

<b>PALM BEACH GARDENS POLICE DEPARTMENT</b>		
<b>TRAFFIC ENFORCEMENT PRACTICES</b>		
<b>POLICY AND PROCEDURE 4.2.3.7</b>		
<b>Effective Date :</b> 11/04/11	<b>Accreditation Standards:</b> CALEA 41.3.2, 61.1.5 & 6, 61.4.3 CFA CHAPTER 22	<b>Review Date:</b> 05/01/2014

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**PURPOSE:** To establish guidelines for traffic practices to include: traffic patrol, use of marked/unmarked vehicles, police cars or motorcycles, and off street observation.

**SCOPE:** This policy and procedure applies to all Officers

**REVIEW RESPONSIBILITY:** Field Operations Division Assistant Chief and Bureau Commanders

**POLICY:** The Department recognizes that the tendency of motorists to knowingly violate traffic laws can ordinarily be deterred by open and visible traffic patrol. From this action, the number of crashes in a given area can be reduced. However, there are some circumstances when normal visible patrol techniques cannot alleviate the problem.

### **1. TRAFFIC ENFORCEMENT PRACTICES**

- a. Officers assigned to patrol or traffic units will emphasize enforcement of crash causing violations during peak accidents hours and at locations of occurrence.
- b. Officers will take directed enforcement action on request, and random enforcement action against violators as a matter of routine.
- c. Officers shall maintain high visibility while working general enforcement, especially at locations of frequent accidents.
- d. When working stationary selective enforcement, officers shall not seek totally concealed positions for the purpose of traffic enforcement.
- e. Officers shall utilize either marked patrol cars or marked police motorcycles for selective enforcement. In all cases, enforcement vehicles must be equipped with emergency lights and sirens.

### **2. ENFORCEMENT TACTICS**

- a. In normal circumstances, officers enforce traffic laws by visible traffic patrol. Enforcement action is taken in those cases observed by officers patrolling their zones in marked police vehicles. While patrolling, an officer will drive his/her vehicle in accordance with existing laws in such a manner as to demonstrate exemplary driving behavior. Emergency conditions will be the only exceptions to practice.

- b. If crash occurrence shows a problem on a particular street, initiate a park and observance tactic along that street in the area(s) of peak occurrence. Enforcement action should then be based on crash statistics.
- c. Area enforcement by directed patrol may be based on experience. If directed, enforcement action will be specified, along with the area and times of enforcement. All activities shall be noted by the officer.
- d. In those areas where an overt stationary post may exist, operations are necessary to maximize the effectiveness of a selective enforcement effort. Officers shall park in a conspicuous location and in such manner that traffic flow is not impeded.
- e. There may be circumstances and problem areas in which an officer feels that a covert enforcement action would best be utilized. In those circumstances, if an officer wishes to conceal his/her monitoring traffic signals, signs, or running radar, the officer should avoid private property, or areas that because of the concealment would cause a hazard to himself/herself or other motorists upon entering the highway.

### **3. UNMARKED VEHICLES FOR TRAFFIC ENFORCEMENT**

- a. The Traffic Sergeant may deem it necessary to utilize unmarked vehicles at various times and situations. If special enforcement action is needed, an unmarked vehicle may be used in order to be less conspicuous to the public. Unmarked cars used for traffic patrol should be equipped with a portable emergency light and siren. Unmarked vehicle traffic enforcement will be used only when authorized by the Patrol Operations Bureau Commander or his/her designee.

### **4. VIOLATION ENFORCEMENT**

- a. Officers will take appropriate action for violations causing crashes which will include but are not limited to the following: Unsafe lane changes, speeding, careless driving, improper backing, failure to yield, improper lane change, failure to obey traffic control device, etc.
  - i. Appropriate action may involve the arrest, citation, or warning of any person determined to have violated a law, ordinance, or regulation pertaining to the use of traffic ways.
    - 1. This action prevents such violations from endangering persons or property or inconveniencing other users of the traffic way;
    - 2. Prevents continued violation; or
    - 3. Discourages reoccurrences.

### **5. ENFORCEMENT ACTION**

- a. Officers will take appropriate enforcement action for violations committed by operators of off-road recreational vehicles that are observed and/or reported to them. The Field Operations Division Assistant Chief will develop specific procedures to address the following situations:
  - i. Removal of unlicensed vehicles from streets and highways (per policy 4.2.3.18 Impoundment of Vehicles Procedure paragraph 2, bullets a – e).
  - ii. Violation of off-road vehicle registration laws;
  - iii. Misuse of city park jogging trails;
  - iv. Improper use of streets or highways for travel;
  - v. Citizen complaints of excessive noise, trespass and/or property damage; and
  - vi. Juvenile offenders.

### **6. PEDESTRIAN ENFORCEMENT**

- a. The enforcement of traffic laws pertaining to pedestrians 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.
- b. Prior to any substantial increase in the enforcement effort directed toward pedestrian traffic, the Traffic Unit and Community Involvement Unit officers will conduct safety talks for schools, private groups, public groups, and business organizations. The education program will have as its goals, the education of the

public with regard to the safe use of streets and roadways used by pedestrians and bicyclists, with emphasis on the reduction of fatality and injury crashes involving pedestrians and bicyclists.

- c. With regard to pedestrian traffic laws, the spirit of the law shall supersede the letter of the law where application of the law is made.

## 7. BICYCLE ENFORCEMENT

- a. In those areas where congestion and the frequency of traffic crashes involving bicycles have been predominant, those laws pertaining to the proper operation of bicycles shall be strictly enforced.
- b. On those arteries with a substantial flow of vehicular traffic and where hazardous moving violations are observed involving persons operating bicycles, the applicable laws shall be enforced.
- c. In those areas where traffic flow is minimal, visibility is unobstructed, and traffic crashes are low, officers should exercise discretion in the application of those laws regarding the safe operation of bicycles. Officers should be less tolerant with older offenders who should be aware of the hazards inherent in the unsafe operation of bicycles. Officers should be more lenient in the enforcement of the law and more instructive in their response to youthful offenders, who may not be fully aware of their responsibility in the safe operation of bicycles.

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- TRAFFIC ENFORCEMENT

### RESPONSIBILITY INDEX

- FIELD OPERATIONS DIVISION ASSISTANT CHIEF
- PATROL OPERATIONS BUREAU COMMANDER
- TRAFFIC UNIT SERGEANT
- CIU
- TRAFFIC OFFICERS
- PATROL OFFICERS

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### APPROVED:



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11/08/2011  
**Date**