



# TRAFFIC LAW ENFORCEMENT

**INDEX CODE: 1903**  
**EFFECTIVE DATE: 07-01-07**

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## **I. PURPOSE**

The purpose of this directive is to provide all officers of this department with:

- A. Uniform procedures for taking enforcement action incidental to traffic law violations;
- B. Uniform enforcement policies for traffic law violations;
- C. Guidelines on law enforcement practices; and
- D. Procedures for handling traffic law violations by certain classes of motorists.

## **II. POLICY**

It is the department's policy to enforce traffic laws for the purpose of reducing the number of traffic accidents. Therefore, officers' enforcement actions, and their decisions about the type of enforcement action to take in any given situation, should include careful consideration of the nature and seriousness of the violation, the intent of the driver, and the effect of the violation on other motorists and/or pedestrians.

Officers will initiate enforcement action based on a combination of training, experience, and common sense. In the absence of specific direction elsewhere, officers should operate on the premise that deliberate violations of traffic laws, and hazardous violations, deserve a more vigorous enforcement effort than do inadvertent violations or non-hazardous violations.

Further, the department places greater emphasis on the quality of an officer's traffic law enforcement efforts, rather than the quantity. While all uniformed officers share responsibility for traffic law enforcement, it is recognized that the opportunity to enforce laws varies in different parts of the County, and varies according to the other law enforcement duties of officers. Field supervisors will consider these factors in evaluating the traffic enforcement work of subordinates. The department expects all uniformed officers to contribute to the traffic enforcement effort, but does not establish quantitative objectives for individual officers, such as ticket quotas.

## **III. ENFORCEMENT OPTIONS**

Traffic enforcement officers will keep the preceding statements of policy in mind when selecting from the following enforcement methods that are available, from the most to least extreme:

- A. Physical arrest
- B. Application for summons or warrant
- C. Citations
- D. Written warnings

- E. Safety equipment repair orders
- F. Verbal warning

#### **IV. OFF-DUTY ENFORCEMENT**

Officers operating marked police cars will be attentive to traffic violations and will take appropriate enforcement actions as warranted. Except for officers assigned to covert activities, all officers, whether on or off-duty, will take enforcement action when the violation is flagrant or when emergency conditions exist.

#### **V. ENFORCEMENT PRACTICES**

##### **A. Visible Traffic Patrol**

Normal traffic enforcement involves visible traffic patrol by officers who observe and handle traffic violations during the performance of their normal duties, or while on a directed patrol traffic enforcement assignment.

##### **B. Stationary Enforcement**

When completing reports or doing other activities that keeps officers out of service for a short while, officers are encouraged to park their patrol vehicles in a conspicuous location, where the presence of the vehicle will serve to remind drivers to comply with traffic laws.

##### **C. Unmarked or Unconventional Vehicles**

When available, unmarked or unconventional vehicles may be used in problem areas with the approval of a platoon commander. All unmarked vehicles used for traffic law enforcement will be equipped with emergency lights (blue and/or *red*) and a siren.

##### **D. Speed Measuring Devices**

1. The commander of the Traffic Safety Section will establish written procedures for the use of the department's speed measuring devices. *Speed measuring devices include, but are not limited to, RADAR, LIDAR, VASCAR, and chronometer. Responsibilities of the Traffic Safety Section include:*

- a. Equipment specifications;
- b. Operational procedures;
- c. Proper care and upkeep;
- d. Programmed maintenance;
- e. Maintenance and calibration records;
- f. Operator training and certification.

2. *Speed measuring* devices may be operated only by those members of the department who have completed the *appropriate* training courses applicable to the equipment being used. Operators are responsible for proper care of the *speed measuring device* they use. *Damaged or defective devices* will be returned to the Traffic Safety Section. Under no circumstances will unauthorized personnel attempt to repair defective equipment.

3. *Individual speed measuring devices will be issued to platoon commanders or qualified officers. Accountability for this equipment will rest with the individual to whom it is issued. Radar units will be issued to platoon commanders and are under their control.* Each *speed measuring device* will be calibrated *once per year*; and repaired, when necessary, by a qualified technician. The Traffic Safety Section is responsible for maintaining *any required* calibration certificates at the District Courts. Maintenance/calibration records and records of programmed maintenance of *speed measuring devices* will be maintained by the Traffic Safety Section.

4. All requests from citizens or community organizations for radar enforcement will be forwarded to the appropriate district commander for evaluation and, if deemed necessary, enforcement action.

#### **VI. ENFORCEMENT GUIDELINES**

##### **A. Out of State Motorists**

Because the Uniform Vehicle Code is followed by a majority of states, including Maryland, nonresidents should not be granted immunity unless the traffic regulations violated are unique to Maryland or Anne Arundel County.

**B. Juveniles**

In addition to the discretionary factors discussed in Section I, officers must consider the age and inexperience of a juvenile motorist in deciding on the proper enforcement action. See Index Code 1703 for procedures for juvenile traffic enforcement.

**C. Legislators**

Members of the United States Congress, the Maryland General Assembly, the Anne Arundel County Council, the Federal or State judiciary, and the executive branches of government enjoy no immunity from citation or arrest. Officers will address them with the respect customarily accorded their office and standing in the community.

**D. Foreign Diplomats & Consular Officials**

See Index Code 2001.1.

**E. Military Personnel**

If a traffic stop results in the physical arrest of an active duty member of the armed forces of the United States, the arresting officer will *ensure that the appropriate on duty officer (OD) of the arrested person's military installation, ship, or base is notified of the arrest and the accompanying circumstances.*

**F. Armored Cars**

In the event that an armored car commits a traffic violation requiring the issuance of a citation the officer will:

1. Stop the vehicle and advise Communications of the vehicle number and company name;
2. Communicate with the driver through the gun port - including passing the driver's license, registration card, or citation(s); and
3. Not request the driver to exit the vehicle, under normal circumstances.

In the event the offense is such that it is necessary to have the driver exit the vehicle, the officer will request Communications to notify a police supervisor and a supervisor from the company. Drivers have been instructed not to exit the vehicle unless company and police supervisors are present.

**G. Drivers with Suspended or Revoked Driving Privileges**

Arrests will be made for driving while suspended/revoked charges if the motorist has an out of state license. Maryland residents may be arrested for driving while suspended/revoked. However, this is not mandatory. The motorist's prior driving history and reason for suspension/revocation should be considered. **Under no circumstances should the motorist be allowed to continue to drive.** If the status of a motorist's driver's license cannot be determined at the point of contact, and the officer later learns that the license is suspended or revoked, the officer will attempt to issue a traffic citation to the individual. If unsuccessful, the officer will place charges through the District Court commissioner.

**H. Speeding Enforcement**

Enforcement of speeding violations should be based upon the location of the violation, time of day, traffic volume, proximity of pedestrians, and danger caused to other motorists. As with all other enforcement decisions, the officer's decision on the enforcement option must be based on a combination of training, experience, and common sense.

**I. Equipment Violations**

When enforcing equipment violations, officers should consider the continued safe operation of the vehicle and the general condition of the equipment, as well as the type of equipment defect. Equipment violations should be handled by issuing a Safety Equipment Repair Order unless the vehicle has an out of state registration, in which case a warning or citation should be written.

**J. Public Carrier/Commercial Vehicles**

*Administration of the Department's commercial vehicle inspection and weight enforcement program is the responsibility of the Traffic Safety Section.*

Moving violations involving commercial vehicles or public carriers should be handled in the same manner as private passenger vehicles. *Appropriate consideration should be given to the potential danger caused to other motorists or passersby and the inconvenience caused to passengers. The department has personnel trained and certified to*

*conduct safety inspections and weight enforcement of commercial vehicles. As a participating agency in the Maryland Motor Carrier Safety Program, the Department's commercial vehicle inspectors are trained to inspect mechanical operations of vehicles, cargo securement, driver qualifications, driver hours of service, and transportation documents carried aboard the vehicle. Hazardous materials shipments may also be inspected by qualified inspectors.*

*Officers encountering commercial vehicles or their drivers which they believe may be in violation of safety regulations should request the assistance of a certified commercial vehicle inspector. Officers should consider requesting the assistance of a commercial vehicle inspector whenever such a vehicle is involved in a crash. The Department possesses portable weight load scales that may be used by certified personnel to enforce weight regulations. Enforcement of weight regulations will be conducted by personnel trained and certified as required by applicable statutes. Officers encountering a commercial vehicle exhibiting evidence of a possible weight violation should contact Traffic Safety and request the portable scales. If the Department's scales are unavailable, a request may be made to the Maryland State Police for a roving weight enforcement officer with portable scales. Only scales certified by the Maryland State Police may be used to enforce weight restrictions defined in the Maryland Transportation Article.*

#### **K. Multiple Violations**

When issuing charges for multiple violations, only one violation may be charged on each traffic citation. Be sure to "loop" all related citations. See Index Code 1937 for procedures. Except in the case of fatal accidents, officers may place "Must Appear" charges at the same time that the violator is charged with prepayable offenses. Charges in fatal accident cases will be placed by the fatal accident investigation specialist, after consultation with the State's Attorney's office.

#### **L. Grace Periods for Newly Enacted Laws**

The Field Operations Bureau commander will announce grace periods for newly-enacted laws, during which only warnings are given. After the expiration of the grace period, the officer will use discretion according to the circumstances.

#### **M. Bicycles and Pedestrians**

1. The Traffic Safety Section will review all accident reports involving bicycles and pedestrians. When appropriate, a member of the Traffic Safety Section will initiate a study of the accident scene to determine if selective enforcement is warranted. The results of the reviews and studies will be forwarded to district commanders for dissemination to traffic enforcement officers.

2. On heavily traveled highways where moving violations are observed involving persons operating bicycles, all applicable laws will be strictly enforced. In those areas where traffic flow is minimal, visibility is unobstructed, and traffic accident occurrences are low, officers should exercise discretion in the type of enforcement action taken.

3. Officers should be more lenient in the enforcement of the law and more instructive in their response to youthful offenders, who may not be fully aware of their responsibility in the safe operation of bicycles. Officers should be less tolerant with older offenders who should be aware of the hazards inherent in the unsafe operation of bicycles.

4. Officers will concentrate their efforts on pedestrian violations in those areas where pedestrian accidents have been frequent and severe, and will cite those persons committing substantial violations, when appropriate.

#### **N. Off-Road Vehicles**

Unregistered off-road vehicles will be impounded and towed if found in operation on public highways, public parks or trails. Persons illegally operating off-road vehicles on public highways will be charged on the appropriate charging document (traffic citation or juvenile citation). Warnings are at the officer's discretion. If a juvenile operator is warned, his or her parent or guardian will be notified of the offense. Operation of off-road vehicles in such a manner as to endanger the life or property of others should result in traffic charges instead of warnings.

**O. Parking Enforcement**

Non-emergency parking regulations, including tow away zones, time controlled zones, and handicapped parking will be enforced with reasonableness and impartiality in all areas of the county. Vehicles parked in fire lanes, and vehicles parked illegally presenting an immediate hazard to traffic, will be ticketed and towed immediately.

**P. Traffic Citations Involving Anne Arundel County School Bus Drivers**

The transportation supervisor for the Anne Arundel County Board of Education has requested to be notified whenever county school bus drivers are issued traffic citations for moving violations. To adhere to this request, officers will follow the policy outlined below.

1. Any officer who issues a traffic citation for a moving violation to a school bus driver (while operating the school bus) will forward a copy of the citation to the Traffic Safety Section within 72 hours of issuance. It is not necessary for the bus to be occupied by students when the violation occurs. On the reverse side of the copy of the citation sent to the Traffic Safety Section, indicate the bus company and bus number.
2. The Traffic Safety Section will subsequently notify the transportation supervisor of the Anne Arundel County Board of Education.
3. The issuance of the citation(s) and the completion of any related duty will be done in the normal manner according to existing policies and procedures.

**Q. Request for Driver's Reexamination**

1. If a police officer encounters a driver who appears to be physically and/or mentally incapable of operating a motor vehicle, the officer will notify the Motor Vehicle Administration using the Request for Reexamination form provided by the MVA. The officer will list:
  - a. The driver's condition or actions that led to the initial traffic stop; and,
  - b. The driver's subsequent condition or actions observed by the officer that led the officer to believe the driver was incompetent or otherwise not fit to operate a motor vehicle.
2. All of the information set forth on the form must be complete and precise. The officer will submit the form to his or her supervisor and district commander for review and approval.
3. If the driver's condition is such that continued operation of a motor vehicle will imminently endanger the motoring public, or the driver himself, further operation will not be allowed. The vehicle should be safely secured and arrangements made for the operator.

**VII. PROPONENT UNIT:** Traffic Safety Section.

**VIII. CANCELLATION:** This directive cancels Index Code 1903, dated 05-01-94. Prior date: 03-18-99.



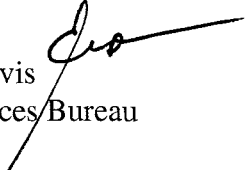
**MILLERSVILLE MARYLAND**

WRITTEN DIRECTIVE

**MEMORANDUM:** 06-011

**FILE BEHIND:** **INDEX CODE 1903**  
**This memorandum cancels & replaces memoranda 01-029, 05-003, and 06-005 (all filed behind Index Code 1903).**

**TO:** All Sworn Personnel  
All Reserve Officers

**FROM:** Deputy Chief Emerson C. Davis   
Commander, Technical Services Bureau

**EFFECTIVE DATE:** March 24, 2006

**SUBJECT:** **Updated Parking Violations and Citation Book**

On December 22, 2005, County Executive Janet Owens signed Bill 90-05, authorizing amendments to Title 3 of the recently revised County Code, Public Safety Article (12), concerning traffic regulations. Title 3 was significantly revised, with new County parking violations that mirror most of the parking violations currently found in the Transportation Article of the Maryland Vehicle Law.

One significant addition that is the most noteworthy for all personnel, is a new violation for **“Parking/Standing/Stopping Where Prohibited by an Official County/State Sign” (\$45.00)**. This particular violation replaces the violation of “Failure to Obey Traffic Regulations” (\$10.00), that officers have used for parking sign violations in the past.

New parking citation books will reflect the new changes, and have been redesigned with the following preprinted violations:

ANNE ARUNDEL COUNTY CODE  
12-3-101 (C ) (9) - PARKING WHERE PROHIBITED BY OFFICAL COUNTY/STATE  
SIGN \$45

ANNE ARUNDEL COUNTY CODE

12-3-101 (D) (8) - PARKING IN A DESIGNATED HANDICAPPED SPACE \$100

ANNE ARUNDEL COUNTY CODE

12-3-101 (E) (2) - PARKING A COMMERCIAL VEHICLE ON A PUBLIC ROAD \$75

ANNE ARUNDEL COUNTY CODE

12-3-203 - PARKING IN A DESIGNATED COMMERCIAL FIRE LANE \$50

There is an additional space for “other violations,” where officers can write in any additional violations not preprinted. The attached parking ticket fine schedule can be used as a reference. In addition, this fine schedule will be printed on the cover of the parking citation book for reference.

Until the new parking violation books covering the above changes are delivered and disseminated, officers will continue to write any violation in the space marked for “OTHER VIOLATION” in the old parking citation books. Please direct any questions concerning this memorandum to Sergeant Ross Passman at extension x1950.

## ANNE ARUNDEL COUNTY PARKING TICKET FINE SCHEDULE

### Parking/Standing/Stopping Prohibited...

- 12-3-101(c)(1) in front of public driveway \$45
- 12-3-101(c)(2) on a sidewalk \$45
- 12-3-101(c)(3) in an intersection \$55
- 12-3-101(c)(4) on a crosswalk \$45
- 12-3-101(c)(5) between (pedestrian) safety zone and adjacent curb \$45
- 12-3-101(c)(5) within 30 ft. of points on a curb immediately opposite the ends of a pedestrian) safety zone \$45
- 12-3-101(c)(6) along or opposite highway excavation/obstruction while obstructing traffic \$45
- 12-3-101(c)(7) on bridge/elevated structure \$55
- 12-3-101(c)(8) on entrance/exit ramp of highway w/2 or more lanes \$55
- 12-3-101(c)(9) where prohibited by official county/state sign \$45

### Standing/Parking Prohibited...

- 12-3-101(d)(1) in front of private driveway w/out consent of property owner \$55
- 12-3-101(d)(2) within 15 feet of fire hydrant \$45
- 12-3-101(d)(3) within 20 feet of crosswalk \$45
- 12-3-101(d)(4) within 30 feet of approach to flashing signal/stop sign/traffic control signal at side of roadway \$45
- 12-3-101(d)(5) within 20 feet of driveway to fire station \$55
- 12-3-101(d)(5) on side of highway opposite fire station entrance, within 75 feet, if entrance properly posted \$55
- 12-3-101(d)(6) on roadway side of any other vehicle stopped or parked at the edge/curb of roadway (double parked) \$45
- 12-3-101(d)(7) on a curve or hill where solid lines on the surface of the roadway indicate a zone where passing is prohibited \$45
- 12-3-101(d)(8) in space or zone marked for use of individuals with disabilities w/out special plate or permit \$100
- 12-3-101(d)(9) in front of curb ramp designed for the use of individuals with disabilities \$100
- 12-3-101(d)(10) in front of or in a passenger loading area designed or marked for use of individuals with disabilities \$100

### Parking Prohibited...

- 12-3-101(e)(1) within 50 feet of nearest rail in railroad crossing \$45
  - 12-3-101(e)(2) commercial vehicle or vehicle used for commercial purposes on a public road\* \$75
- \*excludes vehicles providing temporary service and vehicles having a rating capacity of not more than  $\frac{3}{4}$  ton.

### Other/Prohibited, A person may not...

- 12-3-203 obstruct or interfere with the operation of any emergency vehicle or equipment, obstruct access by emergency equipment to a fire hydrant or fire sprinkler connection through a designated fire lane, or park a vehicle in a commercial fire lane \$50 (each day constitutes separate offense)

March 2006