

SPRINGFIELD POLICE DEPARTMENT

Standard Operating Guideline

Effective Date: 12/31/2013	Supersedes Policy Dated: 12/31/2009	Rescinds:	SOG Number: 405.2
Accreditation Index: 61.1.2, 61.1.5			
Part Title: Operations		Chapter Title: Traffic Operations	
Chief of Police:			

Uniform Traffic Enforcement Policies

I Policy

It is the policy of the Springfield Police Department to enforce the traffic laws of the city and the state in a manner that is as uniform as possible. Due to the varying circumstances that can occur, total uniformity is not possible. All personnel who take enforcement action must use their discretion and good judgment while engaged in traffic enforcement activities. 1

II Definitions

III Procedure

There are a number of basic procedures for the handling of certain traffic violations that are uniform in nature. Department members involved in traffic enforcement activities must make the final decision on the type of enforcement action to be taken based on their training, experience, and common sense.

1 IMPAIRED DRIVERS (CALEA 61.2.2(a) and 61.1.5(a))

1.1 Persons who are impaired due to the use of alcohol or drugs present a significant threat to the safety and welfare of everyone who uses city streets and highways. Department members shall be constantly alert for impaired drivers and shall take a proactive approach in removing these drivers.

1 Policy Statement corrected typographical error, per Policy Change Order 13-105, Effective Date 12/31/2013.

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- 1.2 Persons suspected of driving or operating a motor vehicle while intoxicated must be removed from the streets. Officers shall arrest drivers for whom there is sufficient probable cause to believe the drivers are intoxicated.
 - 1.3 When officers contact impaired individuals who are attempting to operate a motor vehicle, the officers must make arrangements to ensure these people do not drive.
- 2 DRIVING PRIVILEGES SUSPENDED OR REVOKED (CALEA 61.1.2(b) and 61.1.5(b))
- 2.1 During traffic enforcement activities, officers will encounter drivers who have had their driving privileges suspended or revoked.
 - 2.2 Officer shall take the appropriate action by citing these drivers to court.
 - 2.2.1 If the driver is cited into state court, the officer shall indicate the probable cause circumstances for the vehicle stop on either the first page of the summons (example: P/C No License Plate Displayed) or in the Incident Report if appropriate.
 - 2.3 After the traffic stop has been completed, officers shall not allow these drivers to continue to drive.
 - 2.3.1 The violator may request a person, who is a licensed driver, be called to pick up the vehicle if it can be done within a reasonable amount of time.
 - 2.3.2 If the vehicle is legally parked, the owner or driver may leave it there at their own risk.
 - 2.3.3 If the vehicle is on private property, it may be left there with the permission of the property owner or an employee if left on a commercial lot.
 - 2.3.4 The vehicle may be non-custody towed at the owner's request.
 - 2.3.5 If no other alternative exists, the officer may custody tow the vehicle.
 - 2.3.5(a) Officers shall complete a Missouri Department of Revenue Crime Inquiry and Inspection Report / Authorization to Tow, Form # MO DOR 4569.
- 3 SPEEDING VIOLATIONS (CALEA 61.1.2(b), 61.1.2(c) and 61.1.5(c))
- 3.1 Officers should always be alert to speeding violations around them. When observed, violators should be stopped.
 - 3.2 When the violator has been stopped the officer has discretion to take the following action:
 - 3.2.1 Verbal warning;
 - 3.2.2 Written warning;
 - 3.2.3 Traffic summons;
 - 3.2.4 Officers should not make a physical arrest unless approved by a supervisor. (CALEA 61.1.2(a))
 - 3.3 Individual officers may use their discretion within the following guidelines:
 - 3.3.1 Drivers exceeding the posted speed limit may be warned or cited;
 - 3.3.2 Officers observing a driver flagrantly exceeding the posted speed limit should attempt to stop the violator.

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- 3.3.2(a) The officer shall continuously assess the danger in catching up to the violator.
 - 3.3.2(b) Once stopped, the officer should issue a summons unless information gathered during the stop indicates otherwise.

- 4 OTHER HAZARDOUS MOVING VIOLATIONS (CALEA 61.1.5(d))
 - 4.1 A number of different hazardous moving violations are committed by drivers. Many of the violations can result in motor vehicle crashes, injuries and death. Officers shall be alert to this type of violation and take the appropriate action with the violators. 2
 - 4.2 Some hazardous moving violations may include, but are not limited to:
 - 4.2.1 Careless and Imprudent driving;
 - 4.2.2 Following Too Close;
 - 4.2.3 Improper Turn;
 - 4.2.4 Failure to Yield the Right-of-Way;
 - 4.2.5 Disobey a Traffic Signal or Stop Sign;
 - 4.2.6 Speed Too Great for Existing Conditions.

- 5 OFF-ROAD VEHICLE VIOLATIONS
 - 5.1 Various city ordinances deal with the operation of motor vehicles off of road ways. Officers should be familiar with these ordinances and take the appropriate action with violators.
 - 5.2 Officers may take enforcement action against drivers who operate a motor vehicle on private property who are intoxicated or who operate in a careless and imprudent manner.
 - 5.3 City ordinances prohibit the operation of motor vehicles within city parks.

- 6 EQUIPMENT VIOLATIONS (CALEA 61.1.5(d))
 - 6.1 Officers may take enforcement action against the operators of motor vehicles that are in violation of the various laws and ordinances dealing with equipment on the vehicles. Officers should use their discretion when determining whether to issue a warning or summons.

- 7 COMMERCIAL VEHICLE VIOLATIONS (CALEA 61.1.5(e))
 - 7.1 State Law requires many operators of commercial vehicles to possess a valid Commercial Driver's License (CDL). Officers should be familiar with the special restrictions and requirements for persons with CDLs and should take appropriate action in regards to violations.

2 Section 4.1 changed accidents to crashes, per Policy Change Order 13-105, Effective Date 12/31/2013.

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- 7.2 Officers may request the assistance of the Missouri State Highway Patrol Commercial Vehicle Inspectors for the inspection of commercial motor vehicles as needed. Officers may order a vehicle be transported to the nearest MSHP weigh station for vehicle weight measurement or equipment inspection. Either the MSHP Commercial Motor Vehicle Inspector or the SPD officer may issue the appropriate summons.
 - 7.3 If the vehicle is inoperable or suspected of being unsafe to operate, the officer may tow the vehicle pursuant to [SOG 405.1, Custody and Non-Custody Tows](#).
- 8 NON-HAZARDOUS VIOLATIONS (CALEA 61.1.5(d))
- 8.1 Many laws and ordinances exist that govern motor vehicle operations that are not hazardous moving violations. Officers shall be familiar with such laws and be attentive to violations. Some of these violations require special emphasis by police personnel.
 - 8.2 Child restraint laws are often violated. Since a child who is not properly secured in a motor vehicle is at great risk in the event of a crash, officers should be alert to such violations. Officers may use their discretion on the type of enforcement action to be taken on such violations. Officers should ensure that the violator understands the law and attempt to gain compliance. ³
 - 8.3 Seat belt laws should be enforced when violators are stopped for other violations.
- 9 MULTIPLE VIOLATIONS (CALEA 61.1.2(b), 61.1.2(c) and 61.1.5(f))
- 9.1 Often a traffic law violator will violate more than one law or ordinance at a time. Officers may issue citations for all violations observed or may issue a citation for the most serious violation and issue warnings for the other violations.
 - 9.2 When multiple violations are cited, the officer should cite the violator to one court.
 - 9.2.1 For example, when citing a person arrested for DWI and the person is to be cited into Associate Circuit Court all other violations associated with the same event should also be cited into Associate Circuit Court.
- 10 NEWLY ENACTED LAWS (CALEA 61.1.2(b), 61.1.2(c) and 61.1.5(g))
- 10.1 When new laws or ordinances are enacted that govern motor vehicle operations officers should consider allowing a 30 day grace period before violators are cited to court. Depending upon the nature of the law, officers may elect to warn violators during this grace period.
- 11 VIOLATIONS RESULTING IN TRAFFIC CRASHES (CALEA 61.1.2 (b) and 61.1.5(h))
- 11.1 Officers shall take the appropriate enforcement action while investigating traffic crashes. The action taken should be based upon driver's accounts, witness statements

³ Section 8.2, changed in the event of "an accident" to in the event of "a crash", per Policy Change Order 13-105, Effective Date 01/31/2013.

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and physical evidence. When only differing driver's accounts are available it is proper to not issue any summonses.

12 PEDESTRIAN AND BICYCLE VIOLATIONS (CALEA 61.1.5(i))

12.1 Ordinances regulate the movements of pedestrians and bicycles upon city streets. Officers should be familiar with these ordinances. Often, officers may use these ordinances as educational tools when contacting violators.

IV Attachments