

PALM BEACH GARDENS POLICE DEPARTMENT		
TRAFFIC RELATED WARNINGS		
POLICY AND PROCEDURE 4.2.3.4		
Effective Date : 08/31/94	Accreditation Standards: CALEA 61.1.2, 61.1.5, 61.1.12 CFA	Review Date: 05/01/2012

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PURPOSE: To establish guidelines for officers involved in traffic related warnings.

SCOPE: This policy and procedure applies to all officers.

REVIEW RESPONSIBILITY: Patrol Operations Bureau Major

POLICY: When to issue a citation and when to issue a warning is, and has been, a question asked by law enforcement officers throughout the history of law enforcement. The department's enforcement policy is to take sufficient amount of enforcement action to deter the offender from repeating the violation.

1. TRAFFIC CIRCUMSTANCES SUBJECT TO WARNING

- a. Violations committed by pedestrians, bicyclists, and operators of off-road vehicles, such as dirt bikes and dune buggies may be given warnings in most cases. Citations should be given for flagrant violations.

2. REFERRAL OF DRIVERS FOR RE-EXAMINATION:

- a. When officers encounter drivers who are suspected to be incompetent drivers because of physical or mental disability, disease, or other conditions which might prevent the driver from exercising reasonable and ordinary care over a motor vehicle, they will fill out a department re-examination investigation form requesting driver re-examination and forward that form to the Department of Highway Safety and Motor Vehicles (DHSMV) Driver License Bureau.

3. OPERATORS OF PUBLIC CARRIERS/COMMERCIAL VEHICLES

- a. Officers should treat the operators of public carriers/commercial vehicles the same as the operators of any other motor vehicle when the circumstances dictate.
- b. Drivers of such vehicles are subject to physical arrest, citations, and/or warnings.

4. MULTIPLE VIOLATIONS

- a. When circumstances dictate, officers may charge an offender who has committed more than one violation with the most serious of the violations and use the lesser violation(s) to substantiate and support by evidence the more serious offense charged.
- b. Exceptions to this practice will be fleeing and eluding an officer, leaving the scene of an accident, and the violations that brought a person charged with DUI to the attention of the arresting officer. These violations are considered to be companion charges to the most serious violations and should be cited separately.

5. GLOSSARY

Verbal Warning - A warning given orally without any written record.

Written Warning - A warning which the violator is given a written record of the action at the time of the violation and which he/she may be required to acknowledge by signing.

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APPROVED:



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