the violator has a valid license, then the officer's actions will be dictated by the initial violation.

- a. If the driver does not have a valid driver's license through Maryland MVA the officer will determine if the violator was ever issued a license through this state or their state of residency. If it can be determined that no license was ever issued, the officer will cite for no operator's license unless the computer query indicates something other than eligible status for Maryland.
- b. If the violator was issued a license in this state or any other state, and that privilege is suspended or revoked charges shall be placed appropriately according to the Maryland Vehicle Law, Section 16-303.

Subsequent to charging with a suspended or revoked license, officers shall either release the driver on their signature, place them under arrest transporting them to headquarters for processing and release to a responsible party or transport to the Central Booking Unit at the Carroll County Detention Center. No arrest shall be made for 16-303(h) violations under the following: § 17-106, §16-204, § 26-206, or § 27-103. Arrests for 16-303 (c) violations are still permissible.

- c. Under no circumstances shall the driver be allowed to drive from the location of the traffic stop, and other arrangements will be made for the violator's vehicle removal from the stop location.
 - d. If doubt exists regarding the correct status of a license suspension or revocation the officer will release the driver until verification by teletype is gained. A citation can then be issued when confirmation of the license suspension is received.
11. Officers will take appropriate enforcement action when and where pedestrian violations are observed.

Officers will take appropriate enforcement action when and where bicycle traffic law violations are observed.

a. Pedestrian Enforcement

- (1) Officers will concentrate their efforts on pedestrian violations in those areas where pedestrian violations have been frequent and severe.
- (2) With regard to pedestrian traffic laws, the spirit of the law will supersede the letter of the law and application will be made accordingly.

b. Bicycle Enforcement

- (1) In those areas where congestion and the frequency of traffic collision experience involving bicycles has been predominant, those laws pertaining to the proper operation of bicycles will be strictly enforced.
- (2) On those arteries with a substantial flow of vehicular traffic and where hazardous moving violations are observed involving persons operating bicycles, the applicable laws will be enforced.
- (3) In those areas where traffic flow is minimal, visibility is unobstructed and traffic collision experience low, officers will exercise discretion in the application of those laws regarding safe operation of bicycles.

12. Off-Road Recreational Vehicles

- a. When investigating the use of recreational vehicles on private property, attempts will be made to contact the property owner to determine if permission has been granted to operators of recreational vehicles to operate on the owner's property. If the owner's permission is not granted, the operators will stop using the property and be advised to keep written permission with them along with the name and phone number of property owner so they can be contacted to verify permission. If misuse of private property occurs while operating a recreational vehicle, such as reckless operation, DWI/DUI, hit and run or destruction of property, enforcement will be taken by officers.

- b. Any recreational vehicle driven upon public roadways will fall in accordance with registration laws and driver's license laws as would any other motor vehicle driven upon public roadways.
 - c. Towing of recreational vehicles will be in accordance with established general orders.
 - d. Juvenile offenders will be handled in the same manner as adult offenders. Seriousness of the violation will be taken into consideration when determining if a custodian should be contacted.
 - e. Collision investigations of off-road vehicles on private property or public roadways will be investigated in the same manner as would any other vehicle in accordance with established general orders. When recreational vehicles are involved in private property collisions an ACRS report will be submitted only when involving a hit and run. An incident report will be submitted otherwise. Officers will ensure that all parties exchange pertinent information.
13. The Sykesville Police Department will keep agency personnel apprised of all newly enacted or revised motor vehicle laws and regulations.
14. These enforcement policies do not supplant officer judgment, for it is impossible to foresee every conceivable situation involving traffic violations. In unusual circumstances, the officer must decide what enforcement action is proper based on a combination of training, experience, and common sense.

F. Enforcement Practices

- 1. Based on the principle that the most effective deterrent to traffic law violations is visible patrol in a marked vehicle, and in the interest of maintaining a posture of prevention as opposed to apprehension, traffic law enforcement activities will be conducted accordingly. Officers will drive patrol vehicles in accordance with existing laws and in such a manner as to demonstrate exemplary driving behavior.
- 2. In those areas where fixed post observation is necessary to maximize the effectiveness of a selective enforcement effort, officers will park in a manner that traffic flow is not impeded and where violators can be safely pursued.
- 3. It is the practice of the Sykesville Police Department to use an unmarked car in the patrol vehicle contingent. This vehicle shall be equipped with red and blue emergency type lights and siren. They will be used in accordance with law with respect to unmarked emergency vehicles.

4. Certain special selective enforcement efforts may require the use of less conventional vehicles. Seized vehicles or other motor pool vehicles may be used in a fixed post observation post for radar purposes or for conducting spot speed surveys.

G. Use of Emergency Equipment

Officers will utilize emergency equipment only when directly authorized to do so by a Supervisor, when required by the nature of their dispatched assignment, or when situations confront them that indicate the need for the use of emergency equipment.

1. Emergency Lights

- a. This equipment is used in conjunction with the siren to signal other users of the roadway that emergency conditions exist and the right of way should be relinquished to the patrol vehicle. It cannot be safely assumed by the officer that the lights and siren will be yielded to, even though state law requires it.

Even when both the emergency lights and siren are in simultaneous operation, officers remain responsible for any injuries or damage sustained as a result of their driving behavior if gross negligence on the part of the officer is proven.

- b. Emergency lights will be utilized in the following circumstances:
 - (1) In accordance with other provisions of the Sykesville Police Department General Orders Manual.
 - (2) When stopping traffic violators.
 - (3) When assisting motorists parked or stopped in hazardous locations.
 - (4) When a patrol vehicle is parked or stopped on the roadway.

2. Siren

The siren is to be used simultaneously with the emergency lights when in pursuit, responding to an emergency dispatch, where supervisory permission has been granted or to further alert a violator of the presence of the officer.

3. Spotlights and Take Down Lights

- a. These lights should be used as a protection to the officer when making night time traffic stops. These lights should be activated upon stopping the violator's vehicle in order to illuminate the interior of it. Vehicle occupants should be placed at a distinct disadvantage when looking back towards the officer into the lights.
- b. These lights should not be used to signal violators to stop as they could cause a glaring blindness and subsequent collision.

4. Public Address System

- a. The public address system is valuable when stopping a traffic violator or when making a felony stop. The desired actions of the violator can be directed from a safe distance, minimizing the hazard to the officer.
- b. The public address system is also valuable in directing persons when unusual conditions exist, such as when the roadway is temporarily obstructed, alerting pedestrians to hazardous conditions, and relieving the emergency conditions.

H. Preparation of Citations and Arrest Reports

- 1. Traffic citations and arrest reports form the basis for prosecution of traffic offenders.
- 2. Specific guidelines on their preparation, processing and distribution are as follows:
 - a. Traffic Citations, Non-Must Appear
 - (1) All citations will be properly completed utilizing the E-Tix system, and as such, no signature is required from the violator.
 - (2) Violators will be advised of the proper procedure for requesting a court date.
 - (3) Officers will provide the violator with a copy of the citation upon completing the traffic stop.
 - b. Traffic Citations, Must Appear
 - (1) All above steps are followed for must appear citations when the officer is allowing the violator to sign and leave.

- (2) A States Attorney information supplemental report is to be completed in this instance being submitted with all appropriate copies of the citation as per above.
- (3) Officers shall check the witness block on the citation and summons the States Attorney's Office on the rear of the first white court copy.
- (4) Additional documents are needed when a violator is being physically arrested on a must appear citation to include:
 - i. Statement of Probable Cause.
 - ii. Arrest Report
 - iii. Copy of the violators driving record (10-27)
 - iv. Any other paperwork as needed in cases of a DWI/DUI arrest or collision. (These instances are covered in their respective sections within this General Order.)
- (5) All paperwork not given directly to the violator or the District Court Commissioner shall be forwarded through a Supervisor for review, approval and filing.

I. Officer/Violator Relations

1. Traffic law enforcement is one of the routine tasks performed by patrol officers, but for the violator it is frequently an emotional experience. Officers should be aware of these conditions striving to make each contact educational leaving the violator with the knowledge that the officer has performed a necessary task in a professional and friendly manner.
2. Traffic stops have two objectives which the officer seeks to achieve. The first objective is to take appropriate enforcement action and the second is to favorably alter the violator's future driving behavior. This requires a thorough understanding of human relations and demands flexibility from the officer. The following procedures are recommended to minimize conflict which may develop between the officer and the violator and assist in achieving the two objectives.
3. Once the officer has stopped the violator and approached to a point where communication can begin, the officer's relationship with the violator begins. The officer should:
 - a. Be alert at all times for the unexpected, but not be obviously apprehensive.

- b. Be certain that the observations of the violation were accurate without reservation.
- c. Present a professional image in dress, grooming, language, bearing, and emotional stability.
- d. Decide on the appropriate enforcement action based upon the violator's behavior, not attitude. In most cases it is advisable to have the form of enforcement action decided prior to initial contact with the violator.
- e. Greet the violator with appropriate title and in a courteous manner; identify yourself and your agency.
- f. Inform the violator of the traffic law that was violated and the intended enforcement action; the violator should not be kept in suspense.
- g. Ask for and accept the violator's driver's license and registration.
- h. Obtain any other suitable identification if a driver's license is not available.
- i. Allow the driver to reasonably discuss the violation.
- j. Complete the forms required of the enforcement action taken.
- k. Explain to the driver exactly what is expected in response to the action you take.
- l. Ensure that the violator knows when and where to appear if the enforcement action requires a court appearance. Explain any alternatives to the violator, but do not predict the actions of the court. Refer questions about the appearance to the court.
- m. Be alert for any emotional stress exhibited by the driver. If the stress is present, the instruction may have to be repeated or the violator may need to calm down before resuming driving.
- n. Return the violator's driver's license, registration and a copy of the citation, warning or SERO.
- o. Assist the violator in safely re-entering the traffic flow.

J. Traffic Stops

1. No two traffic stops are exactly alike. This procedure is a guide as to how to conduct stops of traffic law violators. Officers will act in a courteous and prudent manner as dictated by the circumstances of the particular stop.
2. Suggested procedure for initiating the stop:
 - a. Choose the stop location carefully, avoiding curves, hill crests and intersections. Consider stop locations where adequate cover is available should its use become necessary.
 - b. Inform the dispatcher of the vehicle registration number (include state and type) and stop location prior to initiating emergency lights or siren and prior to first contact.
 - c. Activate emergency lights, then air horn, then siren in that succession to alert the driver to stop.
 - d. Position of the Patrol Vehicle: The patrol vehicle may be positioned in several different ways during a traffic stop. It is up to the individual officer to determine which method is used. This decision should be based on the officer's preference, location of the stop, type of vehicle stopped, the officer's training and any other pertinent factors relating to that specific traffic stop.
 - (1) There are several other methods of positioning the patrol vehicle during a traffic stop. These alternative methods may be initiated at the officer's discretion based on the circumstance and officer's training.
 - (2) One suggested method calls for the patrol vehicle to be positioned approximately 15 feet behind the stopped vehicle and offset to the left approximately three feet to provide a walking lane for the officer's approach to the stopped vehicle. The front wheels should be turned sharply to the left, leave the engine running and the driver's door unlocked.
 - e. Before exiting from the patrol vehicle, observe the occupants of the stopped vehicle for any unusual movements or actions.
 - f. At night, high headlight beams, spotlight and takedown lights should be used, if available, to conceal officers movements from the violator and for visibility inside the stopped vehicle.

- g. A violator should be ordered to remain at their vehicle if they exit prior to an officer's approach.
- h. Consider weapon readiness on every stop.
- i. While approaching, watch occupant(s), check for altered licensed tags, check trunk ascertaining that it is locked and observe the interior for possible weapons or hidden passengers. At night officers should avoid passing between the cruiser lights and the violator's vehicle.
- j. A passenger side approach should be considered, depending on the officer's observations, location of the stop, amount of traffic, etc.
- k. Stand as close beside the vehicle as possible and to the rear of the driver's door. Be watchful of any passengers.
- l. Keep a constant view of the violator's hands. Have the violator reach outside (preferably with the left hand). The officer should take the driver's license or other identification with their non-gun hand.
- m. Officers should look behind them periodically when returning to their cruisers for any other actions within the stopped vehicle.

3. Procedure During Stop

- a. Check the vehicle operator through the MVA/MILES/NCIC computer for license validity, driving record and wants or warrants.
- b. Complete the enforcement action while still remaining of the vehicle and its occupants.

4. Procedure for Re-contact With the Driver

- a. When returning to the stopped vehicle to issue the citation, observe again for changes within the vehicle.
- b. Again, officers should look behind them periodically when returning to their cruisers for any other actions within the stopped vehicle.
- c. Allow the stopped vehicle to re-enter traffic first.

- d. Turn off emergency lights and other auxiliary lights before re-entering traffic.
- e. Clear the stop with dispatch at this time.

K. Speed Measuring Devices

1. Policy

- a. The law enforcement community believes that traffic radar/laser are an effective tool for speed control, and its role in traffic safety and speed control is of importance. However, modern speed measuring devices are complex and have inherent limitations as well as being subject to external and internal interference.
- b. The effective use of speed monitoring devices and their acceptance is dependent upon the operator's understanding of the specific limitations of radar/laser devices, adequate training and the initial certification combined with periodic updating of policies and operational procedures to demonstrate the operator's efficiency.
- c. The Police Department will only utilize radar/laser equipment which is generally accepted in the law enforcement community.
- d. The Police Department will utilize radar/laser in high or potentially high collision locations when speed is a factor, in areas where speed limit violations are prevalent, and in response to citizen complaints concerning speeding motorists.
- e. All officers using radar/laser devices must successfully complete a basic operator program certified by the Maryland Police Training Commission and receive certification prior to utilization of such speed measuring devices.
- f. Supervisors shall establish procedures to:
 - (1) Ensure officers are certified to use radar/laser.
 - (2) Ensure that adequate maintenance, calibration and operational record systems (suitable for introduction as evidence in court) are developed and maintained.
 - (3) Ensure that all radar units are certified on a periodic basis.
 - (4) Ensure each radar/laser operator remains current with proper radar/laser operational procedures. Information

regarding updated policies or operational procedures will be distributed to personnel by the Supervisors and recorded on a Receipt of Orders, Memorandum, and Manual Revisions Form.

- (5) Failure to remain current with proper radar/laser operational procedures will result in a revocation of the operator's radar/laser privileges. The revoked operator must then turn their radar/laser card into his/her Supervisor.
- g. Any time that an operator displays unsatisfactory performance or knowledge in radar/laser, the Team Supervisor may suspend the operator's certification pending re-certification training.
- (1) The Group Supervisor will notify the Chief of Police of the suspension.
 - (2) The affected operator will turn their radar/laser card into the Team Supervisor.
 - (3) Classroom training and testing may be required of the operator prior to removing the suspension. Hands-on training will be required in every case before removal of the suspension; however, the amount of time spent will be determined on an individual basis by the agency's radar/laser trainer(s).
- h. Whenever the Team Supervisor takes possession of a radar/laser card for reasons listed above, it must be turned into the Training Supervisor with an attached memorandum explaining the reason for the card's return. The Training Supervisor will then place the returned radar/laser card in the officer's training file.

2. Use of Speed Detection Instruments

a. Radar/Laser

The precise method for using a radar/laser unit and the enforcement of those laws applying to speed will vary in accordance with the type of radar/laser equipment used. Generally, the following procedures are applicable:

- (1) The radar/laser unit must be properly installed and connected to the appropriate power supply.

- (2) The effective range of the particular radar/laser unit must be thoroughly understood by the operator so visual observations can support the indicated speed readings.
- (3) Officers must ensure that both assigned and spare radar/laser units are properly maintained. Any discrepancies in unit performance must be immediately reported to the on-duty supervisor.
- (4) The operator must choose an appropriate location that is conducive to the effective and safe operation of radar/laser.
- (5) A Doppler radar unit will be checked for proper calibration to ensure accuracy in checking speed. Most manufacturers recommend specific methods of checking calibration. These should be followed without exception.
- (6) Police Departments radar/laser units will be certified annually by a competent vendor with the necessary expertise.
- (7) Radar/Laser certifications and maintenance records will be maintained by the Team Supervisor.

b. Speedometer

- (1) A secondary method used to measure violator speed is a certified speedometer. Whereas a speedometer is sometimes used as a basis for issuing a citation for a speeding violation, the operator of the vehicle will ensure that the speedometer is checked by radar to ensure its accuracy.
- (2) Speedometers shall be certified as follows:
 - i. Initial speedometer certification should be accomplished as soon as possible after the vehicle is acquired or when modifications have been made to the vehicle which would affect the accuracy of the speedometers; e.g., snow tires or differently-sized tires installed.
 - ii. The Group Supervisors shall ensure that all Sykesville Police Department vehicles have their speedometers certified every six (6) months.
 - iii. Certification will be accomplished by testing the vehicles through radar.

- iv. The radar unit used for this purpose shall be operated by a certified radar operator.
 - v. Testing will be conducted on a dry, level roadway at a time and in a location that will minimize conflict with other traffic.
 - vi. Vehicles shall be tested in 10 miles per hour increments starting at 30/35 miles per hour and ending at 80/85 miles per hour. (Depending on the make and model of cruiser)
- (3) The results of these tests will be recorded by the radar operator on a "Vehicle Speedometer Certification Record."
- i. This form must be carried at all times in the vehicle's glove box to be used for court purposes.
 - ii. A copy of the completed form will be forwarded to the Group Supervisor who will then maintain a master log of all Department vehicle speedometer certifications.
- (4) Should there be a significant deviation in the tested versus the actual speed, the vehicle operator will contact the Chief of Police so that corrective action can be taken.

L. DWI/DUI Countermeasures

1. Drivers impaired by alcohol and/or other drugs represent a serious threat to the lives and safety of persons using the roadways of Sykesville and consequently a comprehensive, coordinated and ongoing countermeasures program involving education, enforcement, adjudication, treatment and public support is essential if a program is to have long term success in combating the DWI/DUI problem.
2. Enforcement is one of the key elements in the DWI/DUI countermeasures program. If the Police Department does not detect and apprehend impaired drivers, the remaining portions of the system will not function.
3. Patrol officers must be alert for signs of alcohol and/or other drug impairment in all contacts with motorists. After conducting an initial examination at the scene of the traffic contact and upon determining that probable cause to arrest is present, the officer will effect a physical arrest of the subject.
4. Chemical tests for alcohol will be offered in accordance with Maryland's Administrative Per Se Law (DR 15 Form).

5. Officers are reminded to establish sufficient probable cause using Standardized Field Sobriety Tests before affecting the arrest of a driver. Additional tests are permitted, but only after initial standardized sobriety tests have been performed.
6. All officers shall be trained to utilize the Standardized Field Sobriety Tests recommended by the National Highway Traffic Safety Administration (NHTSA).

M. DWI/DUI Arrest Procedures

1. In accordance with requirements of the Maryland Transportation Article Sections 16-205.1 and 21-902, officers of the Sykesville Police Department shall enforce all offenses of driving or attempting to drive a motor vehicle while under the influence of alcohol or other drugs.
2. The detection and arrest of intoxicated drivers differs from that of other traffic law violators. There are specific legal limits of intoxication. Specific statutes govern driving while under the influence of alcohol or drugs and administrative Per Se Laws. This directive outlines the procedures to be followed by officers in the detection and arrest of persons operating or attempting to operate a motor vehicle while under the influence of alcohol or other drugs.
3. Detection is the first step in any DWI/DUI enforcement action. In this stage, probable cause to arrest is established. Detection includes the following steps:
 - a. Recognize and identify specific driving behaviors that signify the driver may be impaired by alcohol or other drugs.
 - b. Use caution in pursuing suspected intoxicated drivers and be alert for unpredictable reactions.
 - c. Avoid prolonged pursuit and apprehend as soon as practicable in a safe location.
 - d. Advise dispatch of location and vehicle description.
 - e. Recognize and identify specific behaviors occurring during vehicle stops that provide evidence or suspicion that the driver may be intoxicated or under the influence.
 - f. Note all observations which led the officer to believe that the driver is DWI/DUI.

- g. Do not allow the driver to move the vehicle once the driver is suspected to be intoxicated. Secure the keys to the vehicle when intoxication is suspected.
- h. Request the subject exit the vehicle and move to a safe location to conduct field sobriety tests. The three Standardized Field Sobriety Tests currently endorsed by NHTSA shall be administered in conjunction with any that the officer deems necessary.

N. Standard Field Sobriety Testing procedures

- 1. Horizontal Gaze Nystagmus HGN
- 2. Walk and Turn
- 3. One Leg Stand
- 4. The Preliminary Breath Test (PBT) can also be administered by a certified operator. This test should not be used to establish sole probable cause. It is used as a tool in instances of suspected low blood alcohol content where a suspect may be released if the PBT reading is sufficiently low. The PBT may also assist in cases where the operator may be under the influence of other drugs. The PBT may show a very low or "00" reading for alcohol thus raising suspicion for other drug influence. Officers should be reminded that a PBT test is not admissible in court.
 - a. Only the Preliminary Breath Test (PBT) equipment approved by the Maryland Toxicologist's Office will be used.
 - b. Only those persons approved by the toxicologist will be authorized to administer PBT's. A copy of the class certificate or the PBT card must be on file with the Training Supervisor prior to operation.
 - c. The Training Supervisor will be responsible for maintaining the appropriate PBT records.
 - d. Every time a PBT is offered to a driver, a "Preliminary Breath Test Advisement of Rights" must be completed.
 - e. The results of PBT offers, refusals, monthly checks, and the subjects tested must be recorded on the PBT/DWI Log by the PBT operator, if no arrest is made. If an arrest is made, it is up to the arresting officer to log the PBT information on the PBT/DWI Log.

- (1) Pages in the PBT/DWI Log will be consecutive, starting with page #1.
 - (2) A new page will be initiated to start a new year.
- f. A summary of PBT's offered, refused, and subjects tested during each month will be forwarded to Maryland State Police's (MSP) Chemical Test for Alcohol Unit (CTAU) on MSP Form 34A by the fifteenth of the month for the preceding month.
 - g. If a PBT is given or offered prior to arrest, the white copy of the PBT form will be turned over to the arresting officer by the PBT operator, and shall be placed in the arrest file. The arresting officer shall log the PBT information.
 - h. Each PBT must be calibrated once each month using a 0.100 simulated alcohol solution.
 - (1) The results of this test shall be recorded on the PBT/DWI Log by the PBT operator.
 - (2) The results of this test will be recorded in the "Name" column as "Monthly Test".
 - (3) The results of this test must be between 0.09 and 0.11.
 - (4) PBT's that do not achieve this result must be turned in for repair and re calibration. A spare PBT will be issued at that time, if available.
 - i. PBT's, though primarily acquired to aid in identifying suspected drinking drivers, may also be utilized effectively in other instances. For example, a passenger in a vehicle in which the driver has been arrested for DWI may be requested to voluntarily submit to a PBT if the passenger intends to drive the vehicle from the scene and there is reasonable grounds to believe the passenger is under the influence of alcohol. PBT's may also be used to test a suspect or victim of a crime who is suspected to be under the influence of alcohol. These tests - both taken and refused - shall also be logged.
 - j. PBT results can and should be included in the "Reasonable Grounds" section of MVA Form DR 15A, as supporting documentation.

- k. Formulate appropriate arrest decisions based on all evidence accumulated.

O. DUI Arrest and Processing

1. In all arrests for violation of Motor Vehicle Law, Section 21- 902, the DR-15 form "Advice of Rights" will be executed. All blanks must be filled in and the completed form read to the defendant giving the defendant an opportunity to sign the form acknowledging receipt. If the defendant refuses to sign, enter "refused" in the space designated "Driver's Signature." The original (white copy) will be forwarded to the MVA by the arresting officer, the pink copy given to the defendant and the yellow copy will be retained by the arresting officer.
2. Article 24 of the Maryland Declaration of Rights requires that a person detained for a violation of Motor Vehicle Law, section 21- 902 must, on request, be permitted a reasonable opportunity to communicate with counsel before submitting to the chemical test for breath. Defendants may also elect to submit to their attorney's BAC test prior to submitting to the required test. However, the two hour time limit for the required test is not affected. Officers should observe the administration of the attorney test. Refusal will be noted if the two hour time limit passes while awaiting the attorney's test.
3. Arresting officers have no responsibility to suggest a detained person contact counsel at this point in processing. If a request is made by the defendant prior to conducting the required test officers shall:
 - a. Note the time of request.
 - b. Allow use of a telephone to the detained person.
 - c. Note number of calls attempted.
 - d. Provide the Office of the Public Defender's phone number if defendant so requests.
4. Officers shall not allow this request to interfere with the mandated two hour time limit for conducting the chemical test. If it appears that notification of counsel will exceed the time limit, remind the defendant of the administrative penalties imposed on the DR- 15 form for exceeding the time limit. If the two hour time limit is reached while awaiting counsel the officer shall initiate a DR- 15A form noting a refusal and continue to process as directed in this section. The two hour time limit begins at time of arrest.

5. Remain with the defendant during the twenty minute waiting period prior to the test and witness the administration of the test to provide corroborating testimony if necessary. Do not allow the defendant to have anything by mouth from the time of arrest to execution of the breath test.
6. If the defendant refuses the test, the DR-15A will be executed. A properly prepared DR-15A is a necessary condition for the exercise of the Administrative Per Se Law by the MVA. The form shall be completed per Administrative Per Se guidelines issued to all officers.
7. If defendant agrees to submit to the test, the test for breath will be administered unless the defendant is injured in an collision and will not be able to take a breath test within the two hour time limit or the test for breath test equipment is not available.
8. Charges will be placed by issuing a Maryland Uniform Complaint and Citation or a Safety Equipment Repair Order (SERO) for the probable cause and a Citation for the DWI/DUI charge. Any other charges will also be listed on separate citations. Issuance of citations will be in accordance with section H of this General Order.
9. If the defendant is a Maryland resident with transportation home by a sober adult and there is no concern regarding the defendant's appearance in court, the defendant need not be taken before a District Court Commissioner when DWI/DUI is the most serious charge and there are no other associated charges which require appearance. If the defendant is allowed to leave without seeing a Commissioner, a copy of the Alcohol Influence Report submitted will be sent to the States Attorney's Office for prosecutorial purposes by a Records Section Administrative Assistant. This action must be approved by an on-duty supervisor in accordance with Section H of this General Order.
10. Should a full custody arrest be necessary, the defendant will be transported to the Central Booking Unit at the Carroll County Detention Center for processing and bond hearing.
11. All DWI/DUI arrests will be recorded on the Preliminary Breath Test/ Driving While Intoxicated Log by the arresting officer at the time of the arrest.

P. Chemical Tests for Alcohol

1. The chemical test for alcohol will be the test administered. The blood test may be used only in any of the below circumstances:

- a. If the defendant is unconscious or otherwise incapable of refusing the breath test.
- b. Injuries to the defendant require removal to a medical facility.
- c. A breath test machine is not available.

2. Breath Test Guidelines

- a. Notify dispatch to ascertain if a State Police Intoximeter Operator is on duty, if not then the dispatcher will contact another certified agency with an operator on duty.
- b. Officers shall respond to the appropriate operator location from the scene of the arrest completing as much of their paperwork there as possible.
- c. If no operator is available, the dispatcher can check with a neighboring County closest to the scene of the arrest. If none are still available, the blood test will be offered.
- d. Secure the MSP 33 form (Results of Test for Alcohol Concentration) and the accompanying result receipts ensuring that the administering officer signs all appropriate forms.
- e. Secure signature of administering officer on the DR 15A, Officers certification and order of suspension, if the BAC result is .08 or greater.
- f. If the results are 0.00%, an indication that no alcohol is present, the defendant will be checked by a certified Drug Recognition Expert if available or transported to the closest emergency room for examination if one is not available.
- g. If the results are above .30% the defendant will be transported to the closest emergency room for examination.

3. Blood Test Guidelines for when criteria for a blood test have been met.

- a. The arresting officer shall obtain a self-addressed, pre-stamped blood alcohol kit from patrol and if the defendant is not already in a hospital, transport the defendant and the kit to the hospital in accordance with the following:
 - (1) Carroll Hospital Center: The officer shall report to the emergency room, request the test and advise the

receptionist of the time remaining before the test becomes invalid due to expiration of the two hour limit. OFFICERS SHALL INFORM HOSPITAL PERSONNEL THAT THE DEFENDANT IS TO BE BILLED FOR SERVICES AND TREATED AS AN OUT PATIENT.

- (2) Any other hospital: Contact emergency room personnel for proper procedures.
- b. The arresting officer shall witness the withdrawal of blood and immediately take possession of the containers and package them according to below guidelines.
- c. Only the blood test kit approved by the Maryland State Toxicologist will be used for the withdrawal of blood. The forms contained in the blood kit will be completed as follows:
- (1) The consent form included in the blood kit is to be completed by the arresting officer, signed by defendant and sent with specimen to MSP CTAU.
 - (2) Complete the included blood collection report and include it with the specimens.
 - (3) Complete all four white seals attaching two to the tubes (one each) placed over the rubber stoppers.
 - (4) The MSP Form #34 will be completed only in the section entitled "Arrest Information." All areas are self-explanatory except for the following:
 - i. Case number is local case number.
 - ii. Time refers to time of arrest.
 - iii. Send results to: Sykesville Police Department at current address of Patrol Headquarters.
 - (5) Place all blood kit paperwork in the cardboard mailer, beneath the plastic box containing the blood vials.
 - (6) Attach the two blue integrity seals on either end of the clear plastic box as indicated on the box.
 - (7) Attach the two red integrity seals placing them over the locking tabs of the cardboard mailer.

- d. The State's Attorney's Office also requires that the arresting officer direct the medical personnel drawing blood to complete and sign the Qualified Medical Personnel Certificate to be included in the case file.
 - e. Subsequent to sealing of the blood kit it is to be mailed from a mailbox by the end of the shift where a daily pick up is made.
4. The MSP CTAU will notify the Group Supervisor by mail of test results based upon submitted information from MSP Form #34. Once the Patrol Team Supervisor has logged the information, it will be forwarded to the appropriate officer so disposition on the result can be made. If the officer has already charged the defendant, then the paperwork will be forwarded to a Records Section/ Administrative Assistant. The Records Section/ Administrative Assistant will provide the defendant with the blood test results by mailing the defendant a copy of the letter by registered mail, return receipt requested, if necessary. The original of the letter will be placed in the case file as well as the returned receipt. All original paperwork relating to the blood test will then be placed in the arrest case file.
5. Unconscious Persons
- a. When an operator of a motor vehicle is unconscious or otherwise incapable of refusing to take a chemical test for alcohol, and probable cause exists to make an arrest the investigating officer shall obtain prompt medical attention for the person and if necessary arrange transportation to the nearest medical facility.
 - b. If a chemical test for alcohol by blood withdrawal will not jeopardize the individual's health or well-being, the officer will direct a qualified person using the approved blood kit to withdraw the blood sample. The consent form will be completed and the word "unconscious" written where the defendant's signature would normally appear.
 - c. If the individual regains consciousness or otherwise becomes capable of refusing the test prior to the withdrawal of blood the investigating officer will proceed with processing as indicated in above sections.
6. Drivers Involved in Fatal Collisions
- a. "If a person is involved in a motor vehicle accident that results in the death of, or a life threatening injury to, another person and the person is detained by a police officer who has reasonable grounds

to believe that the person has been driving or attempting to drive while intoxicated, while under the influence of alcohol, while so far under the influence of any drug, any combination of drugs, or a combination of one or more drugs and alcohol that the person could not drive a vehicle safely, while under the influence of a controlled dangerous substance, or in violation of 16-813 of this title, the person shall be required to submit to a test, as directed by the officer (16 -205.1.c.1, Maryland Transportation Article)."

- b. If a police officer directs that a person be tested, then the provisions of 10-304 of the Courts and Judicial Proceedings Article shall apply (16-205.1.c.2, Maryland Transportation Article)
- c. "Any medical personnel who perform any test required by this section are not liable for any civil damages as the result of any act or omission related to such test not amounting to gross negligence" (16-205.1.c.3, Maryland Transportation Article).
- d. The on call States Attorney will be called when charges are anticipated in a fatal collision.
- e. Complete the DR-15, ensuring that the detained person is aware that when involved in a fatal collision the detained person is required by law to submit to a chemical test as directed by the officer. Record the detained person's decision on the chemical test on the DR-15 form.
- f. If the breath test is selected, the officer will follow the procedures previously set forth in this directive. Refusal of the detained person to cooperate will require transport to the hospital for a blood test.
- g. If the blood test is selected, the officer will witness the withdrawal of blood and immediately take possession of the containers. Blood samples obtained under this procedure will be forwarded to the Chemical Test for Alcohol Unit as indicated in earlier directives.

7. Deceased Persons

- a. When the operator of a motor vehicle dies as a result of injuries sustained in an automobile collision, the Deputy Medical Examiner will take custody of the body.
- b. The DME will as a matter of policy take a blood sample from the decedent and have it analyzed for BAC by the State Toxicologist.

The results of the analysis will be made available to the investigating officer upon request.

8. Defendant's Vehicle

- a. If the defendant is alone and stops the vehicle in an unsafe or illegal location, or the vehicle is impeding or will impede traffic, the officer shall have the vehicle towed in accordance with established towing policy per General Order 6-34, Traffic Related Services. If the defendant stops the vehicle in a safe and legal location, the officer shall ensure that the vehicle is locked and left at the scene. The keys may be turned over to a sober adult possessing a valid driver's license who responds to take custody of the defendant if applicable.
- b. If the vehicle is occupied by passengers when the defendant is taken into custody, officers may release the vehicle to them under the following conditions:
 - (1) The defendant has an ownership interest in the vehicle and grants permission to a sober, licensed adult passenger to operate the vehicle.
 - (2) One of the passengers has an ownership interest in the vehicle and is licensed and sober: or this person grants permission to another licensed and sober adult to operate the vehicle.
 - (3) If the passengers do not meet the above criteria, the vehicle and keys will not be released. The vehicle will then be towed or parked as is and locked. The officer will retain the keys releasing them to the defendant upon completion of the arrest process, warning defendant against driving for twenty four hours or until sober.
- c. The officer should take reasonable steps to arrange alternative transportation for the passengers. Factors such as time of day, adverse conditions, location of arrest, age, sex, and physical condition of passengers should be used as guidelines when weighing alternatives for the disposition of the passengers.
- d. Officers will search the vehicle and note the presence of any arrest related material. Search will be conducted following departmental policy and current case law.

9. Summary of Forms Needed for DWI/DUI Arrest:

- a. DR-15, Advice of Rights
- b. DR-15A, Officers Certification and Order of Suspension as needed
- c. If blood test is given:
 - (1) MSP Form #34 sent with kit
 - (2) Qualified Medical Personnel Certificate
 - (3) All forms included in blood kit
- d. If breath test is given:
 - (1) MSP Form #33, Results of Test for Alcohol Concentration
 - (2) Receipts indicating actual reading of BAC
 - (3) SPD Form #93, Alcohol Influence Report
- e. Maryland Uniform Complaint and Citations (as appropriate) or SERO as probable cause for initial contact.
- f. Arresting officers shall place the above documents in a case file for court presentations. The case file will be stamped with appropriate stamp located in patrol work room.

Q. Request for Re-Examination of Driver

- 1. Routine enforcement, collision reporting and investigation activities frequently lead to the discovery of drivers who have suspected incompetency, through physical or mental disability, disease or other condition, which might prevent the person from exercising reasonable and ordinary care over a motor vehicle. Officers detecting such a person will complete the appropriate forms to request a re-examination by the Motor Vehicle Administration.
- 2. A request for Re-Examination will be made on the State of Maryland MVA Request for Re-Examination of Driver form.
- 3. Most information requested is self-explanatory; however, certain portions must be specifically addressed.
- 4. The physical defects must be described in detail.

5. The summary of the incident must be written in such detail that reasonable grounds for the re-examination are conclusively established.
6. The Re-Examination form must be accompanied by copies of all other related reports and forwarded through the chain of command to the Chief of Police for final approval prior to being sent to MVA.

R. Parking Violations

1. When enforcing parking violations, particularly in residential areas, the officer will first attempt to correct the problem. The owner will be contacted if the vehicle is parked close to the owner's residence. If compliance is not achieved, a Maryland Uniform Complaint and Citation will then be issued and either left on the vehicle or served upon the owner if available.
2. In no parking zones, if an immediate hazard is caused by the violator, a citation is in order. A concerted effort to contact the owner of the vehicle will be attempted before the vehicle is towed.
3. Blocking the roadway is sufficient reason for the vehicle to be towed if the operator cannot be located in a timely manner.

S. School Bus Passing Violations

1. The Sykesville Police Department participates in the State-funded School Bus Enforcement Program, which provides overtime funding for enforcement of school bus safety violations.
2. Section 21-706 of the Maryland Transportation Article requires the driver of any vehicle to stop when meeting or overtaking a school vehicle which:
 - a. Is stopping or has stopped on a roadway, and
 - b. Is operating its alternately flashing warning lights.
3. Section 21-706.1 allows a school bus driver who witnesses a violation of 21-706 to report the violation to a law enforcement agency having jurisdiction.
4. Violations of TA 21-706 reported by bus drivers:
 - a. Shall be accepted by phone, in writing, email, or in person, by any member of the Sykesville Police Department.
 - b. May be reported to the Communications Center:

- (1) If possible, the call shall be dispatched to an officer.
4. When the bus driver can identify the operator of the vehicle, the following procedure will be used:
 - a. A Call for Service (School Bus Violations) will be initiated and an officer assigned to the investigation.
 - b. The officer will conduct an investigation to confirm the identity of the operator.
 - (1) If the officer's investigation supports the driver's observation, he/she will issue a citation based on the complainant's information, and summons the complainant as a witness on the back of the citation.
 - (2) If the investigation does not sufficiently identify the operator, the officer will send a report to a Patrol Team Supervisor, which will follow the procedures outlined in #6 below.
 - c. If the bus driver cannot identify the violator, the procedures outlined in #6 below will be followed.
5. When an officer observes a violation of Maryland Motor Vehicle Law TA 21-706, the officer shall:
 - a. Take enforcement action as deemed appropriate.
 - b. If unable to stop and interview a violator, record the motor vehicle information. The officer may then either:
 - (1) Take appropriate action when the owner of the vehicle is identified through MVA, or
 - (2) Record the information on an Incident Report, and forward it to the Group Supervisor for review, approval and filing.
6. When violation information is referred, it will be handled as follows:
 - a. For cases in which enforcement action has been taken, the supervisor shall file the information.
 - b. For unresolved cases, the supervisor shall:

- (1) Assign an officer from that section to:
 - i. Record the date, time, location, and vehicle information on a Call for Service (School Bus Violation).
 - ii. Obtain the registration information from the MVA computer system (if such has not already been done).
 - iii. Identify the registered owner of the vehicle, taking care to notice any discrepancies between the MVA printout and the information recorded on the officer's sheet. (If there is any discrepancy, the process to notify that specific vehicle owner will cease.)

- (2) Send a form letter to the registered owner informing the owner:
 - i. That the vehicle was identified and reported by a school bus driver of the Carroll County Board of Education for failure to stop for a flashing school bus light
 - ii. Of the vehicle's location on the reported date and time
 - iii. Of the nature of the violation
 - iv. That there is insufficient evidence for a citation
 - v. That this notification constitutes only a warning and not a finding of guilt.

- (3) Copy the letter, attach the MVA printout, and forward the information to the Group Supervisor responsible for oversight of the School Bus Safety Grant.

7. The Group Supervisor responsible for the School Bus Safety Grant shall report the activity summary of the program to the Chief annually.

T. In Car Audio/Visual Recording Equipment

See Special Order 2014-005

IV. CANCELLATIONS

This General Order cancels and replaces the following policies: General Order 62.1, entitled Traffic Law Enforcement, dated December 26, 2001.