

## **Salisbury University Police Department**

### **CHAPTER 61 - TRAFFIC**

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## Salisbury University Police Department

### CHAPTER 61 - TRAFFIC

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*Standards in this chapter govern the processes and procedures that enable an agency to execute its traffic responsibilities and services through proactive enforcement, preventive enforcement, and reactive patrols.*

#### **61.1 Traffic Enforcement**

##### **61.1.1 Selective Traffic Enforcement Activities**

The University Police Department does not conduct selective traffic enforcement activities.

##### **61.1.2 Uniform Enforcement Procedures**

Traffic law enforcement involves all police activities or operations which relate to observing, detecting and preventing traffic law violations and taking appropriate action under the circumstances. Enforcement not only involves arrests and citations, it also includes effective warnings to motor vehicle operators and pedestrians which help deter them from committing minor and inadvertent violations. Enforcement can be reactive to observed violations, at accident scenes or in response to community concerns, or it may be proactive to effectively address traffic violations.

University Police officers will not enforce the provisions of the Maryland Vehicle law beyond the officer's jurisdiction or as designated by the Memorandum of Understanding between the department and the City of Salisbury. Refer to Chapter 2 – Agency Jurisdiction and Mutual Aid.

##### **A. Physical Arrests**

Officers will make a physical arrest, in compliance with Maryland Transportation Code, Section 26-202, of:

1. Violators of traffic laws pertaining to driving under the influence of alcohol or other intoxicants;
2. Whenever a felony has been committed involving a motor vehicle;
3. When a motor vehicle operator refuses to sign the promise to appear on a traffic summons;
4. When the officer has reason to believe that the person will not comply with the summons;
5. Whenever the operator is a non-resident.

If a physical arrest is made, the officer will complete all required paperwork (Offense report, arrest report, supplemental reports, etc).

##### **B. Citations**

Maryland Uniform Complaint Citation may be issued to a violator who jeopardizes the safe and efficient flow of vehicular and pedestrian traffic, including hazardous moving violations or operating unsafe and improperly equipped vehicles. Instructions for the completion of a citation may be found within the District Court fine schedule.

Refer to 82.3.4 – Traffic Citations

C. Warnings

A warning may be issued to a violator whenever there is a minor traffic infraction committed in those areas where traffic accidents are minimal. An effective warning can be more of an effective deterrent, while building a positive rapport with motor vehicle operators, than any other type of enforcement action. The officer should take into account the time of day, the volume of pedestrian and vehicular traffic, and weather conditions when deciding to give a warning.

D. Equipment Repair Order (warning)

An equipment repair order may be issued for defective equipment violations. These violations may include, but are not limited to:

1. Inoperative headlights and/or taillights;
2. Defective muffler;
3. Cracked windshield.

### **61.1.3 Procedures for Handling Traffic Law Violations – Special Requirements**

The University Police Department will enforce all State traffic laws and University traffic rules and regulations equally without regard to the person's actual or perceived gender, race, age, color, religion, national origin, sexual orientation, or socio-economic status. The following categories may require some special considerations:

A. Non-Residents of the City of Salisbury/Non-affiliates of SU – Non residents/affiliates may be treated in the same manner as residents/affiliates. It will be at the officer's discretion as to the type of action taken in each case however, consideration of a warning should be given to nonresidents who commit a minor, non-hazardous violation.

B. Juveniles – Generally, juveniles who have committed a traffic violation will not be taken into custody rather officers should consider the use of warnings for minor, non-hazardous violations. Citations may be issued to juveniles who are aged 16 or 17 unless the violation is punishable by incarceration. If the violation carries a penalty of incarceration and/or the juvenile is less than 18 years of age, then the juvenile will be taken into custody, and a "Police Referral for Juvenile Charges" will be completed and forwarded to Department of Juvenile Services. The juvenile's parent, custodian or legal guardian will be notified and the juvenile will be released to their custody unless circumstances (ie. felony motor vehicle violations) dictate notifying the Department of Juvenile Services prior to the release of the juvenile to a parent.

Refer to 44.2.1 – Juvenile Offenders

C. Elected or Appointed Government Officials – Under the Annotated Code of Maryland: during the session of the General Assembly and for five days before and after the session, the Lieutenant Governor, a member of the General Assembly, or the Clerk thereof and their assistants, shall be privileged from being taken into custody except for treason, a felony or a breach of the peace. The issuance of a traffic summons for a moving traffic offense is allowed, as is a physical arrest in the case of an offense involving DUI.

*U.S. Congressmen - Article I, Section 6, of the United States Constitution provides members of the United States Congress privilege from arrest during the session of their respective houses, and in going to and returning from the same. During the period specified by the United States Constitution, enforcement personnel may warn or issue a citation, but will not require United States senators or representatives to post bond or be subjected to custodial arrest except in cases of treason, felony, or breach of the peace, e.g., assault or driving while intoxicated.*

D. Foreign Diplomats/Consular Officials – A driver who is stopped for a traffic violation who has proper and valid identification indicating immunity may be issued an appropriate citation or warning. The issuance of a citation does not constitute an arrest or detention. Officers should give strong consideration to issuing a warning rather than a citation when coming into contact with a driver with diplomatic immunity.

- a. DWI - If necessary, Field Sobriety tests may be administered to assist the officer in determining if a public safety issue exists. The primary consideration in a DWI incident is assurance that the driver does not endanger himself or herself or the public. The driver should be told that the officer's primary responsibility is to care for the safety of the official and the safety of others. Preventive steps may include taking the subject to another location to permit sufficient recovery to drive safely, providing transportation, or taking other appropriate corrective action while respecting any immunity that may apply. Access to a telephone must be provided.
- b. Reasonable constraints may be applied in emergency circumstances involving self defense, public safety or the prevention of serious criminal acts.
- c. Papers, documents or archives of a person entitled to immunity or in a vehicle bearing valid federal diplomatic plates remain inviolable, even if the driver is restrained or the vehicle removed or immobilized.
- d. Contacts for Verification:

Current status of federal diplomatic license tags, registration or other motor vehicle documentation can be checked by contacting the 24-hour number 571-345-3146.

- Diplomatic agents and family members:
- Administrative and technical, Servicestaff, and families:
- Consular personnel and families:
- International organizations:

United Nations (New York) - verification information is available from the Host Country Section of the U.S. Mission to the U.N. in New York:

**NOTE:** Current telephone numbers for consular or diplomatic inquiries are maintained in the Consular Notification and Access Manual located on the "O" drive and in the Squad Room.

E. Military Personnel – Military personnel may be treated as nonresidents unless they live in this area.

*(Revised 06/09/2016)*

#### **61.1.4 Informing the Violator of Rights and Requirements**

At the time a motor vehicle operator is charged with a violation, the Maryland Uniform Complaint and Citation will be issued by the officer, who shall explain the following information to the operator. The citation contains information, to include:

- A. How to schedule a court appearance;
- B. Whether a court appearance is optional or mandatory;
- C. Notice of whether the motorist is allowed to enter a plea and/or pay the fine prior to court;
- D. Any other information necessary prior to the release of the motorist.

The officer shall also fully explain the rights and requirements regarding the citation(s).

#### **61.1.5 Uniform Enforcement Policies**

The following policies for traffic law violations will serve as guide for University Police Department officers who engage in traffic law enforcement with the intent to seek voluntary compliance with Maryland traffic laws and regulations:

- A. Driving Under the Influence of Alcohol/Drugs – Officers should detain all persons suspected of driving under the influence of alcohol or drugs for the purpose of obtaining an evidentiary test. Once a person has been taken into custody for investigation of DUI, the officer will follow the procedures and use the forms that have been set forth by the State of Maryland for properly administering the evidentiary breath or blood test. Evidentiary samples may be obtained either by a certified breathalyzer operator or through a qualified healthcare professional by drawing blood.
- B. Driving While License Suspended/Revoked – Officers will check a violator's license through the Department of Motor Vehicles system. When an officer has identified that a violator has a suspended or revoked license they shall ascertain if the suspension is civil or criminal. The type of suspension will determine if the violator is issued a citation, or is physically arrested. Under no circumstances will the violator be allowed to drive the vehicle. The vehicle may be removed from the area by another licensed operator or by a tow company. If the vehicle is legally parked, it may be left at that location if the vehicle is not considered a traffic hazard.
- C. Speeding Violations – As University patrol units are not calibrated for speed, Officers may use their experience in determining when a vehicle is operating at a speed greater than reasonable on roadways within their jurisdiction. Officers should refer to Maryland Vehicle Law, Section 21-801- Basic Rules – Speed Restrictions. Officers may use verbal or written warnings or a citation.
- D. Hazardous Violations - Hazardous violations mean violation while the motor vehicle is being operated on a public highway over which the operator has control to commit the act. Hazardous moving violations may be enforced with a verbal or written warning.
- E. Off Road Vehicle Violations – Off road vehicles include mini-bikes, four-wheelers, three-wheelers, and snowmobiles. Any violation of Maryland law may be enforced through warnings or citations. Persons operating an unlicensed vehicle on a public highway shall be directed to remove the vehicle from the highway. Unlicensed juveniles operating on public highway shall be stopped and not allowed to continue. The juvenile's parent or guardian will be notified about the incident and be requested to come and take custody of the juvenile and the vehicle.

F. Equipment Violations – Officers observing equipment violations should stop the vehicle and give a verbal or written warning or issue an Equipment Repair Order. If an ERO is issued, the officer must tell the violator that he/she has 10 days to have the defective equipment repaired. Once repairs have been made, the ERO must be signed and certified by an authorized Maryland Inspection station. Those defects marked with an asterisk (\*) may be certified by a Maryland Inspection station or a police officer. The certified ERO must then be returned to the Maryland State Police Automotive Safety Enforcement Division within 30 days.

G. Public Carriers/Commercial Vehicle Violations – Officers trained in the detection of public carrier/commercial vehicle violations shall enforce such violations as he/she would any other violation. The officer may enforce these laws with warnings or citations. Any officer may enforce violations related to driving a commercial vehicle without a CDL, or DUI with a CDL endorsement. Officers are encouraged to contact MVA – Enforcement Division for guidance on commercial vehicle law enforcement.

H. Non-Hazardous Violations – Non-hazardous violations mean any violation pertaining to parked vehicles, equipment, size, weight, inspection, or registration of the vehicle, or other similar violations deemed to be non-hazardous by the officer. These violations may be enforced by the use of warnings or citations.

I. Multiple Violations – Officers may use their discretion when dealing with multiple violations. The department does not condone “stacking” tickets when the purpose is anything other than in the service of public safety and/or education. The officer may issue warnings or citations for any or all of the violations when warranted. If a criminal act or traffic infraction with a penalty of incarceration has occurred, the officer may arrest the violator. If there are other violations observed, the officer may issue any of the above enforcement actions in concert with the citation.

J. Newly Enacted Laws and/or Regulations – When a new law or traffic control device is put into effect, the officer should use his/her discretion for the first week or two by using verbal and written warnings when enforcing the law or device. Nothing in this policy shall prevent the officer from issuing a citation.

K. Violations Resulting *In* Traffic Collisions – When completing the citation, check the appropriate block if the defendant contributed to the accident, and indicate whether an injury or property damage accident.

Refer to 61.2 – Traffic Collision Investigation

L. Pedestrian and Bicycle Violations – Officers shall use their discretion when dealing with pedestrians and bicyclists. Depending on the seriousness of the action, verbal and written warnings may be used as well as citations when enforcing state laws regarding bicyclists and pedestrians.

#### **61.1.6 Traffic Enforcement Practices**

A. Visible Traffic Patrol – University Police Officers may be involved in visible traffic patrol during the course of their patrol duties, which may include observation and enforcement of traffic violations.

1. Area Enforcement – Traffic enforcement in an officer’s assigned patrol area for that shift.

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2. Special Enforcement – Traffic enforcement on particular streets in and around the campus, or enforcement of particular violations will be in accordance with the MOU between the City of Salisbury (Police) and SUPD.
3. Directed Enforcement – Traffic enforcement at a precise location for an explicit reason (i.e. stop sign enforcement at a specific intersection).

B. Stationary Observation – Officers may use covert or overt observations in traffic law enforcement. Officers should be visible to the general public while they are completing paperwork so that the public will be reminded and encouraged to obey traffic laws. The use of covert observation may be used to enforce specific violations in specific areas.

C. Use of Unmarked Vehicles – University Police Department does not use unmarked or unconventional patrol vehicles for traffic enforcement.

D. Roadside Safety Checks - University Police officers will not generally conduct roadside safety checks, unless the officer is involved in a joint effort, such as a DUI enforcement patrol/checkpoints/seat belt checks conducted jointly with local law enforcement agencies.

#### **61.1.7 Procedures for Stopping/Approaching Traffic Law Violators and High Risk Stops**

The following steps in stopping and approaching a traffic violator are intended to provide maximum safety for the officer, the violator, and other users of the roadway. Varying conditions regarding the engineering of the particular traffic artery, the urgency to stop the violator (suspected DUI driver), and the existing volume of traffic may require adjusting or altering the recommended procedure. These procedures are to be followed when possible, and are presented from the perspective that ideal conditions exist. Due to the possibility of potential risk factors unknown to the officer at the time of the stop, officers should always be cautious when approaching a vehicle and its operator.

##### **Stopping the Vehicle**

- A. The officer, upon activating emergency equipment (ie. lights and siren) should direct the driver to a location providing the best possible visibility and lighting, avoiding stopping on curves or other potentially hazardous locations.
  1. The officer will notify the Communications Center of the intended location of the traffic stop, the license number, and the number of occupants of the vehicle.
  2. The officer should be thoroughly familiar with the area, and anticipate the appropriate location to stop the violator. Consideration should be given to a location with ample space, appropriate lighting, and should avoid stops on hills, curves, intersections, private drives, and business locations which have limited parking.
  3. The officer should signal the violator to stop. This signal should be with emergency bar lights, hand signals, sounding the horn, and if necessary, the siren. When appropriate, the officer should use the vehicle's public address system to direct the driver of the suspect vehicle. These signals also alert other drivers of the intent of the officer and will usually facilitate securing the right of way for the stopping maneuver.

4. The violator should be signaled and directed to the right side of the roadway close to the curb, or onto the shoulder if engineering design of the roadway permits.
5. Should the violator stop abruptly in the wrong lane or in another undesirable location, he should be promptly directed to move to a safer location. Officers should use the public address system to instruct violators to move to a safer location. If the officer's verbal directions and gestures are insufficient to bring understanding, the officer should quickly exit from the patrol vehicle and give verbal instructions to the violator.
6. Whenever possible, the officer should place the police unit eight to ten feet behind and two to three feet to the left of the stopped vehicle so that it will offer the officer some protection from oncoming traffic. This position provides maximum safety to the violator, the officer, and all other traffic.
7. The violator should not be permitted to move his vehicle once it has stopped, if it is suspected the driver is drinking to the extent that his driving ability is impaired.
8. The officer should exit from the patrol vehicle and be continuously alert for any suspicious movement or actions on the part of the violator or other occupants in the violator's vehicle.
9. At night, the procedure is basically the same with the additional necessity of exercising caution in selecting an appropriate place for the traffic stop, signaling the violator (the spot light should not be used except in extreme situations), and positioning the police vehicle. After the stop, the headlights should be on low beam for the safety of oncoming traffic, and emergency bar lights in use on the patrol vehicle as well as emergency flasher lights.

#### **Approaching the Stopped Vehicle**

- A. The officer should approach the stopped vehicle as quickly as possible after notifying the Communications Center. The officer should not allow the occupants of the vehicle to exit or approach the police vehicle.
  1. The officer should approach the vehicle from the left rear, constantly observing the occupants of the vehicle. For safety and tactical advantage, officers may approach the vehicle from the right rear at their discretion.
  2. As he approaches, the officer should check the trunk, rear doors, and rear seat.
- B. The officer should ensure that his gun hand is free by carrying his flashlight in his opposing hand.
- C. When speaking with the driver, the officer should stand slightly to the rear of the driver's door, facing the driver. This stance allows an unobstructed view of the vehicle interior and prevents the officer from being struck if the driver opens his door.
  1. If the rear-seat passengers present a potential threat to the officer, he should stand at the rear of the driver's side passenger door. He should then instruct the driver to pass his documents to the rear-seat passenger, who will then give them to the officer.
  2. If the officer approaches the vehicle from the right side, officers should stand slightly to the rear of the passenger's side front or rear door as necessary.
  3. In those traffic stops made by two officer patrol vehicles, the passenger officer should be responsible for all radio communications, writing all notes and messages relayed

from the communications center, and during the traffic stop should exit the vehicle and act as an observer and cover for his fellow officer. At no time should the two officers approach the violator together, except during Field Training.

### **Officer Conduct**

A. Officers should follow these steps when interacting during vehicle stops:

1. Greet the motorist courteously.
2. Identify himself as a University Police Officer.
3. Ask for the driver's license and registration, and insurance cards, if necessary.
4. Disclose the violation to the violator.
5. Request any justification for the violation (for potential court purposes).
6. Take the appropriate enforcement action (warning, citation, etc).
7. Leave the subject with a friendly closing (e.g. "Please Drive Safely").

### **High Risk/Felony Vehicle Stops**

A. Officers of the University Police Department will stop and apprehend dangerous criminals in a manner that will minimize the risk of harm to the general public and maximize the safety of the officers involved. Officers should use their training and experience in adapting these principles to meet each new tactical situation.

B. Officers will not hesitate to call for backup when stopping potentially dangerous vehicles. Some situations which would require a high risk stop include:

1. *The vehicle, driver, or passengers are believed to have been involved in the commission of a dangerous felony;*
2. *A weapon is visible or believed to be involved in the incident;*
3. *The officer believes that the occupant(s) of the vehicle present an increased risk of harm to the public or the officer.*

C. Officers shall not attempt to stop the vehicle until the second police unit has arrived. The officer will maintain a safe distance from the suspect vehicle and follow it until the second unit arrives.

1. In the event that the suspect vehicle stops before other officers arrive, the initiating officer should, while remaining a safe distance from the vehicle:

- a. Draw his weapon and cover the occupants of the vehicle while assuming a position that will afford him good cover (e.g. crouched between the door frame and door of the officer's vehicle).
- b. The officer should utilize his vehicle's public address system to give verbal commands to the occupants of the vehicle, instructing the occupants to raise their hands in the air, palms to the rear.
- c. Officers should continually watch for suspicious movements by the occupants and instruct the driver to turn off the vehicle with the left hand and to drop the keys out the window. After this has been confirmed visually, instruct the driver to return his hand to the air, palm rearward.
- d. The initiating officer has now established containment and control over the occupants and the vehicle. Hold this protective cover position until further assistance arrives.

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- D. Once the second unit has arrived, the first unit will determine the location for the vehicle stop. The ideal location should have good light, few avenues for escape, and should present as little danger as possible for the public.
- E. Upon reaching the selected location, the first unit shall initiate the stop, taking care to provide the Communications Center with all necessary information for a traffic stop (e.g. location, registration number and state, vehicle description and description of occupants).
  - 1. The first vehicle should stop about forty feet behind the suspect vehicle in a manner that will provide the cover for the officer and light on the suspect vehicle.
  - 2. The second vehicle should be positioned to the left of the initiating officer's vehicle and angled slightly toward the suspect vehicle. In the event that conditions do not allow this positioning, the second officer should position his vehicle to the right of the initiating officer's vehicle.
  - 3. Subsequent vehicles should block traffic traveling both directions on the road where the stop is occurring. These officers should take care to minimize any backlighting of the initiating and secondary vehicles and avoid placing themselves in a cross-fire situation.
- F. Once the suspect vehicle has been stopped, the initiating officer should draw his weapon, cover the occupants of the vehicle and assume a position that will afford him good cover (e.g. crouched between the door frame and door of the officer's vehicle). The officer should utilize his vehicle's public address system to give verbal commands to the occupants of the vehicle. Officers should continually watch for suspicious movements by the occupants.
  - 1. One officer should issue all commands to the occupants of the vehicle.
  - 2. Use strong, clear, short commands striving for complete control.
  - 3. Convey via words and actions to the driver and passengers the serious nature of the stop and of the absolute necessity for their compliance.
  - 4. Direct commands to specific individuals in the vehicle.

The following are suggested commands:

- 1. "Driver and passengers, put your hands up with your palms to the rear."
- 2. "Driver, with your left hand, turn the ignition off and then drop the keys out the window."
- 3. "Driver, put your hands up with your palms facing to the rear."
- 4. "Driver, place both hands and arms out the window with your palms toward me."
- 5. "Driver, open the door from the outside."
- 6. "Driver, step slowly from the vehicle and keep your hands in the air."
- 7. "Driver, turn your back toward me." (If the driver is already facing away from the officer, this command may be omitted.)
- 8. "Driver, slowly walk backwards toward me."
  - a. If the vehicle is a van, the officer may direct the driver to open the rear door(s) of the vehicle at this time.
  - b. Have the driver continue walking backwards until he is approximately 5-10 feet from the patrol cars.
- 9. "Driver, halt. Get down on your knees."
- 10. "Driver, cross your legs."
- 11. "Driver, lie down on the ground and spread your arms and legs."
  - a. At this point, a backup officer should be directed to handcuff and retrieve the driver. When the driver is returned behind the patrol vehicles, he should then

be searched by other officers.

12. Steps 4 through 11 should be repeated for each passenger.
13. When no further occupants are visible, again call to any occupant in the vehicle that may be hiding. "Passenger, sit up and put your hands in the air"

Once all occupants are out of the vehicle and while using all available cover, to include moving a patrol vehicle forward, have an officer advance to a position where he can observe the interior of the vehicle. If another subject is observed, instruct him to exit the vehicle as with the other passengers.

When it has been determined that there are no other occupants in the vehicle, have an officer retrieve the keys to the vehicle.

1. Move a patrol vehicle directly behind the suspect's vehicle, stopping approximately 2-3 feet from its bumper.
2. Have officers assume positions behind cover with a clear line of fire on the trunk compartment.
3. When officers are in position, remotely open the trunk of the vehicle. The siren of the patrol car may be sounded as a diversion at this time.
4. If the vehicle does not have a remote trunk release, have an officer crouch below the trunk and open it, taking care to remain out of the other officers' line of fire.

If the driver flees from the vehicle and no passengers are in the vehicle, both officers should pursue the driver; notifying Communications personnel to contact allied police agencies if their assistance is necessary.

1. If the driver or a passenger flees and other subjects remain in the vehicle, the primary officer shall remain in position covering the vehicle and the secondary officer should pursue the fleeing subject, taking care not to expose himself to danger from the vehicle.
2. If more than two officers are present, the primary officer shall determine the deployment of the additional officers.

#### **61.1.8 Officer/Violator Relations**

- A. Traffic law enforcement is one of the many tasks that is performed by officers. This type of enforcement is usually one of the first personal contacts that violators have with the police. For some violators, it is an emotionally traumatic experience. Officers should be aware of these circumstances and try to make each contact educational with the purpose of favorably altering the violator's future driving habits. Officers should perform their job in a professional and courteous manner, making a conscious effort to display themselves and the department in a positive way.
- B. Once the violator has been stopped, the officer-violator relations begin. The officer should:
  1. Present a professional image in dress, grooming, mannerisms, language, bearing and emotional stability.
  2. Be absolutely certain of the observed traffic violation, without reservations. Decide on appropriate enforcement action prior to initiating contact with the violator. Enforcement action should not be based on the violator's attitude.

3. Officers will introduce themselves to the violator with rank, name, and department, i.e. "Hello, my name is Officer \_\_\_\_\_ of the University Police Department", and tell them the reason for being stopped, i.e. "I stopped you today because \_\_\_\_\_".
4. Request that the violator produce his/her license, registration and proof of insurance, if necessary for the stop. The officer should accept only these items unless there is a need for another type of identification.
5. Discuss the violation with the violator **being sure not to berate, belittle, argue with, or verbally abuse** him/her. The officer should inform the violator what enforcement actions he/she is going to take.
6. Be alert for signs of physical impairment, drug and/or alcohol abuse, and emotional distress. If the officer observes any of the above, he/she should take appropriate action.
7. Have the necessary forms and equipment in the patrol vehicle for immediate use.
8. The necessary forms will be filled out completely and legibly. The officer will explain to the violator what he/she need to do in response to the action taken, whether it be paying a fine, appearing in court, or a written warning. The officer will also explain to the violator what affect the enforcement action will have against the operator's driving record.
9. Assist the violator in re-entering the flow of traffic safely after the stop is completed.

#### **61.1.9 Speed Measuring Devices**

The University Police Department does not use speed measuring devices.

#### **61.1.10 Alcohol Enforcement Programs**

The University Police Department does not use alcohol enforcement countermeasures.

#### **61.1.11 DUI Procedures**

Driving under the influence has been interpreted by various courts to mean that the ability to operate a motor vehicle is reduced or impaired by the consumption of alcohol or drugs. This does not imply that the operator of a motor vehicle be in a state of alcoholism or drug-induced stupor or be entirely incapable of exercising physical control of this vehicle. The following guidelines for the proper detection, investigation, processing and reporting of persons suspected of driving under the influence of alcohol or drugs will be applied.

- A. Maryland Law – each officer will be familiar with the laws which relate to driving under the influence (specifically Maryland Transportation Article section 21-902) and the current applicable legislation that defines intoxication in terms of blood alcohol levels.
- B. Equipment – The department utilizes the Alco-Sensor preliminary breath-testing (PBT) equipment. Squad supervisors will ensure that equipment is available for use at all times while officers are on duty.

C. Locating and Stopping -

1. As soon as an officer suspects a driver of being under the influence, observations should be noted for future reference.
2. In most cases the officer will observe deviations from normal driving behavior. The following deviations are some of the indicators that a driver might be suffering some form of impairment to include, but not limited to:
  - i. Turning with wide radius;
  - ii. Straddling center of lane marker;
  - iii. Appearing to be drunk;
  - iv. Almost striking object or vehicle;
  - v. Weaving;
  - vi. Driving on other than designated roadway;
  - vii. Swerving;
  - viii. Speed more than 10 mph below limit;
  - ix. Stopping without cause in traffic lane;
  - x. Following too closely;
  - xi. Headlights off during hours of darkness.
3. When you have observed a driver whose actions are similar to the above or are not consistent with sound driving practices, an immediate stop should be made.
4. Be alert and use extreme caution when stopping a suspected intoxicated driver. Keep in mind that alcohol or drugs affect judgment and may result in erratic and foolish behavior.
5. Follow established procedures set forth in 61.1.7 for stopping traffic violators.

D. Officer Contact with Driver – Officers should be familiar with locations in and around the department's patrol areas that have a history of alcohol/drug-impaired drivers and alcohol/drug related crashes.

1. Officers will be familiar with the common indicators of operation under the impairment of alcohol/drugs and should use this knowledge to establish a legal reason to conduct a traffic stop. These may include, but not be limited to: weaving in the travel portion of roadway, following too closely, braking erratically, slow response to traffic signals, turning abruptly or illegally, etc.
2. Motor vehicle stops shall be made when the officer has reasonable suspicion that the operator is driving under the influence of alcohol/drugs. When feasible, the officer's observation of operation of the motor vehicle should be conducted prior to stopping a vehicle in order to aid in substantiating the officer's observation of possible impairment. All operators suspected of driving under the influence should be stopped as soon as reasonable suspicion exists and as safely as practical.
3. Under no circumstances will officers arrange for, or provide a ride to the operator in lieu of making an arrest for driving under the influence.

E. Standardized Field Sobriety Tests – Operators suspected of being impaired may be ordered to exit the vehicle to perform standardized field sobriety tests. Operators should be asked if he/she has any physical problems that would prevent the taking of any tests. The operator may be given such recognized tests as:

1. Horizontal Gaze Nystagmus (HGN)
2. Walk and Turn
3. One Leg Stand
4. Other tests which are recognized as establishing probable cause for DUI.

Officers should attempt to administer at least three (3) sobriety tests, if feasible, as the officers have been trained. If the operator cannot or refuses to perform any of these tests, the officer shall note this in his/her report.

A preliminary breath testing device (see equipment above) sample may be requested from the operator. However, the officer should not base his/her decision to arrest the operator solely on the results of this test. Other indicators should also be observed to establish probable cause.

The motor vehicle operator shall be taken into custody and processed for DUI if the officer develops probable cause that the operator was in fact driving under the influence.

E. Drug Recognition Expert (DRE) – Operators suspected of being impaired or under the influence of drugs rather than alcohol, based upon observed clues from standardized field tests or the results of a PBT, may require the examination by a DRE. If a DRE is needed:

1. The Drug Recognition Expert shall be requested through the Police Communications Center. The on-duty PCO will contact the Maryland State Police to determine if a certified DRE is on-duty and available to respond to the location of the stop.
2. The request for a DRE will be made as soon as possible as some drug impairment effects diminish rapidly. The DRE should be consulted prior to the arrest of the operator. Upon examination and determination that the operator is under the influence of drugs, the DRE will prepare a written report/evaluation; a copy of which will be obtained and placed in the officer's case file.
3. If a DRE is unavailable at any allied police agency, the officer will consider the elements of probable cause prior to the arrest of the operator. These include observed clues, whether the operator admits to ingesting some form of illegal substance and/or drug, physical appearance of the operator, etc.

F. Arrest of Violator – All motor vehicle operators suspected of DUI shall be taken into custody pursuant to the Maryland Transportation Article.

Refer to Chapter 70.1 – Detainee Transportation Operations

Prior to transporting the DUI arrestee, the passenger compartment of the suspect vehicle will be searched incident to arrest for evidence of the crime and/or weapons as permitted under Maryland law. Any evidence of any crime shall be seized and inventoried for inclusion in the report for probable cause of the arrest. Any evidence seized shall be placed into the Property and Evidence room.

Refer to Chapter 84.1 – Property and Evidence Control System

- G. Forms and Reports - See *DUI Enforcement Manual* which is provided to each officer and located in the Squad Room.
- H. Passengers – All passengers should be identified and every reasonable effort made to obtain a written statement from him/her.

Those passengers who are impaired shall not be permitted to drive the vehicle. Officers shall make every effort to arrange transportation from the scene for any passengers in need of that service.
- I. Suspect Vehicles – Any vehicle stopped in the traffic portion of the roadway or in a location where the vehicle cannot be left safely, shall be moved by one of the following:
  1. Moved or removed by a non-impaired passenger, or another person contacted for the operator, with his/her permission, who has a reasonable response time and who has a valid driver's license.
  2. Moved out of the travel portion by the officer with the permission of the operator.
  3. Removed or impounded by a towing company, at the request of the officer or the operator.
  4. All vehicles left at the scene shall be secured to the best of the officer's ability. Items that are unable to be secured may be removed by the officer and held at the department until released to the owner or person of his/her choosing.
- J. Anytime an officer has contact with a motor vehicle operator who appears to be in need of medical attention due to his/her level of intoxication/impairment by alcohol, drugs or other substances, officers will ensure than medical attention is given by Emergency Medical personnel. Medical attention does not replace the proper enforcement of laws and placement of charges but rather to ensure the well-being and proper care of the motor vehicle operator if medical services are necessary.

#### **61.1.12 License Reexamination Referrals**

- A. Officers detecting an operator who appears to be incompetent, physically or mentally disabled, or suffers from a disease or other condition that prevents the operator from exercising reasonable and due care over a motor vehicle, shall forward a written request to the Maryland Department of Motor Vehicles on form AJ-39 requesting reexamination of the licensed operator.
- B. The request should contain the following:
  1. A detailed description of the observed problem.
  2. The summary portion of the request must be written in such detail that reasonable grounds for reexamination are conclusively established.
  3. The officer will sign the request. If there is an accident involved, a copy of the accident report will be sent with the request to the Department of Motor Vehicles.
  4. A Squad Supervisor will review and approve the request.

### **61.1.13 Parking Enforcement**

- A. All existing Salisbury University parking regulations will be enforced by University Police Department personnel (officers, student patrols, etc) with reasonableness and impartiality in all parking areas of the university unless otherwise requested by the Chief of Police or his/her designee. Enforcement will generally be initiated on:
  - 1. Complaints received;
  - 2. Existing traffic hazards;
  - 3. Areas of continued violations;
  - 4. Officer initiated actions.
- B. Personnel will enforce violations on university owned and operated property, fire lanes, and disabled persons parking spaces in accordance with Maryland Educational Article 13-601.
- C. Violators may be issued a University Parking Citation or Warning.
- D. Violators may initially be given a warning and on subsequent violations, a parking citation is warranted. However, the officer/student patrol has the discretion depending on the nature of the violation.
- E. If a vehicle is observed parking in an appropriately marked (handicap) area not displaying a disabled plate, placard or medical permit, the vehicle shall be issued a parking citation.

## **61.2 Traffic Collision Investigation**

The University Police Department performs a variety of traffic functions, to include traffic collision investigation, in an effort to reduce the number of motor vehicle collisions, determine any causative factors involved in the crash and utilize these factors to develop enforcement strategies that will reduce the incidences of collisions. University Police officers shall respond to and investigate traffic collisions in accordance with policies outlined in this directive.

### **61.2.1 Reporting and Investigation**

*and*

### **61.2.2 Collision Scene Responses**

- 1. It shall be the policy of this agency to investigate and fully report the following types of traffic collisions:
  - A. Death and Injury collisions;
  - B. Property Damage collisions;
  - C. Hit and Run collisions when a witness is available or when a description, in whole or in part, of the striking vehicle is available or when evidence exists which may result in identifying the striking vehicle;
  - D. Collisions caused by impairment due to alcohol or drugs;
  - E. Collisions involving hazardous materials;
  - F. Collisions occurring on private property (ie. SU Foundation or other university-affiliated property);
  - G. Collisions involving government-owned vehicles or property;
  - H. Property damage collisions when a vehicle becomes to the point as to prevent its normal and safe operation, except collisions occurring on private property.

2. Maryland Transportation Article Title 20
  - A. Title 20 specifies the responsibilities of drivers involved in motor vehicle collisions resulting in bodily injury, death and damage to attended and unattended property. Also specified is the driver's duty to give information, render aid and furnish insurance information.
  - B. Written accident reports are required by each driver involved in a collision that results in bodily injury or death of any person, which is not investigated by a police officer, within 15 days after the accident.
3. Reporting and Response – *ACRS Reports* and Driver Exchange Reports
  - A. Officers who investigate collisions, at the time of the collision or anytime thereafter by interviewing participants or witnesses, for which a report must be made, shall complete an *electronic ACRS (Automated Crash Reporting System) report which is accessible by the Maryland State Police.*
  - B. Officers should also respond to any collision involving disturbances between principles, or which create major traffic congestion as a result of the collision or where vehicles are damaged to the extent that towing is required.
  - C. Officers may be assigned to respond to any other collision not listed above, to assist persons involved with information exchange among drivers. In these situations, officers shall facilitate the exchange of information by the completion of a Driver Exchange form, SUPD form 009. One copy will be distributed to each driver involved in the collision.
    1. Officers shall ensure all operators involved in the collision possess a valid driver's license and registration.
    2. Officers shall ensure that owners are notified of property damage as a result of an accident regarding the striking vehicle and its operator.
    3. Officers shall ensure that all parties to the collision understand what is legally required of them - with the understanding that because an officer arrives on the scene of a collision and supplies operators with necessary forms does not mean the collision has been investigated.
    4. Officers shall ensure that the free flow of traffic is restored prior to leaving the scene.
  - D. Where significant damage has occurred on a public roadway and fault can be clearly determined, officers shall complete a *ACRS report and place the appropriate traffic charges*, even though the vehicles can be safely driven from the scene.
  - E. Upon receiving a report of a motor vehicle collision that requires the services of the police, officers shall:
    - i. Proceed to the scene as expeditiously as possible in such a manner that will not endanger motorists, pedestrians or citizens in general. Upon arrival at the scene, officers will position the patrol unit in a manner which protects the scene as well as the officer and those involved in the collision.

- ii. In the event of reduced visibility and/or darkness, officers shall wear their issued reflective safety vest if the officer is required to be in the travel portion of the roadway where the collision occurred for investigative purposes. Flares may be used to create an illuminated warning pattern to alert other motorists and to detour traffic safely around the collision scene.

See 61.1.5 – Uniform Enforcement Policies

### **61.2.3 Collision Scene Responsibilities**

Collision scene responsibilities for responding officers include:

- A. The first officer on the scene will assume command of the scene and will direct other responding officers to locations to assist with traffic control or other assignments as necessary. The first officer on the scene will relinquish command, if and when, advised by a higher ranking officer who arrives on the scene. In the event the Maryland State Police Crash Team is requested and arrives to investigate due to the severity of the collision, command will shift to the highest ranking officer on that team. Although the MSP Crash Team may assist in determining the cause of the crash and analyzing other factors, the UPD officer on the scene does not relinquish his/her role in the investigation. UPD Officers will be responsible for the completion of the ACRS report, interviewing witnesses, gathering evidence, etc.
- B. The first responding officer on the scene will identify the number and nature of injured persons and administer emergency medical care (basic life support measures) pending the arrival of fire/rescue personnel.
- C. Identifying potential or actual fire hazards or other dangerous conditions so that appropriate action can be taken. This information shall be relayed to Communications personnel who shall notify fire/rescue personnel prior to their arrival. Officer shall comply with the following procedures:
  - 1. When communicating the nature of the fire hazard to the Communications Center, officers will be specific in order to ensure an appropriate level of fire apparatus response. Examples of hazards include:
    - a. Leakage of fuels and/or other flammable liquids;
    - b. Smoke and/or fire visible;
    - c. Strange odor(s) coming from the vehicle; and/or
    - d. A "hissing" noise, or any other type of noise that would indicate the possibility of an explosion.
  - 2. If a fire hazard is detected, officers should consider one or more of the following, as necessary and appropriate for the situation:
    - a. Request additional officers to assist with traffic/crowd control;
    - b. Close the road and detour traffic around the accident scene and notify the Communications Center of the road closure.
    - c. *Use traffic cones if necessary.*

3. If hazardous materials are involved, officers should refer to their Emergency Response Guidebook to identify the material, in order to take the appropriate actions prior to the arrival of the Fire Department.
  - a. Officers must make Communications aware of the fact that hazardous materials are involved, and what type, in order to ensure the appropriate level of Fire/Rescue and Hazardous Incident Response Team response.
  - b. To ensure officer and bystander safety, follow the below listed United States Department of Transportation recommendations for "first responders":
 

**\* APPROACH CAUTIOUSLY** -- resist the urge to rush in to the actual scene because police officers are not adequately equipped with self-contained breathing apparatus or protective clothing.

**\* IDENTIFY THE HAZARDS** -- placards, container labels, shipping papers and/or knowledgeable persons on the scene are valuable sources of information. Officers must evaluate all of them and then consult the recommended Emergency Response Guidebook page so that no one, including the officer gets placed at risk.

**\* SECURE THE SCENE** -- without entering the immediate hazard area, the officer should do whatever is reasonable and appropriate to isolate the area and assure the safety of the officer, other persons, and the environment.

**\* OBTAIN ASSISTANCE** -- by notifying communications to have other officers and the Hazardous Incident Response Team respond.

**\* DECIDE ON SITE ENTRY** -- any efforts an officer makes to rescue persons, protect property or environment, must be weighed against the possibility that the officer could be harmed as well.

**\* ABOVE ALL** -- do not walk into or touch spilled/leaked materials. Avoid the inhalation of fumes, smoke, and vapors, even if no hazardous materials are known to exist. Do not assume that gases or vapors are harmless if no odor is present.
4. Approach the collision scene from "upwind" if possible and stay clear of all spills, vapors, fumes, and smoke.
5. Since police officers are not equipped with protection clothing, and because fire/rescue apparatus usually arrives promptly, fire suppression and rescues should be left to properly equipped and trained fire/rescue personnel.
6. Be cognizant of how and where the police vehicle is positioned/parked in relation to the scene because the vehicle could provide a means of ignition for a spilled/leaking substance or vapor.
7. Consider establishing a command post until the arrival of the Fire Incident Commander, who will then assume command of the scene.
8. Advise the on-duty Squad supervisor of the situation.
9. Avoid the use of road flares as they could provide a source of ignition. Use traffic cones if available.
10. If a vaporous cloud is prevalent, keep bystanders as far back as possible and upwind.
11. When attempting to identify the material, refer to the inside cover and page 1 of the Emergency Response Guidebook.

D. After the collision scene is stabilized and it is determined that a report is required, the investigating officer can begin to collect as much information as possible in order to begin an investigation and complete a report. Depending upon the nature of the collision, the collection of information may include:

1. Identifying the drivers and passengers;

2. Making preliminary tests for intoxication;
3. Locate, identify, and separate possible witnesses;
4. Measure and photograph to locate marks on the road and debris;
5. Measure and mark final positions -- "final resting place" of the vehicle(s) involved;
6. Measure and mark the location of bodies of persons killed or incapacitated;
7. Photograph damage to vehicle(s) and roadside objects and final positions of vehicle(s);
8. Examine the condition and functioning of traffic control devices and other road equipment;
9. Make a preliminary examination of the condition of vehicle equipment, i.e., lamps, tires, steering gear;
10. Examine occupant restraints for function (Seatbelts/airbags);
11. If upon the officer's arrival the collision is determined to be a minor property damage collision, the officer should have the involved parties move their vehicles to a safe location nearby where the officer can assist with an exchange of information.

E. Summoning additional assistance as necessary to protect the collision scene and preserve short-lived evidence (broken vehicle parts, etc) as well as ensuring the safe traffic flow around the collision scene.

1. Officers may use *reflective triangles* to facilitate the flow of traffic around the scene.
2. If the collision is serious and it is determined that roadways leading to the scene should be closed, officers shall assist in closing roadways and redirecting traffic until the collision scene is cleared.

F. Property belonging to collision victims that is in plain view and/or of obvious value that is not permanently affixed to the vehicle, should remain with the victim(s) unless it is contraband, seized as evidence, or if ownership cannot be determined.

1. If the victim is transported to a medical facility, the officer/investigator should transport the property to the medical facility and give it to the victim or a family member as part of the officer's follow-up activities.
2. If the victim's condition is such that the property cannot be released to the him/her and a family member is not available or the medical facility will not permit the property to be accepted, the officer shall place the property in the agency's temporary storage locker in accordance with procedures outlined in Chapter 84.
3. If any items are recovered as evidence and require processing techniques, items shall be packaged and submitted into the Property/Evidence Room in accordance with procedures outlined in Chapter 83 and 84.
4. The property/evidence custodian will ensure that any property of collision victims that does not possess evidentiary value is returned to the victim as soon as practical in accordance with established policies.

G. Ensuring that vehicles and debris is removed from the roadway as expeditiously as possible. If vehicle(s) are inoperable and are required to be towed from the scene, officers shall ensure that debris is removed from the roadway by the towing operator.

H. If a person has been severely injured or killed, the Maryland State Police Crash Team shall be contacted and assistance requested to investigate the collision. UPD officers shall assist jointly in the investigation and provide any necessary support required in the investigation and/or at the collision scene. Officers shall prepare required reports, to include *ACRS report*, initial incident

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reports, etc. to aid in the investigation and a copy will be forwarded to the investigating agency. The MSP Crash team will assist UPD officers in the investigation however, all reporting requirements and the placement of appropriate charges remains with this department.

#### **61.2.4 Follow-Up Activities**

- A. Certain follow-up activities in traffic collision investigations may be necessary. These include, but are limited to:
  1. Collecting off-scene data;
  2. Obtaining/recording formal statements from witnesses;
  3. Reconstructing collisions;
  4. Using expert/technical assistance; and
  5. Preparing formal reports to submit criminal charges.
- B. *The Automated Crash Reporting System (ACRS) report* will be completed as required in this policy. The coding of the ACRS report is standardized and is mandated by the State of Maryland. Detailed instructions for preparation are contained in the *ACRS manual* which is located in the Squad Room.
- C. Squad Supervisors shall ensure that officers fully investigate those collisions which are applicable in this policy and prepare an *ACRS report* as necessary.

### **61.3 Traffic Direction and Control**

#### **61.3.1 Traffic Engineering**

- A. When an employee receives a complaint or suggestion concerning any type of traffic engineering deficiency, he/she will relay the concern to the *Field Operations* Commander who shall notify the appropriate university department (i.e. Environmental Safety, Physical Plant/Maintenance, etc) or to the appropriate Public Works department if the concern is about a site in the City of Salisbury or Wicomico County, or the State Highway Administration.
- B. Accident reports submitted to the State by the University Police Department will be included in data collected by the State. If that data includes roadways outside SUPD's jurisdiction, the local or regional traffic engineering authorities will be notified so that engineering decisions and corrective actions may be taken.

#### **61.3.2 Direction/Control Procedures**

The University Police Department will ensure the safe movement of both vehicular and pedestrian traffic on and around the campus to include roadways. In order to enhance officer recognition and visibility while directing traffic, issued uniform hats will be worn during traffic direction activities except during periods of high winds or when the exigency of the situation precludes wearing the uniform hat. To ensure the safety of motorists and pedestrians, all department personnel assigned to direct traffic will wear their issued reflective traffic safety vests and will use the following uniform signals and gestures to perform manual traffic direction.

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A. Manual traffic control in most cases will be spontaneous and unpredictable. The following is a list of circumstances in which manual traffic control may be used to assist in the safe and organized flow of traffic:

1. Traffic collisions;
2. Malfunctioning traffic control devices;
3. Highway/road closings due to adverse weather conditions (snow, ice, heavy rain);
4. Hazardous highway/road conditions (construction, chemical spills, etc.)
5. Industrial accidents, fires, explosions;
6. Unusual occurrences (crime scenes, critical incidents, demonstrations).

Whenever an automatic traffic control device is available to control traffic it should be used. Officers should manually control traffic lights when special events/incidents require them to alter the cycles in order to maintain a safe and efficient flow of traffic. Officers should try to follow the normal traffic light progression when directing traffic at a malfunctioning traffic light.

See Procedures outlined below.

B. If manual control is the only method available, officers will position themselves safely and utilize traffic control signals approved by the department and taught during entrance level training. Prior to beginning manual traffic control, officers will notify the Communications Center of the problem location and the officer's intent to conduct manual traffic control.

When manually directing traffic, officers will use the following standard hand signals/procedures:

1. To indicate that the officer is present for the purpose of directing traffic, he/she shall, if possible and when necessary:
  - a. Turn the signal light to blinking or flashing.
  - b. Position themselves so that the officer can be seen clearly by all, usually in the center of the intersection or street.
  - c. Stand straight with weight equally distributed on both feet.
  - d. Allow hands and arms to hang easily at their sides except when gesturing.
  - e. Stand facing or with their back to traffic which has been stopped and with their sides to traffic which has been directed to move.
2. STOP – Officer will make eye contact with the driver, point at the driver and then extend his arm slightly above parallel with the ground with the hand raised.
3. TURN RIGHT – Officer will make eye contact with the driver, extend his left arm to point at the driver, move his left arm to point where he wants the driver to go, then use his right arm to motion the driver to turn.
4. TURN LEFT - Officer will make eye contact with the driver, extend his right arm to point at the driver, move his right arm to point where he wants the driver to go, then use his left arm to motion the driver to turn.
5. GO – The officer will make eye contact with the driver, point at the driver, then motion where he wants the driver to go.

6. To stop oncoming traffic:
  - a. Officer will make eye contact with the driver, point at the driver and then extend his arm slightly above parallel with the ground with the hand raised.
  - b. The pointing hand is raised at the wrist so that the palm is toward the person to be stopped and the palm is held in this position until the person is observed to stop. To stop traffic in both directions on a two-way street, the procedures is repeated for the traffic coming from the other direction while continuing to maintain the raised arm and palm toward the traffic previously stopped.
7. To start traffic:
  - a. The officer should first stand with his shoulder and side toward the traffic to be started, extend his arm and index finger toward and look directly at the person to be started until that person is aware or it can reasonably assumed that the driver is aware of the officer's gesture.
  - b. With the palm up, the pointing arm is swung from the elbow only, through a vertical semi-circle until the hand is adjacent to the chin. If necessary, repeat this gesture until traffic begins to move. To start traffic from both directions on a two-way street, the procedure is then repeated for traffic coming from the other direction.
8. Left Turn Movements
  - a. Left turning drivers should not be directed to effect their movement while the officer is also directing oncoming traffic to proceed. Therefore, the officer should either direct opposing vehicles to start while avoiding left turn gestures directed at turning drivers, which will lead them to complete their turn only when there is a gap in the oncoming traffic, or to stop or hold oncoming drivers, after which the left turning driver can be directed into his turn. The officer's right side and arm should be toward the oncoming traffic, and the left side and arm should be toward the left turning driver. After stopping oncoming traffic by using the right arm and hand, the right hand should remain in the halt position, then the extended left arm and index finger and officer's gaze is directed toward the driver who intends to effect a left turn. When the left turning driver's attention has been gained, the extended left arm and index finger are swung to point in the direction the driver intends to go.
  - b. In order to clear the lane occupied by a driver who intends to make a left turn, but cannot because of oncoming traffic, he can be directed into the intersection and stopped adjacent to the officer's position until the left turn can be safely completed. The driver should be directed into the intersection by pointing toward him with the extended arm and index finger, which is then swung to point at the position at which the officer wishes the driver to stop and wait for clearing traffic. In the alternative, the driver may be directed to move with one arm and hand gesture while the other arm and hand are utilized to point to the position at which the driver is to stop. After

the driver is positioned within the intersection, the officer may either halt oncoming traffic and direct the completion of the turn or permit the driver to effect the turn during a natural break in the oncoming traffic.

9. Use of flashlight with illuminated cone:

- a. To stop the driver with the baton, the officer should face oncoming traffic, hold the baton in the right hand, bend the right elbow, hold the baton vertical, then swing the baton from left to right through the arc of approximately 45 degrees.
- b. The GO and Left Turn direction are the same gestures as those previously described above except that the flashlight acts as an extension of the hand and index fingers. Signals and directions given with the aid of the flashlight should be exaggerated and often need to be repeated if poor visibility exists. The light should be turned off when not being actively utilized to give direction.
- c. A flashlight alone can be used to halt traffic, but less effectively and safely than with the cone attachment. To stop traffic slowly swing the beam of light across the path of oncoming traffic. After the driver has stopped, arm signals may be given in the usual manner, the vehicle's headlights providing illumination.

C. Traffic Control and Direction at Critical Incidents - Officers at a critical incident scene will provide traffic direction and control of the scene and assist arriving and departing emergency vehicles.

Officers assigned traffic direction and control at scenes will ensure that their vehicle is parked in such a manner as to aid in visibility and avoid blocking other emergency equipment and:

1. Prevent unauthorized vehicles or persons from entering the area;
2. Provide for easy access and exit of emergency vehicles;
3. Prevent unauthorized vehicles from driving over fire hoses.

D. Adverse Weather and Road Conditions - may include:

1. Accidental hazards, such as fallen debris;
2. Downed power/phone lines and trees;
3. Road construction;
4. Acts of Nature, such as fog, rain, snow, and ice;
5. Engineering hazards such as sink holes, missing manhole covers.

Any officer finding adverse road or weather conditions shall report the same to Communications and request assistance if needed. The Communications personnel will notify the appropriate agencies and log same in the computer.

Officers will provide traffic control, direction, and scene protection in the vicinity of the adversity. They will perform traffic direction and control as outlined:

- a. In the case of downed power lines, officers will not approach or touch these lines. Traffic direction and control will be conducted from such a distance as to allow for maximum safety.
- b. Squad Supervisors will be notified of such hazards and contact the appropriate department/service company to respond.

E. Circumstances Warranting Manual Traffic Control

Refer to 61.3.2 (A)

F. Temporary traffic control devices include moveable barriers, portable traffic signs, and other apparatus intended for temporary use to assist the safe and efficient movement of traffic. These temporary devices are only to be used while an officer is at a scene or obstruction. If assistance is required of other agencies, the Communications Center will ensure contact is made with the appropriate agency for their response to the scene.

G. All officers will wear their issued high visibility traffic vests while performing this function. During periods of rain, officers shall wear their issued raincoats with the green reflective side turned out for maximum visibility.

H. Traffic Control and Direction at Special Events - A variety of public and private events may require special accommodations be made for parking and traffic flow. These events may include, but not be limited to, parades, sporting events, dignitary visits, and graduation events.

1. The nature and extent of the traffic direction and control required will vary depending on the event. The *Investigative/Support Services Commander* and *Field Operations Commander* preparing for the event shall take the following into consideration the following when planning traffic control:

- a. Ingress and egress of vehicles and pedestrians, including emergency vehicles and VIPs.
- b. Parking provisions and prohibitions.
- c. Spectator control.
- d. Public transportation.
- e. Provisions for the media.
- f. Alternate routes of traffic.
- g. Temporary traffic control.

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### **61.3.3 Traffic Escorts**

A. Law enforcement escort services - Legitimate requests for escort services include dignitary visits, oversized loads, funerals, special events and hazardous or unusual cargo and will be approved by the Chief of Police. Persons requesting such escorts must possess appropriate permits and/or authorization from the University.

The *Field Operations* Commander is responsible for the planning and coordinating of all requested escorts. The Police Communications Center will be notified prior to the beginning of any escorts and at the end of the escort.

When the department elects to honor such requests, the following shall be considered:

1. Routes and vehicle speeds will be established.
2. Additional traffic control requirements along the route.
3. Control of the escort will be assigned to a specific Squad Supervisor or Patrol Commander.
4. The escort will be terminated when and if it poses an unacceptable risk to the public.
5. The use of police vehicle emergency equipment and lights will be specified in advance.

B. Escorts of civilian vehicles in medical emergencies

Officers will not normally escort civilian vehicles in medical or other emergencies. If an escort is necessary, the patient should be transferred to an ambulance. However, if in the officer's opinion, delay or transfer of the patient would jeopardize the patient's life, the officer may escort the vehicle to the nearest medical facility (PRMC). Officers will activate the lights and siren of the patrol vehicle as a civilian vehicle is escorted to the medical facility; deactivating lights and siren upon arrival at the facility. If time permits, the officer will first get permission to do the escort from the Supervisor/OIC.

### **61.3.4 Adult School Crossing Guards**

The University Police Department does not use adult school crossing guards in any capacity.

### **61.3.5 Student Safety Patrol Program**

The University Police Department does not use a student safety patrol program for the purposes of traffic direction. Student patrols are available for parking enforcement as outlined in 61.1.13.

### **61.3.6 Local/Region Planning Committee**

If there are criminal justice coordinating and/or local or regional transportation system management planning committees within the jurisdiction of the University Police Department, the Chief of Police, or his designee, shall participate in such meetings.

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## 61.4 Ancillary Services

### 61.4.1 Assistance to Highway Users

During the course of patrol duties, an officer may encounter motorists requiring assistance. The following general guidelines will help protect public highway users who are stranded or disabled in hazardous locations or environments. Police personnel will provide as much assistance as possible to all motorists on the roadways throughout the campus area.

- A. When requested, officers will provide directions to the public in a prompt and courteous manner. Officers may request the Communications Center to assist when performing this service.
- B. Officers will notify the Communications Center of the location and situation.
- C. If the vehicle is blocking the flow of traffic, the officer may request additional units to assist with traffic control as necessary.
- D. Officers will assist disabled motorists within their abilities. This may include, but not be limited to:
  1. Providing transportation to a service station;
  2. Requesting a towing service and/or services from auto club affiliated service stations (AAA);
  3. Calling friends, relatives, or a taxi to arrange rides;
- E. *Patrol units will not be used to jumpstart or pull/push any vehicles.*
- F. No officer will leave a person stranded on the roadway. The agency has the responsibility to provide a communications link to obtain needed services for those stranded by:
  1. Remaining with and providing protection to the person until assistance arrives; or
  2. Transporting the person to a location that provides a telephone, which may include police department.
- G. Whenever a person of the opposite gender of the officer is transported in the patrol unit, the officer will call in the destination, as well as the beginning and ending mileage.
- H. In the event that a fire is detected, officers will contact Communications and request the appropriate fire department be dispatched. Officers should use caution and take only action that is necessary to save another or themselves when using fire extinguishers located in the patrol unit.
- I. If there is a medical emergency, the officer will contact the communications center and request EMS be dispatched. Officers may render appropriate first aid within their training prior to the arrival of the ambulance. Medical emergencies **will not** be transported in the patrol vehicle.

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*(Revised 01/09/2013)*

#### **61.4.2 Hazardous Highway Conditions**

- A. Officers noting or citizen reports of roadway or roadside hazards or traffic standards broken or missing shall notify the communications center of the hazard/deficiency. Communications personnel will in turn notify the appropriate agency (ie. State Highway Administration, City of Salisbury Public Works, SU Maintenance and Physical Facilities, etc) for correction or repair and log who was contacted to correct the situation.
- B. Roadway and roadside hazards include, but are not limited to:
  - 1. Debris in the roadway;
  - 2. Defects in the roadway itself;
  - 3. Lack of, or defects in highway safety features, such as reflectors, lane markings, etc;
  - 4. Lack of, missing, damaged or obstructed traffic control devices and informational signs;
  - 5. Lack of, defective, or inadequate roadway lighting systems.
- C. Officers will attempt to move minor debris from the roadway if it is likely to present a traffic hazard.

#### **61.4.3 Towing Procedures**

- A. Handling Abandoned Vehicles - An officer who finds a vehicle left unattended and/or in violation of laws pertaining to parking, standing, or stopping, which is a hazard or impediment to the normal flow of traffic should:
  - 1. Request a check through METERS/NCIC to determine if the vehicle has been reported stolen or is wanted (BOLO, crimes, etc);
  - 2. Request or conduct a registration check to ascertain the legal owner;
  - 3. Attempt to contact the vehicle owner to retrieve the vehicle as soon as possible; and/or
  - 4. Request the designated tow company respond for removal if the owner or person in charge of the vehicle cannot be located or cannot remove the vehicle in a timely fashion.
  - 5. Keys will remain with the vehicle unless otherwise authorized.
- B. Removal and Towing of Vehicles from Public/Private Property - An officer, after approval by a Division Commander, may have a vehicle removed if they have reasonable grounds to believe one of the following situations exists, and the owner cannot be located in a timely manner:
  - 1. Vehicle parked in and/or blocking fire lanes restricting access to public/private buildings by fire department personnel/equipment;
  - 2. Vehicle left unattended on the paved/traveled portion of any roadway and is causing an obstruction to vehicular or pedestrian traffic;
  - 3. Owner or custodian of the vehicle is under arrest or otherwise incapacitated and vehicle will be a traffic hazard if allowed to remain;
  - 4. Vehicle is obstructing snow removal or roadway maintenance;
  - 5. The vehicle is reported stolen, or is apparently abandoned, or without proper registration, or is apparently unsafe to be driven;
  - 6. Vehicle is parked in restricted area such as loading zone or service vehicle only spaces.

C. Maintaining Records of all Vehicles Removed, Stored or Towed - Whenever a vehicle is towed at the discretion of the officer, the officer will fill out Vehicle Tow/Inventory form 007 and advise communications to contact the towing company to respond and provide the following information:

1. Description of the vehicle, including registration number and state;
2. Location and time of removal;
3. Reason for removal.

Communications will note all of the above, as well as the information on whether or not a parking citation was issued, and if the owner was contacted or attempts to contact, in the in-house computer system (ARMS). If the vehicle is towed from campus, the officer will complete an incident report outlining the circumstances for the tow. A vehicle that is required to be stored due to criminal investigations, search warrants and/or criminal/traffic charges will be stored at the secure facility at the towing company. Access to this vehicle by unauthorized persons will be denied. Officers will maintain and document the chain of custody from the point from where it is towed until it is stored at the secure facility which will be marked with police tape and secured pending further investigation. Officers will note on form 007 – Stored Vehicle Report – that there is a hold on the vehicle until released by the investigating officer. The towing company operator will sign this form.

D. A vehicle is considered abandoned on university property after 30 days and all attempts to contact the registered owner have failed. The above procedure for removal (tow) of the vehicle will apply and the contents of the vehicle will be inventoried prior to releasing it to the towing company.

E. No vehicle held at the towing company will be released until written authorization is obtained from the investigating officer. The officer responsible for towing the vehicle will note on form 007 whether or not there is a “hold” on the vehicle. The officer will ensure the towing company operator is aware that the vehicle has a “hold” placed on it and authorization to release the vehicle must be obtained by SUPD prior to its release. If the vehicle is approved for release, the owner of the vehicle must report to SUPD and obtain a Stored Vehicle Release Authorization Certificate, form 042. The Squad Supervisor or investigating officer will verify, through checking the case report and SUPD form 007, that the vehicle may be released to the proper owner.

The on-duty Supervisor will complete the certificate of release, verify the credentials of the vehicle’s owner and provide one copy of the certificate to the owner who will retrieve their vehicle, upon payment of any towing or storage fees charged by the towing company. The original certificate will be forwarded to the appropriate case file.

F. Owner’s Request for Towing Purposes – There may be occasion when a person requests an officer’s assistance in contacting a towing company for services. If an officer is merely providing assistance with a public service request, the officer will notify the PCO to contact the towing company, as requested by the vehicle owner, to respond. No stored vehicle forms will be required if the vehicle owner is aware of the location where their vehicle will be towed and there is no evidentiary value of the vehicle to SUPD.

G. Vehicles Impounded for Evidentiary Purposes – A vehicle towed and stored for evidentiary purposes (ie. criminal investigation, CDS, etc.) will be held only long enough to complete the processing and evidence collection needs for the vehicle.

1. Officers are responsible for notifying owners as soon as vehicles are available for release upon completion of processing or investigation.
2. Chain of custody of the towed vehicle will be maintained at all times until arrival at the storage location and secured by the tow company.
3. Keys will be retrieved by the officer who will place keys into the Communications Center key box.
4. The release of any seized vehicle will only be authorized by the investigating officer.

#### **61.4.4 Traffic Safety Educational Materials**

A supply of traffic safety educational materials and forms are maintained in the lobby of the University Police Department. These forms are available through the Maryland Department of Motor Vehicles, the Governor's Highway Safety Council, and the National Highway Traffic Safety Administration.

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Edwin Lashley  
Chief of Police