



# HARFORD COUNTY SHERIFF'S OFFICE OPERATIONS POLICY

## Traffic Enforcement

<b>Distribution:</b>	All Personnel	<b>Index:</b>	OPS 0901
<b>Responsible Unit:</b>	Special Operations Division - Traffic	<b>Rescinds:</b>	
<b>DLI Program:</b>	Pending	<b>MD Code:</b>	

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### 1. Purpose

To provide deputies with guidance for conducting traffic enforcement.

### 2. Policy

Harford County Sheriff's Office will ensure the safe and efficient movement of traffic through effective traffic enforcement.

### 3. Definitions

**AREA PATROL:** patrol within a defined region.

**DIRECTED PATROL:** assigned patrol to a specific area based on analysis of information regarding traffic violations, crashes and related incidents.

**LINE PATROL:** patrol between two points on a specific roadway.

**PHYSICAL ARREST:** enforcement action where taking the offender into custody is warranted in order to best serve the safety of the community.

**SAFETY EQUIPMENT REPAIR ORDER (SERO):** may be used when a Maryland-registered motor vehicle is stopped for defective equipment.

**SATURATION PATROL:** directed patrol assigned to multiple units.

**SELECTIVE ENFORCEMENT:** geographic/temporary assignment of personnel and equipment and the establishment of preventive patrols to deal with specific categories of unlawful driving behavior.

**TRAFFIC SUMMONS:** will be used for traffic offenses where the deputy believes that a written warning would not be effective to gain the violator's future compliance.

**WRITTEN WARNING:** may be used for minor traffic offenses when the deputy is convinced that it is appropriate and future compliance with the law is likely.

### 4. Objectives

- A. Patrol by Police Operations Bureau deputies is the primary means of enforcing the motor vehicle laws of Maryland and achieving the patrol objectives outlined in HCSO policies.

- B. The primary goals of traffic enforcement are to:
1. Improve driver behavior that differs from legal requirements;
  2. Identify, and remove from the road, drivers who exhibit behavior showing they are an immediate danger to the public;
  3. Encourage voluntary compliance with traffic laws and ordinances; and
  4. Promote the safe and efficient flow of traffic through a reduction in motor vehicle crashes.

**5. General Patrol Techniques**

- A. Traffic patrol techniques include those listed in Section 3, Definitions.
- B. When not assigned to a specific area by a supervisor, deputies on patrol should focus enforcement efforts on areas and on violation types that will help to achieve the patrol objectives in policy.
- C. Commanders and supervisors should determine the type of enforcement required for a specific location or situation and assign deputies accordingly.
- D. When stationary observation is necessary to maximize the effectiveness of enforcement, deputies should park in a location and manner to maximize safety and minimize the disruption of traffic flow.
- E. Deputies conducting roadside safety checks will:
1. Ensure that their vehicles are parked so as not to create an undue hazard or impede the normal flow of traffic; and
  2. Wear high visibility safety apparel in accordance with policy.

**6. Unmarked or Covert Vehicles**

- A. Unmarked vehicles may routinely be used for traffic enforcement; however, a deputy operating an unmarked vehicle must remember that motorists may not initially recognize the vehicle or the deputy as law enforcement.
- B. Covert vehicles that are equipped with lights and sirens will not be used routinely for traffic enforcement, but may be utilized with approval from the Division Commander if the situation dictates.

**7. Selective Enforcement**

- A. The primary goal of selective enforcement activities is to reduce traffic crashes, based upon the analysis of:
1. Data compiled from motor vehicle crashes;
  2. Enforcement data;
  3. Traffic volume and traffic conditions;
  4. Citizen input and/or traffic complaints; and

5. Calls for service.

B. Deputies will be assigned to the areas of greatest potential and actual need.

C. Assignment to selective enforcement patrols are designed to complement and not replace normal patrol functions.

## **8. Data Collection & Interpretation**

A. The HCSO Criminal Intelligence and Analysis Unit (CIAU) harvests electronic data through the Electronic Ticket Information Exchange (E-Tix) and Automated Crash Reporting System (ACRS) providing detailed collision and enforcement data available to commanders through interactive crash mapping.

B. Reports of hazardous roadway conditions and defects received by the Harford County Department of Emergency Services are recorded in the CAD and dispatched to law enforcement and/or maintenance/highway services for appropriate action.

## **9. Responsibilities**

A. Precinct Commanders and the Special Operations Division Commander (SOD) will:

1. Assign personnel and resources as necessary to promote a reduction in crashes and traffic violations using both routine patrol and selective enforcement;
2. Continuously monitor crash, enforcement, and violation data to ensure effective deployment of resources and to evaluate the effectiveness of both completed and ongoing selective enforcement initiatives; and
3. Maintain overall responsibility for the deployment of resources in response to the traffic needs in geographical areas of Harford County.

B. Watch Commanders and Traffic Unit Supervisors will:

1. Be alert to developing traffic and crash patterns within patrol areas that may warrant selective enforcement initiatives; and
2. Forward any relevant data to the Precinct and/or SOD Commander for planning purposes.

C. Deputies will:

1. Conduct traffic enforcement while on patrol;
2. Monitor their patrol areas to identify specific crash and violation patterns that may be developing; and
3. Direct enforcement initiatives towards those areas identified for selective enforcement.

## **10. Discretion and Uniform Enforcement Policies**

A. Deputies have discretion when enforcing violations of the motor vehicle law to take into account the totality of the circumstances.

- B. While discretion should be exercised in all circumstances, certain categories of violations may require special procedures and mandatory issuance of citations and/or arrest.
- C. HCSO does not dictate how deputies may handle certain categories of violations in all instances.
- D. Deputies will pay special attention to:
  - 1. Operation of a vehicle by someone whose driving privileges have been suspended or revoked;
  - 2. Speed violations;
  - 3. Hazardous violations, such as negligent, aggressive, or reckless driving, that expose a person or property to risk, loss, or damage;
  - 4. Off-road violations governed by Maryland law pertaining to off-road vehicle operation and registration;
  - 5. Equipment violations;
  - 6. Commercial vehicle violations (enforced in accordance with the Maryland Transportation Article; only certified Commercial Motor Vehicle Inspectors will take enforcement action for violations of Trans. § 25-111).
  - 7. Newly enacted laws and/or regulations should be enforced in accordance with any applicable grace period and warnings should be issued during grace periods unless the violation is serious, hazardous, or contributes to a traffic crash;
  - 8. Violations resulting in traffic crashes requiring a report must be investigated and appropriate enforcement action must be taken against the at-fault operator when appropriate;
  - 9. Certain fatal crashes will require consultation with the State's Attorney prior to an individual being charged; and
  - 10. Violations involving bicycles or pedestrians will be enforced per the Maryland Transportation Article.
- E. When violations impose a possible penalty of incarceration (i.e., "must appear" violations), a deputy has the discretion to issue a citation and release or to make an on scene arrest.

## 11. Multiple Violations

- A. Deputies generally should not issue a large number of summonses to one violator; however, there may be circumstances where it is appropriate.
- B. A deputy may issue different categories of documents to a violator (e.g., citation and warning for multiple violations);
- C. A deputy should not issue two documents for the same charge (e.g., a summons and an SERO for a tint violation).

## 12. Confiscation of MVA Documents

- A. Licenses

1. Deputies will confiscate suspended, cancelled or revoked driver's licenses, certificates of title, registration cards or registration plates to return them to the Motor Vehicle Administration (MVA).
2. These items may be taken when required as evidence in support of specific charges arising from violations and will be stored and released according to HCSO policy.

**B. Registration Plates and Documents**

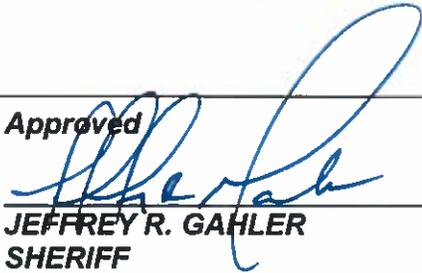
1. Registration plates and documents that are suspended for violation of the Maryland Transportation Article may be confiscated if the registration check shows an active:
  - a. MSP pickup order; or
  - b. MVA insurance violation pickup order.
2. All confiscated registration documents will be forwarded to the MVA as soon as practicable.
3. Deputies are not required to confirm active pickup orders by telephone as an MVA return is sufficient to justify confiscation.

**C. Fraudulent Documents**

1. Fraudulent registration cards and plates, altered, forged and expired documents that demonstrate that a specific violation occurred will be confiscated as evidence.

**D. Release of Documents**

1. At the time of release, deputies will use certified documentation from MVA to determine who has the right of possession, either MVA or the individual.
2. Dispositions will be as evidence releases pursuant to policy.
3. The administrative responsibility for the return of these items rests with the MVA and the individual concerned.
4. Fraudulent documents will not be returned to the individual from whom they were confiscated.

Approved   
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**JEFFREY R. GAHLER**  
**SHERIFF**  
DATE 7-11-17