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435.01 POLICY

The Department recognizes that traffic law enforcement is a tool to reduce traffic accidents and the resulting loss of life, injury, and property damage. Traffic law enforcement also promotes the safe and expeditious flow of traffic. Enforcement of traffic laws will be done in a firm, fair and courteous manner, and consistent with state law and local ordinances.

The Department has established the Special Operations Section. This Section is responsible for selective traffic enforcement, traffic complaints, special details, and other duties that are primarily traffic related. The Special Operations Section Commander is responsible for planning, analyzing, monitoring, and coordinating the Department's traffic functions.

The objectives of this Section are to reduce traffic accidents and to facilitate the safe and expeditious flow of vehicular and pedestrian traffic through voluntary compliance with traffic regulations.

While the Department has established the Special Operations Section to deal specifically with traffic related problems, all members of the Department share in the responsibility of promoting safe and expeditious flow of traffic.

435.02 GENERAL GUIDELINES OF TRAFFIC LAW ENFORCEMENT

- A. The rights and privileges guaranteed to all persons by the United States and Georgia Constitutions will be respected and observed by all officers. Traffic laws will be enforced without respect to race, religion, sex, or national origin.
- B. The Department is vigorously opposed to any form or type of preferential treatment in the enforcement of traffic laws or the adjudication of traffic citations.
- C. Traffic law enforcement activities will not be utilized as a revenue-generating tool nor will any salaries, benefits, or other Department provided compensation be dependent upon traffic fines or revenues. Sworn personnel responsible for traffic enforcement activities will not be evaluated in the area of traffic enforcement based solely on quantity of citations issued.
- D. Traffic enforcement actions should be based on the seriousness of the offense and not on violator attitude, intent, or nature of excuse.
- E. Officers should identify and remove from the streets those drivers who constitute an immediate and present danger to the public through their operation of a motor vehicle.
- F. The Department seeks improvement of driver behavior and development of voluntary compliance with traffic laws through a program of continuing direct enforcement and driver observation of that enforcement.

435.03 TOLERANCES & LATITUDES IN TRAFFIC ENFORCEMENT

The Department seeks the fair and intelligent application of traffic law. The procedures submitted below are a guide to commonly enforced laws and should be observed when appropriate. These tolerances are not intended to supplant officer discretion or alter any state law or local ordinances.

- A. DUI alcohol/Drugs – Officers encountering adult drivers DUI with blood alcohol levels of .08 gms% or greater (.05 to .079 gms% if other competent evidence exist that alcohol is a contributing factor in their driving actions) or drivers rendered less safe due to intoxication of drugs or other substances shall be arrested and charged accordingly. In addition, any driver under the age of 21 years old may be charged if the blood alcohol content is .02 gms% or greater. Operators of commercial vehicles who have any measurable levels of alcohol in his/her system may be issued a 24 hour out-of-service order. An operator of a commercial vehicle may be charged if the blood alcohol content is .04 gms% or greater.

- B. It is the generally accepted procedure that speed violators observed through the use of speed detection devices (radar/laser) will be cited in conjunction with guidelines established under Georgia Code 40-14-8.
- C. The enforcement of other hazardous moving violations is discretionary, but an effort should be made to make the enforcement action taken consistent with the offense committed.
- D. Equipment violations may either be warned or cited as appropriate, however, if the violation is so severe as to create an immediate or present danger to the public, stronger measures may be required.
- E. On occasion, officers will come in contact with drivers who have, or are committing multiple violations. In these instances, it is suggested that only the most serious of offenses be charged using care that lesser included offenses not be charged with the greater offense, for example, running a stop sign at 60 mph might be charged as reckless driving instead of the stop sign/speeding violation.
- F. Whenever a new law or ordinance is enacted, a customary 30 day grace period is generally appropriate when verbal or written warnings are issued to educate the public prior to more severe enforcement action being taken. Additionally, each month a registration deadline is set for the expiration of vehicle license plates or decals for vehicle owners with a birth date within that month. A 30 day grace period is also customary past these deadlines to allow for mailing of decals/tags to be received. This Department may increase or decrease this grace period through coordination with the Tax Commissioner's Office.
- G. Violations involving a public carrier or commercial vehicle will be treated in the same manner as any other violation. The officer, at their discretion, may contact the Georgia Department of Public Safety, Motor Carrier Compliance division on multiple or serious violations.
- H. Persons committing other nonhazardous violations should normally be warned for the first offense.
- I. Courtesy Cards – A courtesy card is any business card, writing or other nonverbal communication issued to any person by a law enforcement agency or officer for the purpose of influencing or dissuading an officer from taking appropriate enforcement action.

No member of this Department, or of any division, section, unit, squad, or group, shall issue a courtesy card to any other person or family member. No officer sworn to enforce the traffic laws of this state or county will honor any courtesy card issued by any law enforcement agency.

Whenever a motorist attempts to use a courtesy card, the enforcing officer shall report in writing the incident to his immediate supervisor who will forward the report through the chain of command to the division commander.

- J. Voiding of Citations – The procedure for voiding citations is contained elsewhere in this document, but the practice of arbitrarily and capriciously voiding citations is damaging to the morale of both the officers and the public and should be kept to a minimum (see "Citation Control").

435.04 METHODS OF TRAFFIC LAW ENFORCEMENT

The four (4) methods of enforcement action are:

- A. Verbal Warning – A verbal warning may be appropriate when a driver violates a law or ordinance that may be a unique situation to a particular jurisdiction or a violation which the driver may not be aware of, for example, a driver executes a right turn on a red signal after stopping. Such movement may be prohibited in some areas and not in others. Also, a tag or taillight bulb not illuminated and of which the driver is not aware.
- B. Written Warning – A written warning may be appropriate in response to traffic violations minor in nature, occurring in low accident areas. Written warnings may be issued within certain tolerance levels, for example, a radar officer might issue written warnings for speeds 11-14 mph over the speed limit while issuing citations for greater speeds.
- C. Written Citations – The written citation is appropriate in the majority of traffic violations. A citation should be issued to violators who jeopardize the safe and efficient flow of vehicular or pedestrian traffic, including, but not limited to, hazardous moving violations, unsafe or improperly equipped vehicles, and violations that result in traffic accidents.

Any time a citation is issued, a bond or promise to appear is needed. All violators, regardless of which state they reside, shall be released on their signature and receipt of their copy of the electronic citation (E-ticket). The driver's license will be returned to the violator along with a copy of the traffic citation. No driver's license will be held under any circumstances unless a violator is charged with an offense covered under O.C.G.A. 40-5-54 or any offense covered under Article 15 of

Chapter 6 of Title 40 entitled, "Serious Traffic Offenses." In these cases, the license will be put into a plastic bag and the bag will be stapled to the court copy of the citation.

All citations will be issued utilizing the Brazos Electronic Citation System. All appropriate information should be included. Information regarding the completion of the citation and scheduling court dates is contained in "Uniform Traffic Citation Reporting."

O.C.G.A. 40-13-2.1 governs the acknowledgement of the receipt of a citation by a violator. When a citation is issued the officer will advise the individual that signing the citation is not an admission of guilt, only that they are acknowledging receipt of the citation and will appear in court. The officer will further advise the person that failure to sign the citation will require them to post a cash bond at the Detention Center. If the violator refuses to sign the citation the officer will again inform the violator of the above information. If at this time the violator will not sign and/or accept the citation the officer may either have the violator follow them to the Detention Center or physically take the person into custody pursuant to O.C.G.A. 40-13-2.1. The officer will immediately notify their supervisor of the situation and complete all required reports concerning the arrest. Officers will use good judgment in deciding to take person with conditions such as advanced age or infirmity to jail for refusing to sign. In such cases, officers may wish to issue a warning or use other remedies.

D. Custodial Arrest – Normally, officers will physically arrest and take into custody drivers or other violators found to have committed the following offenses:

1. Driving under the influence of alcohol or drugs
2. Homicide by vehicle
3. Any felony in the commission of which a motor vehicle is used
4. Hit and run or leaving the scene of an accident
5. Racing on highways and streets
6. Using a motor vehicle in fleeing or attempting to elude an officer
7. Fraudulent or fictitious use of or application for a license
8. Reckless driving
9. No drivers license
10. Driving on suspended license

Whenever an officer physically takes a driver into custody, an arrest report will be completed. All other Department procedures and policies regarding arrests will be adhered to.

435.05 EXEMPTION FROM ARREST/SPECIAL PROCESSING REQUIREMENTS

Certain classes of people must be handled differently in accordance with federal and state law. Officers will follow the procedures set forth below in dealing with these people:

A. Juveniles

All Juvenile traffic offenders will be issued a uniform traffic citation, regardless of age. Officers shall not hold the driver's license of juvenile traffic offenders in lieu of bond. When completing the traffic citation, mark Juvenile Court on the citation and assign court dates and times provided by the Juvenile Court.

The following offenses described in O.C.G.A. 15-11-630(c) require a traffic citation and a "Juvenile Complaint" form:

- aggressive driving
- reckless driving
- a speeding offense punishable by four or more points (this includes speeds 24 mph or more over the posted speed limit)
- homicide by vehicle

- manslaughter resulting from the operation of a vehicle
- any felony in the commission of which a motor vehicle is used
- racing on highways and streets
- using a motor vehicle in fleeing or attempting to elude an officer
- fraudulent or fictitious use of a driver's license
- hit and run or leaving the scene of an accident
- driving under the influence of alcohol or drugs
- any offense committed by an unlicensed driver under 16 years of age

If an intoximeter or blood test is needed, it is not necessary to obtain the permission of the Juvenile Court.

B. Diplomats, Consulars, Militia, and General Assembly Members

1. Privilege of Members of General Assembly

The members of both Houses shall be free from arrest during their attendance on the General Assembly, and in going thereto, or returning there from, except for treason, felony, larceny, or breach of the peace (Ga. Const., Art. 3, Sec. 4, Para IX).

The Attorney General has held that a member of the Georgia General Assembly is not immune from arrest and prosecution for speeding violations, or any other criminal offense, by virtue of Art. III, Sec. IV, Para. IX of the Constitution of Georgia, criminal offenses of all types specifically being excluded from the legislative privilege against arrest. However, even if the language is viewed as excluding from its coverage any offense which does not amount to disorderly conduct or disturbing the peace, the immunity then provided would be from arrest only; there is no constitutional immunity for members of the General Assembly from prosecution for speeding violations or other violations of the criminal law [1985 Ga. Op. Atty. Gen. 233 (Ga.A.G.), Ga. Op. Atty. Gen. No. U85-50, 1985 WL 68964].

2. Privilege of Militiamen

The members of the organized militia or military forces shall in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at drills, parades, meetings, encampments, and the election of officers and going to, during, and returning from the performance of any active duty as such members (O.C.G.A. 17-4-2).

No doubt the legislative purpose of the immunity statutes was to prevent civil interference with the military on active duty in the performance of duty. This purpose will be served only if the immunity is asserted at the earliest opportunity. The legislative purpose is defeated if the militiaman allows himself to be deterred from the performance of his duty and then raises the privilege for the sole purpose of avoiding the criminal sanctions which he faces (140 Ga. App. 441 (5)).

Militia shall be composed of the Army National Guard, Air National Guard, the Georgia Naval Militia when organized, and the State Defense Force when organized (O.C.G.A. 38-2-3 (10)).

Note: Any sheriff or peace officer may apprehend persons subject to the Ga. Code of Military Justice upon reasonable belief that an offense has been committed and that the person apprehended has committed an offense (O.C.G.A. 38-2-340). All members of the Georgia organized militia are subject to the provisions of the Ga. Code of Military Justice (O.C.G.A. 38-2-322).

3. Diplomatic Immunity

The person of a diplomatic agent shall be inviolable. He shall not be liable to any form of arrest or detention. The receiving state shall treat him with due respect and shall take all appropriate steps to prevent any attack on his person, freedom or dignity (Vienna Convention on Diplomatic Relations, Art. 29-31, 23 U.S.T. 3227; 23 U.S.C. 254a et seq.).

The term "diplomatic agent" includes the head of a mission (generally an ambassador) of a foreign government and members of the diplomatic, administrative, and technical staff of a mission (22 U.S.C. 254a).

The members of the family of a diplomatic agent forming part of his household shall enjoy the privileges and immunities afforded the diplomatic agent (Vienna Convention on Diplomatic Relations, Art. 37).

Private servants of embassy personnel have no immunity.

4. Consular Privileges and Immunities

In the absence of a specific treaty, consular officials are not entitled to diplomatic immunity (Hall v. Coppel, 74 U.S. 549, 19 L. Ed 244, 247).

The Vienna Convention on Consular Relations, Art. 41-42, 21 U.S.T. 78, provides that:

- The receiving state shall treat consular officers with due respect and shall take all appropriate steps to prevent any attack on their person, freedom, or dignity.
- Consular officers shall not be liable to arrest or detention pending trial, except in the case of a grave crime (felony offense that endangers the public safety) and pursuant to a decision by the competent judicial authority.
- Except in the case specified above, consular officers shall not be committed to prison or liable to any other form of restriction on their personal freedom save in execution of a judicial decision of final effect.
- If criminal proceedings are instituted against a consular officer, he must appear before the competent authorities.

In the event that a consular officer, or employee, or member of their families is taken into custody, the U.S. Department of State should be promptly notified.

The term "consular officers" includes consul generals, consuls, vice consuls and consular agents who are official representatives of a foreign government accredited to the United States. Vienna Convention on Consular Relations, Art. I. Honorary consuls are not entitled to immunity under Art. 41. Georgia extends the same privileges and immunities as are extended to consulate general of foreign countries to the Coordination Council for North American Affairs of the Republic of China (Taiwan).

Family members of consular officials are not entitled to immunity (Vienna Convention on Consular Relations, Art. 57).

5. Traffic Violations by Consular Officers

It is the policy of the United States Department of State that "the issuance of a traffic citation is not considered a violation of the immunities to which members of a mission may be entitled." Digest of U.S. Practice in Int'l L., Ch. 4, 1, 79 Am.J Int'l. L. 1049 (1985) thus "authorities in all jurisdictions of the United States would be free to issue regular traffic tickets or summons to any driver with diplomatic or consular status who fails to observe traffic laws and regulations." (7 Digest of Int'l. L. 17, p. 172)

In DUI cases or other situations where a diplomatic or consular officer is considered a danger to himself or others, the U.S. Department of State advises that a law enforcement officer may:

- Take the consular official to the station or a location where he/she may recover sufficiently to drive safely
- Take him/her to a telephone to call someone to drive them home
- Call a taxi for the official
- Take the official home
- In all cases involving a consular official, a senior officer should be contacted

6. Verification of Status of Person for whom Immunity is Claimed

A person claiming immunity is required to produce satisfactory evidence that he/she is entitled to immunity. The U.S. Department of State issues identification to diplomatic agents and career consular officials accredited to the United States (7 Digest Int'l. L.8, p. 108). The Georgia Secretary of State issues identification cards to honorary consuls and members of the families of career consular officials who are stationed in Georgia.

In any situation in which an officer needs to establish entitlement to diplomatic or consular immunity, or needs guidance concerning a particular situation involving a person with diplomatic or consular immunity can telephone the U.S. Department of State as follows:

During regular hours, the Office of Protocol, U.S. Department of State.

- For diplomats:
(202)647-4570, (202)647-1664, (202)647-1604
- For all others:
(202)647-4005, (202)647-1404
- After regular hours, use the following numbers:
(202) 647-1512

The main information number for the Department of State is (202) 647-4000 and should be used last.

435.06 STOPPING & APPROACHING THE VIOLATOR

In stopping violators for any reason, officer safety is paramount. Officer will take all steps and precautions necessary during traffic stops to assure their safety.

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, and the existing volume of traffic may dictate adjusting or altering the recommended procedures. These procedures are to be followed, when possible, and are presented from the perspective that ideal conditions exist:

- A. When the officer has positioned himself behind the violator to begin the stopping procedure, he should notify radio dispatch of the location of the traffic stop, the license number, and any other pertinent information that will identify the violator or vehicle.
- B. The officer should make every attempt to run the license plate of the violator's vehicle prior to the traffic stop.
- C. 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 every effort should be made to avoid stops on hills, curves, intersections, private drives, and business locations which have limited parking.
- D. The officer should signal the violator to stop. This signal should be with the blue emergency light, hand signals, sounding the horn and if necessary, the siren. 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. If the patrol car is equipped with video or audio recording equipment, it will be set to activate with the blue lights, and also may be activated by the officer independently. This equipment shall be used to document traffic stops and other situations as deemed appropriate. The video/audio recordings will be handled as stated in the GCPD Property and Evidence Unit Packaging Manual.
- E. The violator should be signaled and directed to the right side of the roadway close to the curb, or onto the shoulder, if engineering designs permit.
- F. On multi-lane roadways, the officer should ensure the safety of the violator during lane changes by gradually changing from lane to lane with the violator until the right side of the roadway is reached.
- G. Should the violator stop abruptly in the wrong lane or in another undesirable location, the violator 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 this equipment is available. If the patrol vehicle is not so equipped, and gestures are insufficient to bring understanding, the officer should quickly exit from the patrol vehicle and give verbal instructions to the violator.
- H. The violator should not be permitted to move their vehicle, once it has stopped, if it is suspected the driver is under the influence to the extent that their driving ability is impaired.
- I. Once the violator has stopped in an appropriate location, the officer should position the police vehicle at a distance where he or she can see the rear tires of the violator's vehicle on the ground. This should be approximately one-half to one (1) car length behind the violator's vehicle. The police vehicle should be offset approximately two (2) feet to the left of the violator's vehicle or angled to the left to utilize the engine block and left wheel assembly for immediate cover. These positions provide maximum safety to the violator, the officer, and all other traffic.

- J. The officer shall 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.
- K. The officer will approach from the rear of the violator's car, looking into the rear seat area, and stop at a point to the rear of the trailing edge of the left front door. This position should be maintained if there are only occupants in the front seat of the vehicle. From this position, the officer can communicate with the violator keeping him in a slightly awkward position and at the same time keep all occupants of the vehicle in view.
- A right hand side approach is the most preferred approach due to the tactical advantage it provides the approaching officer and it's an acceptable option in those cases where passing traffic is so close to constitute a danger to the officer.
- L. In those cases where the violator's car has occupants in both the front and rear seats, the officer has the option to stop at a point to the rear of the trailing edge of the left rear passenger door or the right rear passenger door or have the violator step to the rear of the vehicle with their driver's license. From this position, the officer can communicate with the violator and keep all occupants in view.
- M. In those traffic stops made by two (2) officer patrol vehicles, the passenger officer will be responsible for all radio communications and writing all notes and messages relayed from radio dispatch. During the traffic stop, they should exit from the vehicle and act as an observer and cover for their fellow officer. At no time should the two (2) officers approach the vehicle at the same time.
- N. 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, and positioning the police vehicle. After the stop, the lights should be on low beam for the safety of oncoming traffic. The spotlight may be used to illuminate the interior of the violator's vehicle if needed.
- O. The officer may, at their discretion, order the violator out of the vehicle if the officer senses or expects a violent encounter, or if unusual circumstances warrant having the violator away from the vehicle.

435.07 USE OF TIRE DEFLATING DEVICES ON A STATIONARY VEHICLE OR VEHICLE IMMEDIATELY ATTEMPTING TO FLEE

Tire deflating devices may be used as a preventative measure on a stationary vehicle or vehicle immediately attempting to flee to prevent escape. The use of tire deflating devices will be governed by sound professional judgement and only under the following circumstances:

- The vehicle in which the tire deflating device is going to be used on has four (4) or more wheels. Any application on a vehicle with less than four (4) wheels is considered deadly force and shall not be used unless deadly force is warranted.
- The officer has articulable reasonable suspicion to believe the suspect may attempt to flee during a lawful detainment to include but not limited to incidents such as a traffic stop or warrant service.
- Officers should be in a safe location while still in close proximity to deployed tire deflating devices. These devices shall not be randomly thrown in a roadway and left unattended.
- Environmental conditions should be considered such as but not limited to amount of pedestrian traffic, vehicular traffic, and time of day. The risk the violator poses to society should always be weighed against the risk to innocent civilians by utilizing such tactics when making the decision to use tire deflating devices or not.

435.08 STOPPING AN APPROACHING VIOLATOR

In the event an officer observes a traffic violation occur in oncoming traffic, the officer will take the following actions:

- A. Drive the police vehicle safely to the extreme right portion of the roadway.
- B. The officer will turn around when this maneuver can be made safely, proceed after the violator, and run the tag via the MDT before initiating a traffic stop.

435.09 STOPPING A FOLLOWING VIOLATOR

In the event an officer observes a traffic violation to the rear of the police vehicle, the following procedures will be utilized:

- A. The officer will drive on the right shoulder of the road.
- B. As the violator approaches, the officer will remain in the patrol vehicle.

- C. When the violator passes, the officer will catch up to and stop the violator in the usual manner.

435.10 STOPPING A KNOWN OR SUSPECTED FELON

When a patrol officer locates a vehicle driven by a known or suspected felon, they will notify the radio dispatcher immediately. The officer will inform the operator of the location, thorough description of the vehicle, and any other pertinent information that will further identify the violator or vehicle. The officer will keep the suspect vehicle in view and request sufficient assistance in making the stop. The officer will keep support units informed of the location and direction of travel to facilitate their approach with minimal use of emergency equipment.

The suspect vehicle will not be stopped unless absolutely necessary until adequate support is available and in position. The following procedures will be used in effecting the stop:

- A. The officer will plan to stop the suspect vehicle in a location, which presents minimal danger to other citizens.
- B. When conditions are appropriate and support units are available, the officer will move into position to the rear of the suspect vehicle.
- C. The officer will signal the violator to stop, utilizing all emergency equipment necessary to warn other traffic.
- D. The violator will be stopped on the extreme right side of the road.
- E. If the violator is known to be armed and dangerous, the officer will have his weapon easily accessible and ready for immediate use.
- F. The officer will park the police vehicle so that it provides maximum protection and cover for him.
- G. At night all lights, including spotlights, will be forced on the interior of the suspect vehicle to the disadvantage of the violator. Police vehicles immediately behind the suspect vehicle should avoid using their rear blue lights as they will put other officers at a greater disadvantage who are using the rear of the vehicle for cover. Vehicles at the tail end of the traffic stop should leave their rear facing blue lights on to adequately protect the rear area and avoid creating a dangerous situation.
- H. The officer will exit the police vehicle quickly and move to a position of tactical advantage while utilizing appropriate cover.
- I. The officer will direct each occupant by utilizing loud voice commands to remove themselves from the vehicle individually, according to specific directions, and into the appropriate search position after which the approach may be made. If officers on scene determine that there is a need to utilize the public address system, arrangements should be made to use a vehicle that is parked sufficiently behind cover and use that vehicle's public address system.
- J. If voice commands are not heard or are ignored by the occupants, the officer will consider the subject to be barricaded and wait for the arrival of a supervisor to determine whether or not additional resources are needed. Measures should be taken to contain and secure the scene. The officer should not leave a position of cover to approach a felon's vehicle unit until assistance has arrived at the scene.
- K. The support officers will cover the arresting officer and remain in a position that allows them immediate response, if needed, and places the arresting officer out of any line of fire.
- L. When all occupants have been removed from the vehicle, the support officers should move to a position to cover the arresting officer while the persons are searched.
- M. The occupants should be ordered into a prone position, face down with their hands outstretched away from their bodies.
- N. If terrain or room does not permit the prone position, the occupants should be ordered into a kneeling position with their ankles crossed, bent forward at the waist, looking away from the officer, and with their hands behind their back, palms out, thumbs up.
- O. If the subjects are in the prone position, handcuffs should be used immediately and then the subjects should be searched thoroughly.
- P. If the subjects are in the kneeling position, once the handcuffs are placed on the subject, the officer will search the small of the back of the subject or any other area which the subject can reach with their hands.

435.11 OFFICER/VIOLATOR RELATIONS

Officers should be firm, fair, and courteous in dealing with violators. Traffic enforcement action should be an educational experience designed to improve driver behavior through voluntary compliance. The violator should be left with the impression that a necessary task has been performed in a professional manner. Officers should remember that most citizens only contact with a member of this Department is during traffic related enforcement. Officers should seek to make all traffic related steps in a professional manner. The following procedures should be used in dealing with violators:

- A. Be alert and cautious at all times, but do not appear apprehensive.
- B. Be absolutely certain of the violation observed. When in doubt, take no enforcement action.
- C. At all times maintain a professional bearing paying special attention to grooming, dress, language, voice control, and emotional stability.
- D. Be prepared for violator contact by having necessary equipment or forms available (reports, ~~ticket book~~, Alco-sensor, etc.).
- E. Decide what enforcement action you intend to take prior to making contact with the violator. Base your enforcement action on the violation, not the driver's attitude ("failing the attitude test").
- F. Violators should be greeted with courtesy and with appropriate title, for example, yes sir, no ma'am, Mr. Smith, Miss Jones, etc.
- G. Request the violator to produce driver's license, insurance card and vehicle registration if needed.
- H. Check for possible signs of physical or mental impairment, emotional distress, or alcohol/drug use.
- I. Advise the violator of the observed infraction and your intended enforcement action (warning, citation, etc.). Do not argue with, belittle, or berate the violator.
- J. Complete the necessary forms and explain exactly what the violator is required to do and any alternatives available. Do not predict the actions of the court or quote fine amounts.
- K. Obtain the violator's signature in the Brazos Electronic citation system, return the license, insurance card, etc., and provide the driver their copy of the E-ticket.
- L. Assist the violator in safely re-entering the traffic flow.

435.12 TRAFFIC PATROL TECHNIQUES

High visibility traffic patrol has been found to be the most effective deterrent to traffic violations. Therefore, a pro-active posture of violation prevention is an important part of traffic patrol.

Officers shall operate patrol vehicles within the law and shall demonstrate exemplary driving behavior unless and until an emergency or immediate response to a call is required.

Officers monitoring traffic for violations will park their patrol vehicles in a conspicuous location so as not to impede traffic and with consideration to the safe entry/exit to the traffic flow. Those officers operating speed detection devices will strictly adhere to state law governing the use of radar/laser.

At no time will officers monitoring traffic for the purpose of speed enforcement attempt to hide or conceal their vehicle or otherwise give the appearance of operating a "speed trap" or other covert activity.

Special use traffic enforcement vehicles, such as motorcycles and patrol cars, without roof lights ("slick tops") will be used exclusively by selected personnel in accordance with this policy and under the direction of the Division or Special Operations Section Commander.

Normally, unmarked police vehicles will not be used for vehicle pullovers. Situations may arise, however, when it is necessary to take enforcement action. Sworn officers operating unmarked police vehicles equipped with emergency lights and siren may conduct vehicle pullovers to intervene in the following situations:

- Serious traffic offenses or other criminal activity where the failure to take action would lead to the offender escaping
- Any other situation that could result in injury or death to citizens or other members of the department if no action was taken.

Under no circumstances will unmarked cars engage in pursuits.

435.13 SPEED MEASURING DEVICES (RADAR/LASER)

The Department will utilize radar and laser in high or potentially high accident locations when speed is a factor in areas where speed limit violations are prevalent; in response to complaints by citizens concerning speeding motorists; and to conduct traffic volume and speed perceptive studies. Pursuant to O.C.G.A. 40-14-1, only speed measuring devices, which meet or exceed the performance specifications established by the Georgia Department of Public Safety, shall be utilized.

All officers utilizing radar and/or laser speed measuring devices must successfully complete the basic operator training program and receive certification prior to utilizing radar and/or laser devices. The commanding officer of the Uniform Division or his designee will establish procedures to:

- Periodically recertify operators to ensure their continued proficiency.
- Ensure that radar and laser speed measuring devices receive proper care and upkeep.
- Ensure programmed maintenance, testing and calibration of speed measuring devices.
- Ensure that adequate maintenance, calibration and operational record systems suitable for evidence in court are developed and maintained.

The precise method for using a radar and/or laser unit and the enforcement of those laws applying to speed will vary in accordance with the type of radar and/or laser equipment used. Generally, the following procedures are applicable:

- A. The radar or laser unit must be properly installed and connected to the appropriate power supply.
- B. The effective range of the particular unit must be thoroughly understood by the operator so visual observations can support the speed meter readings.
- C. The operator must choose an appropriate location, in accordance with the directions of his supervisor or his personal knowledge, relative to traffic accident experience in which speed has been identified as a factor. The operator may also operate the radar and/or laser in areas where citizen complaints of speed violations have been received. The operator must adhere to the following State Code Sections regarding the use of the radar or laser device. The Code Sections are 40-14-7, 40-14-8, 40-14-9 and 40-14-10.
- D. Prior to use, the radar or laser unit will be properly calibrated to ensure accuracy in checking speed. This calibration will be logged in the accompanying logbook. At the end of the officer's tour of duty they will also perform a calibration of the radar unit. This calibration will also be logged. The officer will advise each person that they intend to issue a citation to, based on the use of radar only, that the person has a right to request a calibration test of the radar unit prior to any citation being issued to them. In the event that the unit does not meet the minimum accuracy requirements, the citation will not be issued and the radar unit will be taken out of service until the appropriate repairs, recalibration, and recertification have been completed by a qualified technician. If the violator's requested calibration test indicates that the unit was operating properly, then the officer may issue the citation and will log this test in the calibration logbook.
- E. The following elements must be established in court:
 - 1. The officer must establish the time, place and location of the vehicle that was checked, the identity of the operator, the speed of the vehicle, and the visual and radar or laser speed check.
 - 2. The officer must establish their qualifications and training.
 - 3. The officer must establish that the radar or laser unit was operated properly.
 - 4. The officer must establish the unit was tested for accuracy, prior to use and after use, by an approved method.
 - 5. The officer must establish and identify the vehicle and must make a visual observation of its apparent speed.
 - 6. The officer must state that a radar accuracy calibration (applies to radar only) was offered to the violator and the accuracy calibration was accepted and performed or refused.
 - 7. The officer must bring their radar or laser logbook and other required certifications of the radar to court for inspection.

435.14 DUI COUNTERMEASURES

This Department recognizes the real and present danger presented by the DUI impaired driver to the safety and welfare of our citizens, therefore, the Department has established DUI enforcement as a high priority. Officers of this Department shall be alert at all times for indications of DUI impairment in all contacts with motorists and shall make every effort to detect and apprehend them.

A. General Procedures

1. Upon contact with an impaired driver, and upon having sufficient probable cause to arrest, officers will affect a custodial (physical) arrest of the subject.
2. Officers will not release a DUI suspect or arrange for alternative transportation in lieu of arrest.
3. Chemical tests will be provided in accordance with Georgia law.
4. Chemical tests are supplemental evidence of DUI only and a refusal to submit to a chemical test will not constitute cause to drop the charge or charges for a lesser offense.
5. All officers will be trained to detect and apprehend DUI violators through the combination of academy required course completion, field training, in-service refresher courses, and field experience.
6. All officers certified to operate the Intoxilyzer 9000 through the approved GBI/GPSTC Class must ensure the original large paper size certificate is turned into the Chief's Office to be kept on file. Officers may keep the wallet size certificate.

B. Specific Procedures – DUI Detection and Pre-Arrest Screening

1. Officers shall be able to recognize and identify certain driving behaviors that may be indicative of a DUI driver.
2. Recognize and identify other behaviors that occur during the traffic stop that may indicate impairment.
3. Note all behavior traits observed leading to suspicion or impairment.
4. Use caution in the pursuit of DUI drivers and be alert for unusual or inappropriate driver reactions.
5. Apprehension of the DUI driver should be made as soon as possible in a safe location.
6. Advise radio dispatch of location, vehicle description, tag number, and reason for stop, for example, 10-37, Signal 30.
7. Advise Code 4 (OK) or request assistance if necessary.
8. Once the vehicle has been stopped and an impaired driver is suspected, do not allow the driver to move vehicle.
9. Obtain driver's license, insurance card, and registration if needed. Note any signs of impaired dexterity, for example, fumbling for license, etc.
10. Be alert for and note characteristics, attitudes, and actions commonly associated with impaired drivers during initial face-to-face contact.
11. Upon suspicion of an impaired driver, have the subject exit the vehicle and move to a safe location in order to conduct field sobriety evaluations.
12. Select and administer appropriate sobriety evaluations in order to assess the level of impairment.
13. Based on the observations made upon completion of the above steps, decide upon and act on the appropriate arrest actions.

C. Arrest/Processing Procedures

1. Once the decision to arrest is made, affect the custodial (physical) arrest and advise the driver, "You are under arrest for driving under the influence."
2. Search the driver and secure in the patrol car.

3. As soon as practical, read the driver the applicable section of the "Implied Consent Warning" and obtain a response of consent or refusal to a state administered test(s), which may be verbal or non-verbal.
4. If an arrest is made, the vehicle will be dealt with in accordance with GDM policy 427.00 – Vehicle Towing.
5. Arrange for safety/transportation of any passengers in accordance with GDM policy 427.00 – Vehicle Towing.
6. Transport the driver to the nearest testing facility or the jail if a breath test is to be administered. The driver must have been under the observation of the arresting officer for 20 minutes prior to the breath test being administered.
7. Observe the specified tests being conducted by qualified personnel. If the arresting officer is qualified to administer breath tests, they may complete the test in accordance to regulations set forth by the state of Georgia.
8. If breath analysis does not indicate alcohol is present and impairment is evident, specify a blood or urine test and have tests administered.
9. Afford driver the reasonable opportunity to take an additional test if he so desires in accordance with state law.
10. Pursuant to GA 40-5-67.1, a person under arrest or a person who was involved in any traffic accident resulting in serious injury or death who submits to a chemical test upon the request of a law enforcement officer and the test results indicate that a suspension or disqualification is required, the results shall be reported to the Department of Driver Services via a DDS-1205 form. If a person under arrest or who was involved in any traffic accident resulting in serious injury or death refuses to submit to a chemical test requested by a law enforcement officer, no test shall be given, but the officer shall report the refusal to the Department of Driver Services via a DDS-1205 form. The arresting officer is responsible for mailing the completed form to the Georgia Department of Driver Services, which must be received within ten (10) days.

All DDS notifications of an Administrative License Suspension Hearing received by an officer shall be regarded the same as any other subpoena and the officer will attend said hearing.

**** Officers should be familiar with the subpoenaed documents required during ALS Hearings:**

- A copy of the operator's permit for 9000 if you are the operator or a certified copy if arresting officer was not the operator.
 - One of the original copies of the test results.
 - If a test was performed by GBI (blood or urine), a copy of the Crime Lab Report.
11. Complete arrest report, impound sheet (if applicable), citations and other related paperwork.
 12. Check driver's license status and warrants on subject.
 13. Transport the driver to the county jail and relinquish custody to the deputy sheriff on-duty.
 14. Forward all completed paperwork to immediate supervisor at the end of shift for approval.

435.15 SUSPENDED OR REVOKED LICENSE

If the officer is certain that the violator's license has been suspended or revoked, he should affect a physical arrest of the subject and assume custodial responsibility for the subject and his property. The officer will complete reports described in GDM policy 413.00 - Reporting of Incidents. A computer printout listing the violator's name, address, driver's license number, and current status will also become part of the report.

If the officer is unsure of the actual status of the violator's license, they should issue a citation for "License to be Carried and Exhibited on Demand" (O.C.G.A. 40-5-29). If at a later date it is determined that the license was suspended or revoked, the officer should issue the appropriate citation and obtain an arrest warrant for the subject.

435.16 REQUEST FOR RE-EXAMINATION OF DRIVERS

Officers who through routine enforcement, accident reporting and investigative activities detect a person who appears to be incompetent, physically or mentally disabled, or suffers from disease or other conditions that prevent him/her from exercising reasonable and ordinary care over a motor vehicle will utilize the following procedure:

Complete a "Request For Driver Review" DDS-270 Form and send the completed form to the Georgia Department of Driver Services. If the officer's contact with the driver was during the investigation of a traffic accident, a copy of the accident report should be attached to the form. The officer will state their reasons for believing the person is not qualified to operate a motor vehicle in the appropriate sections of the form. The Driver License Advisory Board is responsible for making the final determination (O.C.G.A. 40-5-34) and all notices should be sent to the following address:

Georgia Department of Driver Services
c/o Medical Review Unit
Driver License Advisory Board
P.O. Box 80447
Conyers, Georgia 30013

435.17 ENFORCEMENT OF PARKING REGULATIONS

Officers will enforce parking regulations with reasonableness and impartiality to ensure fair access to parking, promote safety and expedite traffic flow.

Officers who encounter improperly parked vehicles will enforce state law and county ordinances regarding the parking of vehicles. Officers may impound an improperly parked vehicle, which constitutes a hazard pursuant to O.C.G.A. 40-6-206.

Officers who respond to citizens' complaints or who observe fire lane parking violations during routine patrol will exercise reasonableness in the enforcement of these violations. The fire lane should be clearly marked and the time of day should be taken into consideration prior to any enforcement action being taken. Individuals who are dropping off or picking up passengers or packages will not normally be cited. The driver's proximity to the vehicle should also be considered. Persons who have left their vehicle parked in a fire lane for the purpose of shopping in a store should normally be cited.

Officers who respond to citizens' complaints or who observe handicapped parking violations during routine patrol will exercise reasonableness in the enforcement of these violations. The handicapped parking space should be clearly marked pursuant to state law. Officers who locate a person parked in a handicapped parking area who are disabled or elderly and who do not have the proper permit should normally be explained the proper procedure for obtaining the permit from the Georgia Department of Public Safety. Other persons will normally be cited.

The Chief of Police, pursuant to Georgia Code 40-6-228, may authorize certain handicapped persons to enforce handicapped parking laws. The Department will issue persons authorized to enforce this law a "Handicapped Parking Monitor" identification card. Members of the Department will support the enforcement of handicapped parking laws by monitors when requested to do so.

Officers responding to citizens' complaints or who observe improperly parked vehicles during routine patrol in subdivisions will exercise reasonableness in the enforcement of these violations. The danger to property and the safety of vehicular traffic should be considered prior to any enforcement action being taken. The officer will attempt to locate the driver or owner of a vehicle that is improperly parked and request that the vehicle be moved. If all reasonable efforts fail, the officer will take enforcement action. In situations where the vehicle is creating a safety hazard or is impeding the flow of traffic, the officer will impound the vehicle pursuant to Georgia Code 40-6-206.

When members observe a parking violation and the violator is not present, a "Uniform Parking Citation" may be issued. The citation should be completely filled out. The violator copy (which is an envelope) should be left in a conspicuous location on the vehicle. The court copy and issuing department copy should be forwarded in the same manner as the uniform traffic citation. All voided citations must also be turned in.

When practical to do so, the driver of the vehicle should be served with a "Uniform Traffic Citation" to ensure their appearance in court.

435.18 PEDESTRIAN & BICYCLE TRAFFIC LAW

Officers will take appropriate enforcement action when and where pedestrian and bicycle traffic law violations occur. Officers will, when circumstances allow, use enforcement as an educational tool to make members of the public aware of the danger involved in the disobedience of pedestrian and bicycle traffic laws.

The enforcement of traffic laws pertaining to pedestrians and bicycles necessitates broad discretion from the individual officer. The following procedures are guidelines to the use of discretion so that there is a uniform and consistent application of the laws:

- A. Officers who encounter violations of pedestrian traffic law will enforce state law, Obedience to traffic-control devices, and traffic regulations (40-6-90); Right-of-way in crosswalks (40-6-91); Crossing roadway elsewhere than at crosswalk (40-6-92);

Drivers to exercise due care (40-6-93); Right-of-way of blind pedestrian (40-6-94); Pedestrian under influence of alcohol or drug (40-6-95); Pedestrians walking on or along roadway (40-6-96); Pedestrians soliciting rides or business (40-6-97); Right-of-way on sidewalks (40-6-100); and pedestrians to yield to authorized emergency vehicles (40-6-101).

- B. Officers who encounter violations of bicycle traffic law will enforce state law, Traffic law applicable to bicycles (40-6-291); Manner of riding bicycle; carrying more than one (1) person (40-6-292); Persons on bicycles and play vehicles not to cling to other vehicles (40-6-293); Riding on roadways and bicycle paths (40-6-294); Carrying articles (40-6-295); Lamps and other equipment on bicycles (40-6-296); Reflectors on pedals of bicycles (40-6-297); and Violation of part a misdemeanor; duty of parents and guardians (40-6-298).
- C. Officers will concentrate their efforts on pedestrian and bicycle traffic law violations where accidents have been frequent and severe and in areas of congestion where there is a substantial flow of vehicular traffic and where accidents involving pedestrians and bicycles are more likely to occur.
- D. Officers should consider the age and experience of the violator. A more instructive response should be given to a youthful offender, who may not be fully aware of their responsibility, or the danger involved in violations of pedestrian or bicycle traffic law.

435.19 OFF-ROAD RECREATIONAL VEHICLES

The use of off-road recreational vehicles has resulted in citizens' complaints of excessive noise, trespassing and public/private property damage. When misused, these vehicles are dangerous to the operator. Officers will take the appropriate enforcement action when violations are encountered.

Officers who encounter off-road recreational vehicles will enforce state law regarding the operation of these vehicles.

Officers will enforce operating restrictions (40-7-4); Registration and license requirements (40-2-20); and class of license (40-5-23) on off-road vehicles.

When citing an operator for a violation, the Department policy regarding traffic related arrest would be adhered to.

The Accident Investigation Unit will investigate off-road recreational vehicle accidents involving serious injury or death.

Officers will not endanger their lives, the lives of others, or risk damage to their equipment in pursuing violators over rough or rugged terrain.

435.20 ROAD CHECKS

The Department allows the use of road checks within the guidelines noted in GDM policy 455.00 – Safety Checkpoint.

435.21 MANUAL TRAFFIC DIRECTION & CONTROL

Manual traffic direction and control will be used to restore or maintain the safe and efficient movement of vehicular and pedestrian traffic and will only be conducted by sworn officers or trained civilian personnel. Such circumstances include malfunctioning traffic signals, traffic accidents, critical incidents, fire scenes, other emergencies, special events, or during adverse road and weather conditions. Officers may use manual traffic direction and control to assist public service or utilities or under other circumstances with the approval of the watch commander or his designee. Officers should not use manual traffic direction and control when the use of a traffic control signal will alleviate a problem.

Officers should not manually operate a traffic control signal other than to place it on flash when it is malfunctioning. Exceptions to this may occur with the traffic management at special events and at locations that experience episodes of increased traffic volume. These locations include, but are not limited to: the Gwinnett Center (Arena and Civic Center; Gwinnett Braves Baseball Stadium; Mall of Georgia; Sugarloaf Mills Mall; and Gwinnett Place Mall. Planning and coordination with the Gwinnett County DOT is needed so that traffic control signals can be equipped for manual operation.

Officers will use uniform signals and gestures during traffic direction and will wear reflective outerwear when directing traffic.

435.22 PROCEDURES

A. Assuming and Maintaining a Traffic Direction and Control Position

1. Personnel carrying out manual traffic direction and control will ensure that their purpose and presence are well demonstrated to drivers and pedestrians.

2. Officers will wear the high visibility outerwear provided by the Department while conducting manual traffic direction. Officers will also wear the prescribed uniform. High visibility outerwear will consist of the reflective traffic vest.
3. Officers will position themselves so they can clearly be seen, usually in the center of an intersection or roadway.
4. Officers will stand straight with weight equally distributed on both feet allowing the arms to hang easily at the sides except when gesturing.
5. Officers will stand facing or with their back to stopped traffic and with the side toward traffic being directed to move.

B. Signals and Commands

1. To stop traffic the officer should first extend their arm and index finger toward and look directly at the person to be stopped until that person is aware, or it can be reasonably assumed, that they are aware of the officer's gesture. Second, the pointing hand is raised at the wrist so that its palm is toward the person to be stopped, and the palm is held in this position until the person is observed to be stopped. To stop traffic from both directions on a two-way street the procedure is then repeated for traffic coming from the other direction while continuing to maintain the raised arm and palm toward the traffic previously stopped.
2. To start traffic the officer should first stand with shoulder and side toward the traffic to be started, extend their arm and index finger toward and look directly at the person to be started until that person is aware, or it can be reasonably assumed that they are aware, or it can be reasonably assumed that they are aware of the officer's gesture. Second, with 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 this gesture is repeated 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.
3. Right turning drivers usually effect their turns without the necessity of being directed by the officer. When directing a right turn becomes necessary, the officer should proceed as follows: If the driver is approaching from the officer's right side his extended right arm and index finger and gaze are first directed toward the driver, followed by swinging the extended arm and index finger in the direction of the driver's intended turn; if the driver is approaching from the officer's left side, either the same procedure may be followed utilizing the left arm extended or the extended left forearm may be raised to a vertical position from the elbow while closing the fingers so that the remaining extended thumb points in the direction of the driver's intended turn.
4. Left turning drivers should not be directed to affect 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 gesture, then the extended left arm and index finger and officer's gaze is directed toward the driver who intends to affect 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.

C. Signaling Aids

1. The whistle is used to get the attention of drivers and pedestrians. It is used as follows:
 - One (1) long blast with a STOP signal
 - Two (2) short blasts with the GO signal
 - Several short blasts to get the attention of a driver or pedestrian who does not respond to a given signal
2. The whistle should be used judiciously. It should not be used to indicate frustration, but the volume should be just that sufficient to be heard by those whose attention is required. Therefore, whistle blasts directed at pedestrians should be moderate in volume. The whistle should be used only to indicate stop, go, or to gain attention, and when its purpose has been achieved the officer should cease sounding the whistle. If the whistle is utilized continuously, it ceases to hold meaning for drivers and pedestrians.
3. The voice is seldom used in directing traffic. Arm gestures and the whistle are usually sufficient. There are numerous reasons why verbal commands are not used. Verbal orders are not easy to give or understand and often lead to misinterpretations, which are dangerous. An order, which is shouted, can antagonize the motorist.

4. Occasionally, a driver or pedestrian will not understand the officer's directions. When this happens, the officer should move reasonably close to the person and politely and briefly explain his directions. No officer shall exhibit loss of temper by shouting or otherwise indicate antagonism toward those who do not understand or who do not wish to obey the officer's directions.
5. A flashlight can be used to halt traffic. To stop traffic, slowly swing the beam of the light across the path of oncoming traffic. The beam from the flashlight strikes the pavement as an elongated spot of light. After the driver has stopped, arm signals may be given in the usual manner with the vehicles headlights providing illumination.

D. Providing Traffic Direction and Control Incidental to Special Events

The Department will provide only that degree of traffic direction and control, which is absolutely necessary. The primary task at a special event is to assist motorists and/or pedestrians in the vicinity of the event.

When a special event comes to the attention of the Department, the Uniform Division Commander or designee will participate in the planning.

The time, location, anticipated attendance as well as the route of the event (if applicable) would be determined.

Other affected agencies, including Traffic Engineering and the Fire Department, will be notified and will assist in planning when appropriate.

Officers will use appropriate barricades for crowd control or traffic direction and will station officers at key intersections for control.

The Department will disseminate information regarding the re-routing of traffic and other pertinent information regarding special events to the public.

Provisions will be made for identifying those persons working directly with the event to assist them in gaining access to and from the event. Officers will also ensure that emergency vehicles are provided clear and unobstructed access to the event.

Provisions will be made for scheduling adequate breaks for Department personnel assigned to special events.

E. Providing Traffic Direction at Critical Incidents and Fire Scenes

The Department will provide traffic direction and control at critical incidents and fire scenes.

Officers will provide and maintain access to the scene for necessary equipment and personnel.

Officers will not allow vehicles or persons to enter an area, which is unsafe or unstable, or any area, which would interfere with responding emergency personnel.

The highest-ranking officer on-the-scene will coordinate and assist the incident commander to determine what assistance is required.

F. Providing Traffic Control During Periods of Adverse Road and Weather Conditions

Officers will notify the appropriate agency through communications when an adverse road or weather condition is discovered. The officer will provide communications with sufficient information so that the proper agency can be contacted and the proper equipment be brought to the scene.

Officers will provide traffic direction and control in the vicinity of adverse road or weather conditions as appropriate to protect life and property.

G. Use of Temporary Traffic Control Devices

Officers may use movable barricades, cones, or other related traffic control devices to temporarily detour or direct traffic.

Prior to the use of such devices, the officer will obtain the approval of their immediate supervisor.

The Traffic Engineering Division will be notified of the temporary traffic control devices as well as other emergency services.

Department personnel will coordinate the placement and removal of temporary traffic control devices with members of Traffic Engineering.

The Traffic Engineer's Office is responsible for analyzing the point control needs of the county. Officers observing intersections or other roadways that require point control should forward the information directly to the Traffic Engineer's Office via the road hazard report form. At least annually, district commanders should survey their districts to determine if point control needs are being met.

435.23 BRAZOS ELECTRONIC CITATIONS SYSTEM (ECS)

- A. Officers will use the Brazos Electronic Citation System (ECS) as the primary mode to issue citations. Handwritten citations will only be utilized when the Brazos ECS is inoperable.
- B. Officers will complete the citation in the Brazos ECS and verify the information on the citation prior to electronic submission. This will avoid errors in issuances of citations and the need to void citations.
- C. Voiding of Electronic Citations – Officers will not void citations except when there is a mistake of fact or an improper charge is made. In an instance when an electronic citation needs to be voided, the officer will contact the Brazos ECS Coordinator within the Technology Support Unit (TSU) to have the citation voided. The Brazos ECS Coordinator will contact GCPD Records Management Section and the Gwinnett County Recorder's Court to verify the citation has been voided in the appropriate electronic systems.
- D. All Officers should sync their ECS devices before shift and at the end of shift to upload any citations issued throughout their shift. Syncing the device also allows for important updates to be loaded.
- E. Citation control will be managed electronically through the Brazos Electronic Citation System. All citations issued can be accounted for and maintained in the Brazos Software Program.

425.24 CITATION CONTROL (UNIFORM TRAFFIC CITATIONS AND PARKING CITATIONS)

Handwritten/Paper Citations

- A. Citation books are initially maintained and secured at Fire Resource Management (Central Supply). When citation books are requested at a precinct, a Central Supply employee will document the issuance in a supply logbook.
- B. Precinct Administrative Support Associates are responsible for requesting citation books from Central Supply and maintaining them in a secure area. Uniform supervisors are responsible for documenting the issuance of citations to individual officers. The documentation must contain the following information:
 - 1. Officers name and badge number
 - 2. Date issued
 - 3. Beginning and ending numbers of the citation book issued

In the event a Uniform supervisor is unavailable, an Administrative Support Associate can issue citations books. For tracking purposes, officers should only receive citations from the precinct they are assigned. Officers not assigned to a precinct and needing citations should sign them out from one of the precincts.

All citation books will be secured in a locked file cabinet, file room, or similar secured area. Only the precinct Administrative Support Associate and Uniform supervisors will have access keys. In the event a citation/citation book is missing, the Administrative Support Associate will immediately notify the Precinct Commander. It will be the responsibility of the Precinct Commander or their designee to complete a written report and investigation of the loss/theft.

- C. Officers will complete all required sections of the citation in a neat and legible manner. After completion of the citation, have the violator sign the citation and give the violator the appropriate copy. Officers should refrain from answering questions concerning amount of fines or other punishments the courts may impose.
- D. Voiding of Handwritten Citations – Officers will not void citations except when there is a mistake of fact or an improper charge is made. In the case of an improper charge, the voided citation should reflect the new citation number and appropriate charge. All voided citations will be turned in to the Records Unit along with citations issued and warnings. In no case will an officer or superior officer void or otherwise tamper with or destroy a citation issued by another officer of this department.

When a citation is believed to be incorrect, the officer will notify his supervisor who will review the actual citation and reasons for the mistake, and if the citation is found to be flawed and needs to be voided the officer will write in bold letters "VOID" across the face of the citation and he and the supervisor will initial and date the citation. It will be the officer's responsibility to contact the violator and issue a new citation, or the officer may take the necessary steps to obtain a warrant for the violator's arrest.

All handwritten citations, including the ones that are voided or warnings, will be turned in to the officer's supervisor for review at the end of their shift. Supervisors will submit the handwritten citations to the Records Management Section where they will be manually entered into the Records Management System by Records Management Section personnel.

- E. Loss or Theft of Citations – In the event a citation or citation book is lost or stolen, the officer responsible for the citations will notify their immediate supervisor and also file a written incident report through the appropriate channels.