



California State University, Los Angeles
Department of Public Safety

NUMBER: IV-5 APPROVED: _____
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SUPERSEDES: 1/1/2001 Reviewed/Revised: May 15, 2010

SUBJECT: **Traffic**

I. PURPOSE:

This written directive is a guideline to assist in the reduction of the frequency of injury and non-injury traffic collisions within the boundaries of the University. Furthermore, this General Order provides procedures for the enforcement of traffic laws, preventative patrol, proactive enforcement and relations with motorists and pedestrians.

II. POLICY:

It is the policy of the University Police that all officers treat every person with respect and do their part in furthering the positive relationships the Department shares with its community. It is also the policy of the Department to encourage appropriate driving attitudes, skills, behaviors and habits so that all members of the university and its visitors enjoy a safer environment.

III. DEFINITIONS:

- A. Arrest. To deprive a person of his/her liberty by legal authority.
- B. Arresting Officer. A sworn law enforcement officer who takes a person into custody, with or without a warrant.
- C. Citation. Any traffic enforcement action that involves a written notice to the accused to appear and that contemplates adjudication or disposition to determine the guilt or innocence of the person charged with a violation.
- D. Other Traffic Law Enforcement Violations. Violation of any law, ordinance, or regulation affecting the use or protection of streets or highways but not enacted primarily to regulate safe movement of vehicles and pedestrians.
- E. Patrol. The deployment of officers to repress and prevent criminal activities, investigate offenders, and furnish day-to-day law enforcement services to the community.
- F. Point Traffic Control. The control vehicular and pedestrian movement at a particular place on a roadway, such as an intersection.
- G. Road. That portion of a highway that includes both the roadway and the shoulder.
- H. Roadblock. A restriction, obstruction or device used or intended for the purpose of preventing free passage of motor vehicles on a roadway in order to effect the apprehension of a suspect.
- I. Road Side Safety Check. A temporary operation in which law enforcement or other authorized personnel stop some or all traffic to inspect individual vehicles or there contents or to interview drivers.

- J. Roadway. That portion of the highway improved, designed, or ordinarily used for vehicular travel, exclusive of the shoulder.
- K. Selective Traffic Enforcement. The assignment of personnel to traffic enforcement activities at times and locations where hazardous or congested conditions exist. Such assignments are usually based on factors of traffic volume, accidents, frequency of traffic violations, and emergency and service needs.
- L. Stationary Observation. Traffic observation at a selected place, usually one with an unfavorable accident experience or traffic flow problem, for traffic enforcement purposes – especially to detect violations and deter possible violators.
- M. Traffic Accident Investigation. Collection of factual information identifying and describing people, roads, and vehicles involved in an accident; description of the results of the accident in terms of damage to vehicles and roadside objects, injuries to people, marks and residue on the road, and final positions of vehicles and bodies; interpretation of these facts in terms of behavior of road users involved; and, sometimes, an attempt to specify the peculiar combination of factors required to produce that particular accident.
- N. Traffic Accident Reporting. Basic data collection to identify and classify a traffic accident and the persons, vehicles, time/location, planned movements involved, and possible contributing factors, such as traffic law violations.
- O. Traffic Control Device. All signs, signals, markings, and devices placed on, over, or adjacent to a street or highway by authority of a public body or official having jurisdiction to regulate, warn, or guide traffic.
- P. Traffic Engineering Authorities. Persons responsible for traffic engineering in various local, regional, and state agencies.
- Q. Traffic Law Enforcement. Law enforcement as it applies to statutes, ordinances, and legally authorized regulations relating to the use of streets and highways and ownership/operation of motor vehicles and other road vehicles.
- R. Traffic Law Enforcement Action. The part of traffic law enforcement involving arrests, citations, or warning of any person alleged to have violated a law, ordinance, or regulation pertaining to the use of traffic-ways, when the person has knowledge of this action and when it is to (1) prevent such violation from endangering persons or property or inconveniencing other users of the traffic-way, (2) prevent continued violation, or (3) discourage recurrences.
- S. Traffic Law Violation. Violation of any statute, ordinance, or legally authorized regulation relating to the use of streets and highways or the operation and ownership of motor vehicles and other road vehicles.
- T. Traffic Patrol. The part of law enforcement traffic supervision that consists of driving or walking within an area or a roadway for the purpose of providing protection, security, and service to the public.
- U. Traffic Survey. An examination of traffic characteristics, such as volume, speed, delay, accidents, origin, destination, etc.
- V. Traffic-way. The entire width between property lines or other boundary lines of every way or place of which any part is open to the public for purposes of vehicular travel as a matter of right or custom.
- W. Field Release Citation. A dual purpose traffic and criminal (in-field release) citation utilized by sworn staff.

IV. PROCEDURES:

A. Uniform procedures for taking enforcement actions incidental to traffic law violations.

1. Written Warnings.

- a. Written warnings are a form of safety education in which the officer advises the violator he/she has violated the law and explains the law to him/her.
- b. Written warnings are best used as a public education program to explain new enforcement programs and new or modified traffic control devices (traffic signals/signs).
- c. Officer's may choose to give written warnings to drivers with minor equipment violations that will not jeopardize the driver's safety or other persons on the road.
- d. A written warning may be used when the offense was of a minor nature (infraction only), and that the suspected violator has provided a reasonable explanation as to the cause of the violation.
- e. A verbal warning may only be given when an officer is assigned an emergency call for service prior to completing his/her contact with the violator. When this occurs, the officer should provide the dispatcher with all known violator descriptors and the violation observed.
- f. The warning shall be provided to the violator at the time the officer observes the violation.
- g. Written warnings should not be used to avoid issuing a court action citation when the citation would be the most appropriate corrective action.
- h. A copy of a written warning shall be forwarded to Records, in the same manner as a citation would be submitted.
- i. In instances where officers issue a citation to a violator which is not a warning, but desires to warn the violator of a vehicle code violation, the following will be noted in the violation section "WARNED FOR _____ CVC". Officers will not check the warning box in these instances. The warning box will only be checked if there is no requirement if the person is not given a court date.

2. Citations.

- a. Citations should be issued to a violator who jeopardizes the safe and efficient flow of vehicular and/or pedestrian traffic, including

hazardous moving violations or operating unsafe and improperly equipped vehicles.

- b. When issuing a traffic citation, the officer will orally advise the violator of the following information:
 - 1) Nature of violation
 - 2) Court appearance schedule; and
 - 3) Optional or mandatory nature of court appearance by the motorist.
 - c. Citations shall be completed and issued to the violator at the time the officer observes the violation, in accordance with California Vehicle Code (CVC) Sections 40500, 40501 and 40502.
 - d. Citations that are not delivered to the suspected violator at the time the violation occurred can be delivered at a later date or time when, as a result of the investigation of a traffic collision, the citation is issued in accordance with California Vehicle Code (CVC) Section 40600.
3. Physical Arrest.
- a. Physical arrest is the full custody denial of a person's freedom of movement.
 - b. Physical arrest can be made on only a limited number of criminal traffic offenses outlined in the California Vehicle Code or California Penal Code. These physical arrest cases usually deal with, but are not limited to the following:
 - 1) Vehicular manslaughter;
 - 2) Felony and misdemeanor driving under the influence of alcohol/drugs; and/or
 - 3) Felony or misdemeanor hit-a-run.
 - c. Officers without a warrant may make physical arrest on felony violations of law.
 - d. Physical arrest may be made in cases of misdemeanor violations only when authorized by California Vehicle Code sections 40300 or by use of citizen arrests procedures when not committed in the officer's presence.
 - e. Physical arrest may also be made with any valid and confirmed traffic or criminal arrest warrant, or when a traffic violator refuses to sign a citation on a written promise to appear in court. A traffic citation is a written notice, issued to a violator at the time of contact, requiring a court appearance and/or payment of a fine. Citations are the most common form of traffic enforcement action.

- f. Arrest for two or fewer outstanding warrants for failure to appear on a citation for a parking offense or a traffic infraction outlined under California Vehicle Code section 40304.5:
 - 1) Officers contacting individuals with two or less outstanding warrants for traffic infractions will advise the person of the existence of the outstanding warrants and the steps necessary to clear warrants; and
 - 2) will add this information into the Automated Records Management System (A.R.M.S.).
 - g. Communications (Dispatch) receiving warrant information entered by neighboring agencies (Los Angeles Police Department, Pasadena Police Department, Montebello Police Department, Alhambra Police Department, South Pasadena Police Department, and the Los Angeles County Sheriff's Department) will contact those agencies and advise provide information regarding the issued warrant and that the person named has been contacted. Those agencies will be given the opportunity to have a unit respond and take custody of the person named in the warrant.
 - h. If a person is arrested for charges unrelated to the warrants and is to be booked at Los Angeles County Jail, **ALL** warrants will be served on that person, including traffic infractions.
4. Non-residents.
- a. Individuals who are not residents of California will be warned, cited, or arrested in the same manner as California residents, except as follows:
 - 1) Out-of-state students possessing out-of-state registration and driver licenses will not be cited for offenses that require California residence unless they have declared themselves California residents.
 - 2) Foreign drivers are required to carry a valid domestic driver license, valid registration, license plates, or the international drivers' license. All are valid in the United States, one year from the date of entry into the United States.
 - b. Out-of-state drivers shall be evaluated as to their license status based upon the reciprocity laws and relationship the State of California shares with the violator's home jurisdiction.
5. Juveniles.
- a. Juveniles who commit traffic offenses will be processed in the same manner as those committed by adults except as provided in this section.
 - b. The standard California State University citation will be used.

- c. The juvenile's home phone number should be obtained for the citation and he/she shall be cited into Juvenile Court, Traffic Division, located at 1945 S. Hill Street, Los Angeles.
 - d. Juveniles should be told that one or both parents must accompany them when appearing in court for traffic violations.
 - e. Juveniles who are physically arrested will be handled according to the nature of the offense and departmental policy.
6. **Legislators**, Foreign Diplomats/Consular Officials.
- a. **Members of the legislature of the State of California, and members of the legislature of other states shall be provided appropriate discretion. Officers are reminded however that no legislator within the State of California is exempt from the laws of the State of California.**
 - b. The Vienna Convention on Diplomatic Relations, which contains the current law on the subject of diplomatic privileges and immunities, is incorporated in federal law by the Diplomatic Relations Act of 1978 (P.L. 95-393). The convention applies to members of the staff of a foreign diplomatic mission, which includes the administrative, technical, and service staffs of the embassies in the United States.
 - c. Diplomatic agents and members of their families who are not nationals of the United States **HAVE FULL IMMUNITY FROM ARREST, DETENTION, OR PROSECUTION** for any criminal offense, unless such immunity is expressly waived by the sending state. The above individuals also enjoy immunity from civil process except in certain actions involving private activities outside their official functions.
 - d. The **ADMINISTRATIVE and TECHNICAL STAFF** of a foreign mission and members of their families who are not permanent residents of the United States, **HAVE FULL IMMUNITY** from arrest, detention, or prosecution for any criminal offense. Such employee's immunity from civil process is only from those actions carried out in their official capacity. Family members of such employees are not immune from civil jurisdiction.
 - e. Members of the service staff of a foreign diplomatic mission, which includes **DRIVERS, MESSENGERS, AND SECURITY GUARDS** enjoy **IMMUNITY ONLY FOR ACTIONS CARRIED OUT IN THE COURSE OF THEIR OFFICIAL DUTIES**. Family members of such individuals have no immunity.
 - f. **PRIVATE SERVANTS** of embassy personnel have no immunity.
 - g. **D.U.I.** violations in regards to persons with diplomatic immunity.

- 1) It shall be the policy of the California State University Police Department , Los Angeles, not to issue a citation to the Diplomatic/Consular Official/Legislators, but rather warn the violator of the dangers of his/her actions and, allow the official to proceed once you are satisfied that his identification is in order.
- 2) In any case where an officer has contacted a person, who has diplomatic immunity, he/she shall forward a detailed memorandum of the circumstances, via chain-of-command, to the Chief of Police. The appropriate authorities will be notified of the incident.
- 3) If the official is stopped for D.U.I., the primary consideration shall be that the official is not a danger to himself/herself or the public. The contacting officer shall contact the Watch Commander and based upon a determination of the circumstances, the following options are suggested.
 - Take him/her to a telephone so that a relative or a friend can be contacted to arrange for transportation.
 - Arrange for transportation to his home or office.
 - The official may be voluntarily transported to the station or other location where he/she can recover sufficiently to enable him/her to proceed safely.
- 4) The official shall no be handcuffed or subjected to ANY type of sobriety test.
- 5) At best, this is a sensitive situation. Treat the official with respect and courtesy, and impress upon him/her that your actions and primary responsibilities are to care for his/her safety and the safety of others.
- 6) Officers making contact shall contact the Watch Commander immediately. The Watch Commander will submit a detailed account of the incident, on the department's Incident Report form, to the Operations Lieutenant.

7. Military personnel.

Military personnel may be cited for traffic violations, however officers should avoid conducting a traffic stop on military personnel who are operating United States Military vehicles, unless a hazard exist or the public's safety becomes a factor due to vehicle code violations.

- B. At the time a motorist is charged with a violation information relative to the specific charge(s) shall be provided.
1. It shall be the policy of this department to provide a motorist a full explanation of his/her rights and requirements upon the issuance of a citation for a traffic violation.
 2. Upon issuing a citation, the officer shall explain the citation fully to the violator. The citation will indicate:

- a. The location and date for court appearance.
 - b. If the violation is correctable without required court appearance
 - c. Clear instructions as to whether the violator is allowed to enter a plea and/or pay the fine by mail.
 - d. Instructions for the violator on contesting or not contesting the violation.
3. At the time an officer issues a citation to a traffic law violator, the officer will advise of the need to comply fully with the requirements for the citation.
 4. The California State University Police Department, Los Angeles, uses a uniformed notice to appear which is approved by the Judicial Council of California and meets the requirements for such format as set forth in California Code section 40522 and 16028(c).
 - a. The form is used for infraction and criminal traffic violations (Misdemeanor).
 - b. All information for court appearance, payment of fines, and whether or not the motorist can pay fines by mail or by court appearance, are listed on the front or backside of the citation.
 - c. The yellow copy (violator's copy) shall be given to the motorist after obtaining his/her signature on the front of the citation, and all applicable section shall be completed, outlining what charges are involved.
 - d. A court appearance date shall be assigned by the officer in compliance with court directions (no less than 30 working days), and the violator will be given a full explanation on the date for court.
 - e. The officer should advise the violator to read the important information and warnings, which appear on the reverse side of the violator's copy of the citation.
 - f. The officer will direct the violator either to the office of the court clerk or the court itself to answer any further questions about handling the citation.
 - g. The officer will refrain from any information relative to fine amounts or matters that would normally be handled by the court clerk or judge handling the citation.
- C. Operation of a vehicle by a driver under the influence of alcohol/drugs.
1. The California State University Police Department will actively enforce all alcohol and drug laws and regulations within state university jurisdiction.
 2. The decision to arrest is usually determined by the following factors: driving behavior, involvement in an accident, field sobriety test, and other observations of the violator's condition.

3. An individual will be considered under the influence of intoxicating alcohol and/or drugs if the substance(s) influence the violator's/suspect's driving ability to the slightest degree.
4. A driving under the influence contact evolves for separate phases:
 - a. Observations of the vehicle in motion or at the scene of a collision;
 - b. Personal contact;
 - c. Pre-arrest screening; and
 - d. Arrest and booking
5. The first task is to observe the vehicle in operation and to note any initial indications of a possible Driving Under the Influence (DUI) violation.
 - a. The officer must decide whether or not there is sufficient cause to stop the vehicle, whether to conduct further investigation to determine if the suspect may be impaired, or to initiate a stop for another unrelated traffic violation.
 - b. The officer is not committed to arresting the suspect for DUI based on his/her initial observation, but should concentrate on gathering all relevant evidence that may suggest impairment.
6. The officer is to approach, observe, and interview the driver while he/she is still in the vehicle to note any direct evidence of impairment. Some known symptoms are:
 - a. Odor of alcoholic beverage;
 - b. Watery eyes;
 - c. Flushed complexion; and
 - d. Talkative slurred speech.
7. After this evaluation, the officer must decide whether or not to request the driver to perform further field sobriety testing. The officer should continue to observe the driver's movements, comments, and ability to understand instructions during this initial personal contact.
8. The officer shall administer, when possible, four of the seven formal psychophysical field sobriety test to evaluate the extent of the suspect's impairment. Results shall be recorded on the California Highway Patrol, Drug Influence Evaluation form (C.H.P. #202DRE form) or LAPD Alcohol/Under the Influence Form.
9. In some cases, it may be necessary to contact an on duty Drug Recognition Expert (D.R.E.) from an outside agency, should there be a suspicion of illegal drug use as the impairing substance. Dispatch shall contact the Los Angeles Police Department or the Alhambra Police Department, and ascertain if there is an available D.R.E. on duty. If available, the D.R.E. will respond to the scene of the traffic stop, or the California State University Police station to conduct an evaluation of the person detained.
10. The legal authority for arrest and to enforce D.U.I. laws is contained in the California Vehicle Code, Division 11, Chapter 12, Articles 1 and 2, and

other specified sections. After the arrest, the suspect will be advised of California Vehicle Code section 13353 (Implied consent advisement) and will be given an opportunity to submit to any of the three specified chemical test. For the chemical test to be admitted into evidence, the following steps must be followed:

- a. The individual must be placed under arrest for any offense; and
- b. The individual must be advised of his/her rights under California Vehicle Code section 13353.

11. Testing of violators.

- a. Breath - If the suspect chooses breath, he/she will be transported to the California Highway Patrol (East Los Angeles station) or the Los Angeles County Sheriff's Department (East Los Angeles station), and administered a breathalyzer test on the department intoximeter. The investigating officer shall advise the arrested violator, per the Trombetta decision – they may have samples of urine or blood taken and maintained for later testing and analysis. Breath tests are excluded and samples can not be captured for later testing.
- b. Blood - The suspect will have blood drawn by a technician at the Los Angeles County Medical Center, Jail Ward (13th Floor).
- c. If the suspect is injured and requests a blood test, it may also be drawn at the Los Angeles County Medical Center, Jail Ward (13th Floor).
- d. Urine - Officer will supervise the administering of a urine sample test at the Los Angeles County Medical Center, Jail Ward (13th Floor).

12. Refusal to Submit to a Chemical test.

- a. The officer will admonish the subject of California Vehicle Code section 13353 a second time upon refusal.
- b. If the subject still refuses to comply with the section and submit to a chemical test, the officer will complete and submit an Officer Statement form, CVC 13353 (C.H.P. #DL367) and indicate on the reverse side, statements or actions that indicated refusal.
- c. The officer will also complete an Officer Statement form (C.H.P. #DS367) and include it with his/her arrest report.
- d. Records will forward the refusal form to the California Department of Motor Vehicles. **If the violator is 20 years of age or under, officers will use the Under Age 21 form (C.H.P. #DS367M).**

13. Upon completion of all DUI arrest and appropriate DUI related forms, the officer shall transport the suspect to the Los Angeles County Jail for processing. Officers will provide a California State University field citation release form to county jail clerks, who will then issue the cite to the violator upon release.

14. Driving Under the Influence Enforcement Countermeasures Program.

- a. The arrest of an individual for driving under the influence of alcohol differs significantly from other traffic law violations. Any person who operates a motor vehicle while under the influence of alcohol and/or drugs or any other self-administered intoxicant(s) poses an unpredictable hazard to law abiding motorists; therefore, each officer of this department will make an intensified effort to remove this type of driver from the campus community.
 - b. The department has established a proactive alcohol education and enforcement program that has as its goal the reduction of accident--and injuries related to those accidents—involving alcohol and drugs.
 - c. All officers will receive training in the detection and prosecution of DUI cases. This will be accomplished by:
 - 1) Training as provided by an accredited basic academy;
 - 2) Training as part of a concentrated curriculum in the field of DUI investigations;
 - 3) Training provided by the District Attorney;
 - 4) Training provided via California POST video training;
 - 5) Training provided as part of a field-training program for newly hired officers; and
 - 6) Training provided as part of ongoing roll-call briefing.
 - d. Officers can be assigned on regular patrols to cover the locations where analyses have shown a significant number of violations and/or accidents that have occurred involving impaired drivers.
 - e. Officers can employ roadside checkpoints, either on-campus as part of an alcohol awareness program, or in cooperation with regional efforts, to deter drinking or driving.
 - f. The Department will include drinking and driving focus in alcohol awareness programming in new student orientations, new employee orientations, defensive-driving training and special event security demonstrations and programs.
- D. Operation of a vehicle after driving privileges have been suspended or revoked.
1. If an officer contacts a traffic violator for driving while his license is suspended or revoked, the officer may issue a traffic citation pursuant to sections 14601, 14601.1, and 14602.2 of the California Vehicle Code. The officer may add the additional charge of 12951(a), driving without a valid license, on the citation.
 2. If a DMV check of a traffic violator's license status reveals a suspended or revoked drivers license, and service is needed, the officer shall take the license into his/her possession.

3. The officer will verbally advise the traffic violator of the suspension or revocation and issue the citation, as well as complete the Verbal Notice form (DMV form DL-310). This form is written notice to the violator that he/she has had their license status suspended/revoked. The white copy of this form shall be attached to the violator's driver's license, and sent to the Department of Motor Vehicles. The canary copy will be filed by records and the pink copy shall be issued to the driver of the vehicle.
4. If a computer check with the Department of Motor Vehicles is not available, and the motorist fails to present the officer with a valid driver's license, the officer may issue a citation for violation of California Vehicle Code 12951(a). Additional charges under California Vehicle Code 14601 may be sought if it is later determined that the violator was driving on a suspended or revoked license status.
5. An officer who issues a citation for violation of 12500(a), 14601, 14601.1, 14602.2, 14601.3, 14601.4, or 14601.5 may impound a motorist's vehicle under the provisions of California Vehicle Code 22651(p). The vehicle shall not be released to the registered owner or his agent except upon presentation of a valid license to operate the vehicle or court order.
6. Motorist in violation of California Vehicle Code sections; 12500(a), 14601(a), 14601.1(a), or 14601.2(a), are subject to have the vehicle used at the time of the violation, impounded for a mandatory 30 days, under California Vehicle Code section 14602.6.
7. Officers may use their discretion pertaining to the impounding of a vehicle. Officers will complete the Vehicle Report form (CHP180) for vehicles impounded.
8. Whenever a vehicle has been towed, and the unlicensed or suspended registered owner requests we release the vehicle to a licensed driver, the officer releasing the vehicle will ensure that the person taking custody of the vehicle signs a 14606(a) CVC acknowledgement. Upon proper completion of the form, the original of the form will be attached to the supplemental report documenting the release. The yellow copy will be given to the person accepting custody of the vehicle. Officers will print neatly at the bottom of the CHP Form 180, RELEASE ONLY TO (Print name of R/O's agent).

E. Speed violations.

1. Speeding violations can be determined by use of speed measuring devices, or the pace method.
2. Officers shall consider appropriate factors when enforcing laws of speed, including time of day, traffic flow, weather conditions and location.
3. Speeding violations shall be enforced by either citation or verbal warning.

F. Hazardous violations.

1. Officers shall consider proper factors when enforcing hazardous violations, including:
 - a. degree of the hazardous act;
 - b. accident history of the location;
 - c. current trends of traffic in the area; and/or
 - d. any directed patrol programming.
2. Citations or verbal warnings may be issued at the discretion of the officer.

G. Non-hazardous violations.

1. Non-hazardous violations will be enforced depending on the seriousness of the offense and trends/patterns observed in violations.
2. Citations or verbal warnings may be issued at the discretion of the officer.

H. Off-road vehicle violations.

1. Officers will take appropriate enforcement action for violations committed by operators of off-road recreational vehicles that are observed and/or reported to the California State University Police Department.
2. All officers should address the following issues using authority sections in the California Vehicle Code and Los Angeles Municipal Code:
 - a. Removal of unlicensed vehicles from the streets and highways;
 - b. Violation of off road vehicle registration laws;
 - c. Misuse of public trails;
 - d. Improper use of street and highway crossings;
 - e. Citizen complaints of excessive noise, trespass, and/or property damage; and
 - f. Status as juvenile offenders.
3. Off road vehicles may include, but are not limited to, dirt bikes, all-terrain vehicles, motorcycles, four-wheel drive vehicles and dune buggies.
4. Accidents involving off-road vehicles will be investigated following the criteria and procedures for public and private collision investigations as directed in the California Highway Patrol Collision manual.

I. Equipment Violations.

1. Officers shall consider proper factors when enforcing violations of equipment requirements:
 - a. as specified within the California Vehicle Code and other statutes;
 - b. the operator's ability to remedy the condition promptly;
 - c. approximate influence of the hazard to other traffic; and
 - d. the approximate influence of the hazard to the operator and passenger(s).

2. Citations or verbal warnings may be issued at the discretion of the officer.
- J. Public carrier/commercial vehicle violations.
1. Public carriers shall be examined thoroughly and appropriate laws enforced through citations, or, when necessary arrest, to ensure that programming for the safety of passengers is supported.
 2. Citations or verbal warnings may be issued at the discretion of the officer.
- K. Multiple violations.
1. Multiple violations may be placed on the same citation. Additional citations may be issued if all violations cannot be covered in one citation, using an additional citation form.
 2. In cases of multiple violations, officers shall list the most serious offense first, and additional violations below on a citation.
- L. Newly enacted laws and/or regulations.
1. When new laws are enacted or new traffic controls are installed, enforcement action may be made by verbal warning or citation.
 2. Verbal warnings may be used in lieu of citations during a specified grace period for enforcement of new laws or new traffic controls or devices being used.
 3. Laws and regulations that have recently been enacted will be provided the prescribed “grace” periods, and educational steps to inform motorists shall be taken when appropriate. Grace period duration will be determined by legislation or the Department’s local DA’s Office.
- M. Violations resulting in traffic collisions.
1. Enforcement action should be taken whenever believed appropriate by the investigating officer, when:
 - a. that officer has detected a violation of a traffic or relative law; and
 - b. when evidence exists to satisfy all the elements of that particular violation.
 2. At the scene of the accident, the officer may take immediate enforcement action and issue a Notice to Appear. An officer is authorized to take such action, even if the violation did not occur in his/her presence, if that officer has successfully completed advanced accident investigation training, as required in CVC Section 40600(a).

3. If the officer observes the violation, and after responding to the accident, chooses to do so, the officer may issue a Notice to Appear based on his/her observation.
4. If circumstances warrant, an officer may make an arrest for driving under the influence at an accident scene, if evidence is in accordance with CVC Section 40300.5.
5. If the identity of a driver who was involved in an accident but left the scene is determined through an officer's investigation, they should obtain an arrest warrant.
6. Misdemeanor arrests at accident scenes: If an officer makes an arrest at an accident scene and takes the driver into custody, the officer will complete a Crime/Incident Report in addition to the traffic collision report.

N. Pedestrian and bicycle violations.

1. Pedestrian and bicycle violations are a priority on campus due to the high number of pedestrians walking through campus.
2. Bicyclists will be cited for any Vehicle Code violations observed. This will include stop sign and red light violations.
3. Bicyclists, pedestrians, and operators of mopeds and animals shall comply with the applicable laws. Officers shall employ proper discretion to each of these, with adherence to current directed patrol programming to those violators who are in violation of campus directives in accordance with CVC 21113(a).
4. Pedestrians should be warned when not utilizing marked crossing locations.
5. The enforcement will be commensurate with the pedestrian and bicycle accident experience/history, with specific emphasis being placed on educational and preventive measures.

O. Traffic Enforcement Practices.

1. Visible Traffic Control - Normal traffic enforcement involves visible traffic patrol by officers who observe and handle traffic violations during the performance of their normal duties.
 - a. Area patrol involves traffic enforcement within an officer's assigned area of responsibility.
 - b. Line patrol involves traffic enforcement along and concentrating on a particular section of roadway.

- c. Directed patrol specifies enforcement efforts in an area or at a specific location, depending on the nature of the violation being concentrated on (e.g., failure to yield to pedestrians in a crosswalk).
2. Stationary observation, either covert or overt, may be used as a technique to make observations about the flow of traffic in a particular location.
 - a. Officers are encouraged, when completing reports or doing other activities which will keep them out of service for a short while, to park their patrol vehicles in a conspicuous location, where just the presence of the vehicle will serve to remind drivers of the need for compliance with traffic laws.
 - b. Enforcement that requires the use of a covert location is less well accepted by the motoring public, but may, at times, be the only way to resolve a particular concern.
3. Marked police vehicles will generally be used to effect traffic stops.
 - a. Vehicles both marked and unmarked, used to effect traffic must be equipped with emergency lights, siren, and a police radio.
 - b. Unmarked vehicles may be used for the enforcement of traffic laws, subject to availability and supervisor approval.
 - c. Plain-clothes officers will not normally conduct traffic stops unless a serious violation is observed or circumstances are present which exposed the public to danger.
 - 1) Plain-clothes officers conducting traffic stops will advise Communications (Dispatch) of the stop, location, vehicle license number, and the fact that are in plain clothes.
 - 2) Communications (Dispatch) will dispatch a uniformed officer to the location to act as the back up officer.
 - 3) Plain-clothes officers will clearly identify themselves to the violator and handle the enforcement actions.
4. Use of Vehicle and Roadside Safety Checkpoints.
 - a. Vehicle Checkpoints should only be use to:
 - 1) Perform vehicle equipment checks;
 - 2) Perform sobriety checks; and
 - 3) Search for wanted felons or fugitives who have been reported as both possibly within the region of the university and considered armed and dangerous.
 - b. Vehicle checkpoints will be authorized by the on duty watch commander, and will be performed via the use of traffic cones, flares and within a clearly established and designated area.

- c. Officers shall wear traffic vests and use traffic flashlights (flashlights required if in hours of darkness).
 - d. Safe area routing will be designated so that vehicles can leave the affected area when appropriate.
 - e. Specific criteria will be developed prior to the function, and that criterion will be consistently applied throughout the checkpoint/roadblock. As an example, two appropriate standards would be:
 - 1) All vehicles will be visually checked; or
 - 2) All vehicles procedurally checked in sequence by number (as in every fifth vehicle)
- P. Procedures for stopping and approaching traffic law violators. Upon observing a traffic violation, the officer shall follow the listed procedures.
- 1. Advise Communications (Dispatch) that he/she will be making a traffic stop.
 - 2. When Communications has acknowledged, give the location, license plate number, and the color/make/model of the vehicle.
 - 3. Select the safest possible location for the stop. Be aware of traffic flow, pedestrian traffic, and occupied vehicles in your surrounding area.
 - 4. Use overhead emergency lights and needed (position 2 or 3) to stop the violator.
 - 5. Position the patrol vehicle eight to ten feet behind the violator's vehicle, offset approximately two feet to the left of the violator's vehicle, to create a safety zone.
 - 6. When the violator or patrol vehicle is on any part of the traveled portion of the roadway, activate all necessary emergency equipment to alert on coming vehicles that there is police activity.
 - 7. Approach the violator's vehicle using extreme caution, spotlighting the interior of the vehicle, when appropriate (i.e. evening, extreme darkness). Officers may choose to approach the vehicle from the passenger side if traffic stop is conducted on a freeway.
 - 8. Request the violator's license, vehicle registration, proof of insurance, or other appropriate documentation.
 - 9. Inform the violator of the reason for the stop (violation, street, speed, and speed allowed/posted, etc.).
 - 10. Conduct the appropriate records checks (vehicle license plate, driver's license) and take appropriate enforcement action.
 - 11. Obtain the violator's signature on the citation, return documents, and give violator the yellow copy of the citation.
 - 12. Allow violator to safely leave the location before leaving the scene.
- Q. Stopping unknown risk or suspected/known high-risk individuals: Additional caution shall be employed in vehicle stops when the risk is unknown or when

one or more occupants of a vehicle are suspected to be armed and/or dangerous. When a vehicle driven by an unknown risk or suspected high-risk individual is located by a police officer, he/she will notify the dispatcher immediately of their location, and give a thorough description of the vehicle and its occupants. The following procedures should be used to begin and complete the stop.

1. The officer will plan to stop the suspect vehicle in a location that represents minimal danger to other citizens.
2. The officer will make every effort to avoid initiating the stop until support units have arrived and are in position to assist immediately.
3. When support officers are positioned, and conditions are favorable, the officer shall signal the violator to stop, utilizing all emergency equipment to warn other traffic.
4. As the violator begins to stop, the officer will turn off the siren and turn on the public address system of their patrol vehicle.
5. The officer will position the unit approximately two-car lengths behind the violator's vehicle, and offset to the left approximately 4-5 feet. All lighting will be turned on to illuminate the interior of the violator vehicle and place the occupants of the vehicle at a disadvantage.
6. The first assisting unit shall place their vehicle to the right of the primary officer, about 6 feet away, and the same distance from the violator vehicle. Additional units shall respond to either behind the first two officers, or as directed by the primary officer.
7. The primary officer will be in command of the violator vehicle, and shall be the sole speaker to the occupants, through the public address system.
8. Additional officers, when available, shall assume cuff, search and arrest responsibilities by stationing themselves at the interior doors of the two lead units.
9. The primary officer shall command the occupants to exit the vehicle one at a time, beginning with the driver, and each occupant shall exit from the driver door.
10. When all occupants known have exited the vehicle, a canine unit will be employed, if available, to make the initial search. If no canine unit is available, additional commands will be made to the vehicle on the assumption an additional occupant is concealed in the passenger compartment. Upon a reasonable number of these commands, and a lack of activity to suggest other occupants, two officers shall approach the vehicle from opposite sides to confirm the vehicle is now unoccupied.
11. Officers shall approach the vehicle in a defense-ready posture, with weapons drawn, and shall consider the vehicle as occupied until they have searched it. Officers shall employ proper positioning to avoid "crossfire" situations during these approaches.

R. Procedures for officers to follow in their relations with traffic violators.

1. Officer shall, at all times, project a professional image when dealing with traffic violators.
 2. Officer must understand that prior to contact, the driver may have already deemed the encounter a "negative" contact.
 3. The seven-step car stop method is suggested:
 - a. Greeting (Good Morning, Afternoon, or Evening);
 - b. Identify yourself and police department (I'm Officer _____, Cal-State Police Department);
 - c. Obtain drivers license, registration, and insurance;
 - d. Advise the reason for the stop;
 - e. Justification (Was there a reason why you.....?);
 - f. Decision (citation or warning); and
 - g. Close (Drive Safely/carefully).
 4. Officers should attempt to calm violators who display signs of emotional distress as a result of the contact.
 5. Officers who issue citations for traffic violations shall be equipped with the necessary forms, references, and equipment while on duty. All forms used by officers shall be properly completed.
- S. Use of speed measuring devices – radar.
1. Equipment specifications:
 - a. The speed measuring device(s) utilized by the department shall be the handheld or tripod mounted cordless unit style, “K-band” radar.
 - b. The radar unit(s) shall be approximately 7.5 inches in length and 3 inches in width. The weight of the unit shall be light and easily manageable – approximately 2 to 2.5 pounds with batteries.
 - c. The radar units shall rechargeable batteries that are integrated into the devices – preferably without external cords.
 - d. **The radar units utilized shall function in a stationary mode only and are not to be used while the patrol vehicle is moving.**
 2. Operational Procedures, Proper Care, and Upkeep.
 - a. Officers will operate the radar unit primarily on California State University property.
 - b. Violators may only be cited on streets that have been surveyed by a state certified traffic engineer within the last 5 years. Streets or roads not surveyed, may be monitored, however Officers shall not issue radar citations on non-surveyed roadways.

- c. Officers should concentrate on areas where complaints have been received of vehicles operating at unsafe speeds.
- d. Officers will only operate the unit in/outside the patrol vehicle, in a stationary manner.
- e. Officers attempting to apprehend violators should exercise good judgement and avoid unsafe maneuvers in attempt to apprehend a violator.
- f. As with all enforcement activities, officers are encouraged to utilize discretion when citing speeding violations and should weigh all circumstances involved when determining proper guidelines for the citing of speed violations. The following information is provided as a guideline and is not intended to be an absolute:
 - 1) 0-9 miles above the speed limit – officer should consider warning violator.
 - 2) 10-15 miles above the speed limit – officer discretion.
 - 3) Over 15 miles above the speed limit – officer should issue citation to violator.
- g. All speeding violations conducted with the use of the radar unit will be documented on the Radar Citation Log. This log shall include the following information:
 - 1) Date;
 - 2) Time;
 - 3) Location of violation;
 - 4) Posted speed limit;
 - 5) Critical speed;
 - 6) Vehicle speed; and
 - 7) Issuing officer/serial number.
- h. Radar Calibration:
 - 1) Prior to utilizing the radar for enforcement, officers will complete a radar check out sheet whenever they intend to conduct radar enforcement.
 - 2) Officers will conduct a “self-test” on the unit, using the test button located on the face of the unit. The unit’s “self-test” function will ensure that the unit’s internal circuits and display are operating correctly.
 - 3) A secondary check of the unit using the issued tuning forks (33mph/77mph) will also be conducted. The tuning forks will be tested one at a time and should be held approximately 3 inches from the front of the unit. The radar unit must be +/- 1mph of the tuning forks listed speed to be considered ready for use.
 - 4) Tuning forks shall be kept in the radar carrying case. Officers should avoid striking forks on metal or concrete, as these surfaces

may cause damage to the forks. Hard plastics or wood should be used to avoid any type of damage.

- 5) All calibration/test information is to be documented on the radar check out sheet, which will be kept in the Watch Commander's office.
- 6) Officers utilizing the radar unit shall inspect tuning forks for cracks, chips, or disfigurement. Damaged tuning forks will be sent to Decatur Electronics for replacement.
- 7) The unit will be secured in the dispatch equipment room and available for issue. The unit also has two battery chargers, one of which is located in the battery charging area of the equipment room. This unit will charge two batteries at a time. The second charger, which also charges two batteries at a time, will stay with the carrying case and may be plugged into the lighter assembly of the patrol unit. Batteries will not be stored in the radar unit when the radar is not in use.
- 8) Officers should avoid spilling food, beverages or other liquids and substances on the unit.
- 9) To clean the device, dust it lightly with a soft clean cloth. The cloth should be free from any cleaning solutions.
- 10) The Radar unit shall be stored in its carrying case when not in use.

3. Programmed Maintenance.

Per the California Penal Code section 40802(2)(D), the radar unit is to be factory calibrated every three years. The unit will be sent to Decatur Electronics (or acceptable alternative) and will be returned within 48 hours after it's received.

4. Maintenance and Calibration Records.

- a. All maintenance and calibration records shall be maintained in Records.
- b. Original copies of the maintenance and calibration documents shall not be distributed unless required for court proceedings.

5. Operator Training and Certification.

- a. All officers shall receive 40 hours of Radar Operation training from the Los Angeles County Sheriff's Department, or other qualifying agency certifying officers in the use of stationary/moving radar.
- b. The certification training shall include the following:
 - 1) The history and theory of radar;
 - 2) Stationary radar operation;
 - 3) Radar phenomenon;
 - 4) Speed survey information;
 - 5) California Penal Code as it relates to the use of radar;
 - 6) Practical application of radar;

- 7) Speed estimation certification; and
 - 8) Courtroom demeanor and legal defenses.
- c. Those officers who complete the radar certification course will be provided with a certificate of completion, from the training agency. A copy of the certificate will be kept in the traffic court binder, utilized by officers in traffic court, and an additional copy in the officer's training file.
- T. Procedures for identification and referral of drivers recommended for reexamination by licensing authority (DMV).
1. This guideline establishes procedures for requesting the re-examination of drivers, who appear to be physically or mentally incapable of operating a motor vehicle safely.
 2. It is not the intent of the department to call attention or cause a person to lose their driving privileges unnecessarily. However, the department and its members have an obligation to keep the public roadways in and around California State University safe for its visitors, students, and employees.
 3. Officers who have conducted a traffic stop and detained a person who appears to display any of the following that prevents him/her from exercising reasonable and ordinary care over a motor vehicle, shall complete the appropriate forms and request a re-examination of the driver by the Department of Motor Vehicles:
 - a. Incompetence;
 - b. Physically or mentally disabled; or
 - c. Suffers from a disease or other possible disqualifying condition.
 4. Officers shall comply with California Vehicle Code sections, 21061 and 21062, which outlines the Department of Motor Vehicles' guidelines for the submission or re-examination request.
 5. All re-examination notices (DMV form #DS427) shall be submitted to records. The Records unit shall forward the DMV forms to the DMV per California Vehicle Code section 21062.
 6. The driver shall not received the pink copy of this form unless the officer feels that immediate re-examination is needed. If pink is issued, the driver will receive priority when scheduling an appointment.
- U. Parking Enforcement.
1. Sworn personnel are not the primary issuing authority for parking related violations.
 2. Parking is enforced 7 days a week – 24 hours a day, by Parking Services.

3. Parking Services will be contacted anytime there is a noted violation and shall utilize their discretion in the issuing of citations. The watch commander may select to issue a citation, if the Parking Services declines and cause exists.
4. Parking enforcement will be performed using applicable parking laws, as prescribed within the California Vehicle Code in Section 21113, and within the directives provided by the President of the University, as authorized by the California Education Code, Section 89050.
5. Parking enforcement will consist of a concerted effort to encourage appropriate use of the parking and access of facilities. The areas that will be patrolled and enforced on an ongoing basis are:
 - a. Disabled/Handicapped parking spaces and zones; and
 - b. Emergency vehicle spaces and zones.
6. Police officers who observed parking violations will determine if enforcement objectives warrant citations. The department encourages officers to enforce parking violations and when necessary, towing of violators who have left their vehicles in a location which represents a hazard to other traffic.

V. APPENDICES: None.