

2.200 TRAFFIC

2.202 TRAFFIC ENFORCEMENT

A. The responsibility for enforcing traffic laws and regulations is shared by all officers.

1. Officers assigned to patrol squads bear the agency's primary responsibility for the delivery of police traffic related services and traffic law enforcement.
 2. All enforcement actions will be conducted firmly, fairly, impartially, and courteously.
 3. Enforcement actions should take into account the degree and severity of the violations.
 - a. Officers should operate on the premise that deliberate violations of traffic laws, and hazardous violations of traffic laws, and hazardous violations deserve more vigorous enforcement efforts than do inadvertent violations or non-hazardous violations.
 - b. Warnings or other non-punitive enforcement actions may be substituted for arrests or citations when circumstances warrant, especially with inadvertent violations.
 4. Officers' decisions on enforcement options will be based on laws, directives, training and experience and should involve common sense.
 5. Both qualitative and quantitative analysis are integral facets of the agency's traffic enforcement program.
- B. Officers' traffic related duties and responsibilities may include, but are not limited to:
1. Conducting traffic safety education and public information sessions.
 2. Enforcing traffic laws;
 3. Investigating collisions;
 4. Operating speed measuring devices;
 5. Operating PBTs or chemical breath equipment; or
 6. Specialized traffic and parking control.
- C. Enforcement actions are verbal warnings, written warnings, repair orders, uniform citations, and custodial arrests.
1. Officers may deliver verbal warnings to violators. Similarly, verbal warnings may be appropriate when drivers are unaware of minor equipment violations.
 - a. Officers issuing verbal warnings will:
 1. Fill out a race-based traffic stop decal;
 2. Affix the race-based traffic stop decal to a blank 8 ½" x 11" sheet of paper; and
 3. Submit the paperwork to a supervisor for approval and submission to Records.
 - b. The use of verbal warnings will be reviewed on a regular basis by the Records Unit Manager and the SSB commander.
 - c. Excessive use of verbal warnings by an individual officer may prompt a review of that officer's traffic stops.
 2. Officers may issue written warnings to drivers in situations similar to those where officers would consider giving verbal warnings. Written warnings provide:
 - a. The agency and officers with additional documentation of violator contacts; and
 - b. Violators with written reminders of their violation

3. Repair orders may be issued in accordance with Title 23 of the Transportation Article.
4. Maryland Uniform Complaint and Citations should be issued to violators who jeopardize the safe and efficient flow of vehicular or pedestrian traffic.
5. Physical arrests for violations of the Transportation Articles will be made in accordance with Article 26, Subtitle 2.

2.202.04 Operational Tactics

- A. Traffic enforcement tactics may vary depending on the nature of violations and their potential for creating hazards to persons or property or obstructing the free flow of traffic.
- B. Enforcement tactics may include, but are not limited to:
1. Roving patrol between points on targeted roadways;
 2. Patrols defined problem areas;
 3. Stationary observation with agency vehicles being concealed or readily visible;
 4. Use of marked or unmarked vehicles; and
 5. Roadside safety checks.
- C. Only vehicles equipped and authorized as emergency vehicles will normally be utilized for stopping vehicles or traffic enforcement.
1. Officers involved in uniformed bicycle patrol may request assistance from officers operating emergency vehicles, or utilize whistles, bells, or other modes of signaling drivers to stop for enforcement purposes.
 2. Uniformed officers operating non-emergency vehicles may attempt to stop drivers for enforcement or other purposes utilizing horns, requesting the assistance of officers operating emergency vehicles, or by reasonably following drivers until they stop or park.

2.202.06 Use of Emergency Equipment for Traffic Enforcement

- A. Emergency lights will be utilized consistent with **2.135 Response Procedures** and TR 21-106 Emergency vehicles. Emergency lights are usually used in conjunction with sirens when;
1. Signaling drivers and pedestrians that emergency conditions exist and the right-of-way should be relinquished to emergency vehicles;
 2. Engaging in pursuits;
 3. Responding to crimes in progress;
 4. Stopping traffic violators;
 5. Assisting motorists parked/stopped in hazardous locations; or
 6. Responding to emergency situations.
- B. Sirens will be used simultaneously with the emergency lights when in pursuits, when responding to emergency calls, or to signal violators to stop.
- C. Spotlights, take down lights, and alley lights may be used to assist officers conducting traffic stops or investigating criminal activities.
- D. The public address system (PA) may be used:
1. During traffic stops in order to direct commands to vehicle occupants from safe distance; or
 2. In directing persons with unusual conditions exist, such as when the roadway is temporarily obstructed,

or when alerting pedestrians to hazardous conditions.

2.202.08 Unknown Risk Vehicle Stops

- A. When Observing traffic violation for which contacts are going to be initiated, officers will notify Communications of:
 - 1. Vehicle registrations;
 - 2. Vehicle description; and
 - 3. Locations of stops.
- B. Officers should also provide to Communications other relevant information that may include, but is not limited to:
 - 1. Number of vehicle occupants;
 - 2. Suspicious or furtive activities of vehicle occupants; or
 - 3. Reasons for stops.
- C. Stops should be made in areas which afford officers and violators the greatest safety which minimizing disruptions of normal traffic flow.
 - 1. Patrol vehicles should be positioned approximately 15 to 20 feet to the rear of the violators' vehicle and offset slightly left to provide additional protection to officers.
 - 2. Emergency lights will remain activated until stops are completed.
 - 3. When situations allow, officers should direct violators to move to more desirable locations when violator vehicles are stopped in unsafe locations or where they unreasonably impede normal traffic flow.
 - 4. Additional considerations should be given to stop locations, positioning of police vehicles, and police vehicle lighting effects on oncoming traffic during night time stops.
- D. Officers approaching vehicles and coming in to contact with violators will:
 - 1. Have certainty of probable cause or observation of violations;
 - 2. Have necessary forms and equipment available;
 - 3. Use caution and be alert to suspicious movements, contraband, or weapons;
 - 4. Take up a position consistent with current training to allow for changing tactical options;
 - 5. Be alert and courteous;
 - 6. Present a professional image in language, dress, grooming, and bearing;
 - 7. Identify themselves and greet violators courteously;
 - 8. Request violators' drivers license and vehicle registration;
 - 9. Inform drivers of reasons for stop;
 - 10. Check for signs of physical impairment, emotional distress, and alcohol and/or drug abuse;
 - 11. Take appropriate enforcement actions and complete required forms;
 - 12. Explain charges and/or other enforcement actions and required actions with drivers; and
 - 13. Facilitate violators re-entering traffic flow safely.

2.202.10 High Risk Vehicle Stops

- A. Because of officer safety concerns, special procedures will be used during vehicle stops when vehicle occupants

are suspected of being armed, dangerous, or who are suspected of committing serious crimes.

- B. When conducting high risk vehicle stops, officers will, as necessary and practical:
 - 1. Notify Communications immediately of locations and give thorough descriptions of vehicles and occupants;
 - 2. Keep suspect vehicles in view and request sufficient assistance in making stops;
 - 3. Keep support units informed of locations and directions of travel to aid their approach with minimal use of emergency equipment;
 - 4. Not stop vehicles unless absolutely necessary until adequate support is available and in position;
 - 5. Plan to stop suspect vehicles in locations which present minimal dangers to other citizens;
 - 6. Move vehicles in positions to the rear of the suspect vehicles;
 - 7. Use emergency equipment to stop violators;
 - 8. Direct support units to stop oncoming traffic and control down range pedestrian traffic;
 - 9. Attempt to stop violators on the extreme right side of the road;
 - 10. Turn off siren and turn on PA when suspect vehicles have stopped.
 - 11. Position their vehicles to provide maximum protection, cover, and concealment;
 - 12. At night, focus lights on the interiors of suspect vehicles; and
 - 13. Position themselves inside the vehicle, to the left edge of the seat, behind the engine block, and remaining accessible to the PA microphone.
- C. Officers initiating high risk vehicle stops are in command of the incident, and will:
 - 1. Direct each occupant out of the vehicle by using the PA system if available and expedient;
 - 2. Order the driver to shut off the motor and put the keys on the roof of the vehicle;
 - 3. Order all occupants to place their hands on the ceiling, on the windshield, or out a window;
 - 4. Order occupants to exit the vehicle from the most optimal side, one at a time; and
 - 5. Ensure occupants are ordered to a position where they will be placed on the ground and handcuffed.
- D. If PAs are unavailable, officers will give voice commands. If officers are unable to be heard by voice, another officer who has access to a PA may give commands.
- E. To reduce confusion, officers initiating stops will be the only ones to direct suspects, unless control is given to another officer on the scene. An announcement will be made over the radio clarifying who is in charge.
- F. Support officers will cover arresting officers, as well as suspect vehicles, when suspects are brought back to the police vehicles for handcuffing.
- G. Officers will not get within each other's line of fire.
- H. When all occupants have been removed from suspect vehicles, support officers will move to cover and search the vehicle.
- I. All persons in suspect vehicles will be searched and handcuffed before being placed in police vehicles and transported.

2.202.12 Traffic Stop by Officers in Plain Clothes

- A. Plainclothes officers making traffic stops will identify themselves verbally and by displaying their police credentials.
- B. Although the Transportation Articles requires drivers to produce and display their licenses only to uniformed police officers, plainclothes officers will request drivers produce and display their licenses and registration cards, and advise them of violations.
- C. If violators refuse to present their licenses, officers will call for uniformed assistance and request that violators await arrival of uniformed officers.
- D. If violators await the arrival of uniformed officers, plainclothes officers may have uniformed officers write citations following receipt of the driver's license and registration card. If violators refuse to wait, they may be detained until uniformed officers arrive on the scene.
- E. When violators fail to stop for unmarked vehicles operated by officers in plain clothes, uniformed officers in marked vehicles will be requested to respond and assist in stopping violators.

2.204 UNIFORM ENFORCEMENT PROCEDURES

2.204.02 Nonresidents

- A. Nonresidents of Maryland may be issued traffic citations in the same manner as Maryland residents consistent with TR 26-201.
- B. Officers may, consistent with provisions contained in TR 26-202, arrest nonresidents and take them before District Court Commissioners for pretrial disposition.

2.204.04 Juveniles

- A. Juveniles 16 or 17 years of age are to be charged on Maryland Uniform Complaint and Citations for all non-jailable traffic offenses except when concurrently charged with criminal offenses or jailable traffic offenses. All charges will be placed on juvenile arrest reports in place of citations when 16 or 17 year olds are charged with criminal offenses or jailable traffic offenses.
- B. When juveniles commit minor traffic offenses such as negligent operation of a bicycle, operation of an off-road vehicle upon the roadway, or negligent operation of an off-road vehicle, and officers believe that suspect juveniles will appear for juvenile proceedings, officers may cite juveniles on Juvenile Petitions (J-2) and release them to self-custody, provided the juveniles:
 - 1. Prove their identity to the satisfaction of officers;
 - 2. Are not involved in other acts which necessitates further investigation or prosecution;
 - 3. Sign J-2s and willingly receive their copies;
 - 4. Are not causing, or have not caused, damage to persons or property; and
 - 5. Receive and comply with proper instructions prior to release.
- C. Upon completion of J-2s, yellow copies will be given to the juveniles. All other copies will be forwarded to the Records Unit.
- D. Officers may elect not to issue J-2s in lieu of utilizing

copies of agency reports as charging documents consistent with **2.683.08 Juvenile Charging Documents**.

2.204.06 Legislators

Members of the United States Congress, the Maryland General Assembly, the elected members of city or county governments, the federal or state judiciary, and the executive branches of government enjoy no immunity from citation or arrest under Maryland law. Agency employees will address office holders with the respect customarily accorded to their offices or standings within the community.

2.204.08 Diplomatic Immunity

- A. Officers may issue traffic citations or warnings to drivers who are believed to have diplomatic immunity. Issuance of citations does not constitute arrests or detention of diplomats. Diplomats DO NOT have to sign citations, and CAN NOT be arrested for refusal to sign citations. The burden of proof falls upon those claiming diplomatic immunity to display valid diplomatic credentials.
- B. Those entitled to diplomatic immunity will not be compelled to take any sobriety or otherwise mandatory tests, and, except in extreme cases, should not be restrained. Sobriety tests may be conducted, but are not required in order to determine sobriety of drivers.
- C. The property of persons enjoying full immunity, including vehicles, may not be searched or seized. Vehicles will not be impounded, but may be towed a distance necessary to remove them from obstructing traffic or endangering public safety.
 - 1. If diplomats' vehicles are suspected of being stolen or used in the commission of crimes, occupants may be required to present vehicle documentation to permit police verification of vehicle status through computer checks.
 - 2. Vehicles verified to have been stolen or to have been used by unauthorized persons in the commission of crimes may be searched. (U.S. Department of State, Office of Foreign Missions, Guidance FOR Law Enforcement Officers).
- D. All serious motor vehicle infractions committed by persons with alleged, or true diplomatic immunity will be documented in MIRs. Report copies will be forwarded to the United States Department of State by the Office of the Chief.
- E. Officer may contact the Office of Foreign Missions during regular business hours or the Command Center of the Office of Security, Department of State during non-business hours in order to verify diplomatic status. Phone numbers for these organizations are contained in RMS and CAD.
- F. Other directives related to diplomatic immunity are contained in **2.418**.

2.204.10 Military Personnel

- A. Military personnel are required to obey the rules of the road while operating vehicles in Maryland.
- B. Military personnel are exempt from certain licensing requirements consistent with TR 16-102 and 16-115, and

vehicles registration requirements consistent with TR 13-402.1.

- C. Arresting officers will ensure the Officer on Duty (OD) or the military police of the military reservation, ship, or installation to which the military person is assigned is notified if traffic enforcement results in the physical arrest of an active duty member of the armed forces of the United States.

2.204.12 Driving Suspended or Revoked

- A. TR 16-202 Power of Arrest authorizes officers to make full, custodial arrests of drivers consistent with TR 16-303 Driving while privilege is canceled, suspended, refused or revoked.
- B. Officer should take into consideration drivers' prior driving history and reasons for license suspensions, revocations, etc. when determining to make full custodial arrests. However, officer will not allow drivers who are suspended, revoked, etc. to continue to drive.
- C. Officers may attempt to place appropriate charges against drivers if their license status cannot be determined upon initial contacts, but are subsequently determined to be suspended, revoked, etc.

2.204.14 Speed Violations

- A. Excessive speed is one of the greatest causes of death and injuries on the highways. Officers will uniformly enforce speed laws within agency jurisdiction where those violations pose threats to persons or property.
- B. Officers should base the enforcement of speed limits upon violation locations, time of day, traffic volume, proximity of pedestrians, and danger caused to other motorists.
- C. Police vehicle speedometers may be used to measure violator speeds. Vehicles used for speed enforcement will have their speedometers calibrated by radar consistent with **2.130**.

2.204.16 Off-Road Vehicle Violations

- A. Officers will enforce laws pertaining to off-road vehicles. To be operated on roadways, off-road vehicles must be registered or exempted in accordance with TR 13-402, Vehicle Subject to Registration; Exceptions.
- B. Unregistered or unauthorized off-road vehicles may be impounded and towed consistent with **2.458** if found in violation of the Transportation Articles and in operation on public highways or on university property.
- C. Persons illegally operating off-road vehicles on public highways should be charged on appropriate charging documents.
 - 1. Officers may exercise discretion for off-road vehicle violations and issue verbal or written warnings.
 - 2. Off-road vehicle violations endangering lives or property should result in appropriate charges being placed rather than written or verbal warnings.
- D. Juveniles contacted as the result of off-road vehicle violations will be dealt with consistent with **2.204.04**.

2.204.18 Equipment Violations

- A. Officers should consider the continued safe operation of

vehicles, general conditions of vehicle equipment, and types of

- vehicle equipment defects when enforcing vehicle equipment laws and regulations.
- B. Officers should issue Safety Equipment Repair Orders for equipment violations on vehicles registered in Maryland.
- C. Written warnings for equipment violations may be issued to drivers of vehicles not registered in Maryland.
- D. Uniform citations for equipment violations may be issued to drivers of vehicles consistent with the Transportation Articles.

2.204.20 Public Carrier/Commercial Vehicle Violations

- A. Officers taking enforcement actions against public carriers or commercial vehicles should consider factors that include, but are not limited to:
 - 1. Extra space and stopping requirements of oversized vehicles;
 - 2. Possible traffic congestion caused by improper stopping, standing, or parking of commercial vehicles;
 - 3. Delivery access for commercial vehicles;
 - 4. Severity of violations;
 - 5. Whether violations were willful or inadvertent;
 - 6. Whether violations posed immediate threats to persons or property; and
 - 7. If enforcement actions are prompted by citizen complaints or repeat or chronic offenders.
- B. Commercial vehicles may be stopped for inspectional purposes without probable cause in accordance with TR 25-111, Motor Carrier Safety Inspections.
- C. Consistent with TR 16-813, persons licensed as commercial drivers may not drive, operate, or be in physical control of commercial motor vehicles while they have any alcohol concentration in their blood or breath.
 - 1. Officers will complete DR-102 forms when alcohol tests of commercial drivers result in findings of 0.04% or above.
 - 2. Officers will complete DR-15A forms when alcohol tests of commercial drivers result in findings of 0.08% or above.

2.204.22 Multiple Violations

- A. Officers stopping violators for multiple violations may issue citations for all violations or exercise discretion by issuing citations only for the most serious violations and issuing warnings or taking no formal actions on lesser violations.
- B. Multiple paper citations that are issued to violators must have their numbers loop recorded in accordance with citation guidelines.

2.204.24 Newly Enacted Laws & Regulations

- A. Grace periods are frequently established or accepted relating to newly effective traffic laws or regulations.
- B. Officers will not issue citations for violations during the legally established grace periods, but may issue warnings.
- C. Officers may issue citations during informal or accepted

grace periods if violations are serious, hazardous, or contribute to collisions.

2.204.26 Violations Resulting in Traffic Collisions

- A. Officers who investigate nonfatal collisions and complete ACRS reports should take enforcement actions if probable cause can be developed for violations of the Transportation Article.
 - 1. Enforcement discretion is encouraged when collision damage is minor or when ACRS reports are not required.
 - 2. Enforcement discretion is discouraged when there is evidence of deliberate or flagrant violations causing and contributing to collisions.
- B. Violators may be physically arrested for certain motor vehicle law violations consistent with TA 26-202.
- C. Officers will not file charges in fatal collision cases excepting in cases involving driving under the influence or while impaired by alcohol and or drugs.
 - 1. Officers may place alcohol-related charges only against violators only in order to arrest violators and conduct chemical tests.
 - 2. OSA personnel are responsible for screening fatal collision investigations in order to place or authorize the placing of charges against violators.

2.204.28 Pedestrian and Bicycle Law Enforcement

- A. Officers will monitor pedestrian and bicycle movements to ensure compliance with the Transportation Articles.
- B. Enforcement actions involving violations by pedestrians and bicyclists should receive enforcement emphasis equal to that of regular traffic enforcement. Appropriate enforcement action will be taken in situations involving violations leading to collisions, non-collision hazards, and non-hazardous pedestrian and bicycle violations.

2.204.29 Occupant Protection Enforcement

- A. Seatbelt usage is the single most effective way to prevent injuries and fatalities in the event of a motor vehicle accident. Child safety seats and booster seats help protect the lives of children in the event of an accident.
- B. The goal of the agency's occupant protection strategy is to reduce the risk of serious injuries and death to members of the community. Officers should take appropriate enforcement action in situations involving violations of occupant protection laws.

2.204.30 Traffic Arrests

- A. Officers may arrest persons without warrants for violations of the Transportation Articles consistent with TR 26-202.
- B. When motorists are operating vehicle in violation of TR 16-303 Driving while privilege is canceled, suspended, refused, or revoked, officers may determine that this meets the provisions of TR 26-202 (a)(2)(ii) when deciding whether to make full custodial arrests.
- C. The manner of arresting traffic violators is the same as for making other arrests. Directives related to processing of traffic arrestees are contained in **2.600 Arrest Proce-**

dures.

- D. Vehicles under the control of persons arrested for motor vehicle offenses will be processed in accordance with **2.458.10 Arrestee Vehicles, 2.458.16 Violations of Transportation Articles, and 2.458.55 Assistance to Citizens.**

2.204.32 Vehicle Tag Impoundment

- A. Vehicle registration plates may be impounded by officers for:
 - 1. Expired (in excess of 30 days) or suspended registration plates;
 - 2. Compulsory insurance violations, with control numbers;
 - 3. MVA financial responsibility flags, with control numbers;
 - 4. MVA accounting flags, with control numbers;
 - 5. MSP pick up orders, with control numbers; or
 - 6. Unauthorized use of registration plates.
- B. Officers impounding vehicle registration plates will obtain property numbers, complete property receipts and submit plates to the Logistics Unit consistent with **2.500.**
- C. Vehicles may not be impounded for suspended registration plates due to VEIP (Vehicle Emissions Inspection Program) Inspections.

2.204.34 Traffic Safety Education Materials

The agency provides traffic safety educational materials to the community in order to support enforcement efforts, enhance public understanding of traffic safety, and achieve voluntary compliance with traffic laws and regulations.

2.204.36 Hazardous and Non-hazardous Violations

- A. Officers will uniformly enforce hazardous and non-hazardous violations of laws within agency jurisdiction where those violations pose threats to persons and property.
- B. Officers should base the enforcement of hazardous and non-hazardous violations upon violation locations, time of day, traffic volume, proximity of pedestrians, and the potential for danger caused to other motorists.

2.206 MARYLAND UNIFORM COMPLAINT & CITATIONS

2.206.10 Completing Citations

- A. Officers will complete all (E-TIX and paper) traffic citations in accordance with procedures set forth in the "Law Enforcement Manual" (DR-24) of the Maryland Department of Transportation, Motor Vehicle Administration and the DC/CR 90 collateral book provided by the District Court of Maryland.
- B. Officers will provide violators required information relative to specific charges at the time violators are charged.
- C. When violators are charged using paper citations:
 - 1. Violators should be instructed to carefully read the back of their citation copies for precise instructions and information.
 - 2. Violators can elect to stand trial or pay established

finers if offenses are established in the DC/CR 90. Violators will be informed of court dates and locations by the District Court.

3. Violators must stand trial on dates and at locations established and provided by the District Court if offenses are designated as "Must Appear".
 4. Violators will be requested to sign citations, not admitting guilt, but promising to appear for trial or prepay fines.
 5. Violators are subject to arrest if they refuse to sign citations.
 6. Possible consequences of not paying fines or appearing in court may include the suspension of driving privileges and/or issuance of bench warrants.
- D. When violators are charged using E-TIX citations:
1. Violators should be instructed to carefully read their citation copies for precise instructions and information.
 2. Violators can elect to stand trial or pay established fines if offenses are established in the DC/CR 90. Violators will be informed of court dates and locations by the District Court.
 3. Violators must stand trial on dates and at locations established and provided by the District Court if offenses are designated as "Must Appear".
 4. Possible consequences of not paying fines or appearing in court may include the suspension of driving privileges and/or issuance of bench warrants.

2.206.15 E-TIX Program

- A. All sworn personnel below the rank of Lieutenant will be trained on and use the E-TIX system for issuing written warnings, Field Incident Reports (FIRs), Safety Equipment Repair Orders, and traffic citations.
- B. E-TIX citations cannot be voided.
- C. Administrative ranked personnel, officers assigned to foot, bicycle or motorcycle patrol may still use paper citations and warnings for enforcing traffic violations.
- D. The E-TIX process will be managed by the Records Unit:
 1. The Records Unit will be responsible for liaison with the Maryland State Police and the District Court; and
 2. The Records Unit will supply the E-TIX paper.
- E. E-TIX software and equipment will be managed and maintained by the Information Systems Unit.

2.206.20 Paper Citation Accountability

- A. When violators are not taken before commissioners, the:
 1. White (court) and yellow (law enforcement headquarters) copies will be submitted to the Records Unit;
 2. Officers who are permitted to write paper citations will be required to place the completed race based traffic decal on the back of the yellow copy of the citation before submitting it to the Records Unit;
 3. Pink copies will be retained by issuing officers;
 4. Second white copies (court/defendant's) will be submitted to Records for must appear violations and to defendants for minor violations; and
 5. Blue (defendant's) copies will be given to defend-

ants.

- B. When violators are taken before commissioners:
 1. White copies not retained by commissioners will be submitted to the Records Unit;
 2. Yellow copies will be submitted to the Records Unit;
 3. Pink copies will be retained by issuing officers;
 4. Second white copies (court/defendant's) will be given to Commissioners;
 5. Blue (defendant's) copies will be given to defendants; and
 6. Officers who are permitted to write paper citations will be required to place the completed race based traffic decal on the back of the yellow copy of the citation before submitting it to the Records Unit.
- C. Paper citations that have not been presented to violators for signature may be voided administratively. In these cases, officers will submit all copies to the Records Unit, with officer information filled out, citations marked "VOID", an explanation for the citation being voided, and initials or signature of a supervisory or administratively ranked officer in approval.
- D. Paper citations signed by violators must be disposed of in court, through dismissal by judges or declarations of *nolle prosequi* by Assistant State's Attorneys.

2.208 MARYLAND SAFETY EQUIPMENT REPAIR ORDER (MSP Form #157)

- A. MSP Form #157 and the E-TIX system can be used to issue EROs. They will be issued only to motor vehicles or trailers assigned permanent Maryland registration.
- B. If using MSP Form #157, the yellow, gold, and buff copies will be given to violators.
 1. Yellow copies will be retained by inspection stations or police agencies completing inspections.
 2. Gold copies may be retained by owners.
 3. Owners are responsible for ensuring buff copies are mailed to MSP.
 4. White copies will be forwarded to the Records Unit. Applicable information will be entered into RMS by Records Unit personnel prior to forwarding originals to MSP.
 5. Officers are required to place the completed race based traffic decal on the back of the white copy of the ERO before submitting it to the Records Unit.
 6. Officers may retain the pink copies.
- C. If using the E-TIX system to issue an ERO, one copy of the ERO will be printed for the violator. The Maryland Title and Vehicle Identification Number must be entered into the E-TIX system.

2.208.10 Certification of EROs

- A. Officers may certify EROs only when marked defects are noted with an asterisk. EROs containing defects not noted with an asterisk must be certified at authorized inspection stations.
- B. Upon determining that repairs are within lawful limits, officers will enter information at the bottom of the ERO in the spaces provided. This information includes:
 1. Officer's rank, signature and ID number;
 2. Certification date;

3. Agency name;
 4. Agency code (7682); and
 5. Agency mailing address
- C. After certifying and completing EROs, officers will:
1. Submit yellow copies to the Records Unit; and
 2. Give the owner/agent the gold and buff copies.
- D. Officers may certify E-TIX EROs. EROs may either be scanned and submitted electronically to MSP or the violator can mail the certified ERO to MSP.

2.209 WARNING NOTICES/FIELD INTERVIEW REPORT

- A. Officers should use the E-TIX system to enter Warning Notices/Field Interview Reports (FIRs). When the E-TIX system is unavailable, the agency provides dual-purpose Warning Notice/Field Interview forms. Only one use per form is allowed.
1. All sworn personnel below the rank of Lieutenant will use the E-TIX system for issuing written warnings and FIRs.
 2. Officers assigned to foot, bicycle or motorcycle patrol may issue written warnings from a warning book.
 3. Sworn personnel ranked Lieutenant or higher and officers not trained in the E-TIX system may issue written warnings/Field Interview Reports from a warning book.
- B. When officers use the forms to issue written warnings:
1. Violators are given the yellow copies.
 2. Officers may retain the pink copies.
 3. All other copies will be submitted to the Records Unit with a race-based traffic decal affixed to the back of the warning and destroyed following entry of applicable information by Records Unit personnel.
- C. When using the E-TIX system to record Warning Notice/Field Interview Report, Officers should fill in any applicable information into the form. Photographs of the contact can also be uploaded into the E-TIX system and attached electronically to the FIR.

2.210 REQUESTS FOR DRIVER RE-EXAMINATION

- A. Officers may request re-examination of Maryland licensed drivers who appear incapable of safely operating vehicles.
1. Officers will utilize the MVA #JA, Request for Reexamination of Driver, for this purpose.
 2. Officers may also use the electronic E-TIX eReferral to request re-examination of Maryland licensed drivers. Officers can electronically submit MVA Requests for Driver Re-examination through the use of E-TIX.
 3. The physical defects and summary sections of the #JA or E-TIX eReferral must be conclusive and specific in order to relieve officers from having to appear at MVA hearings.
- B. Conditions which may lead to requests for driver re-examination include, but are not limited to:
1. Driver incompetency;
 2. Physical or mental disabilities or diseases; and/or

3. Other conditions that might prevent persons from exercising reasonable care and control of motor vehicles.
- C. Completed paper forms will receive supervisory review and will be submitted to the Records Unit.

2.212 DR-15 & DR15A

- A. Officers will complete DR-15s and DR-15As consistent with legal requirements prescribed in TR 16-205.1.
1. Officers will read DR-15 "Advice of Rights" forms to all persons arrested for violating the provisions of TR 21-902.
 2. Officers will complete DR-15A "Police Officer's Certification and Order of Suspension" only if alcohol or drug tests were refused or test results indicate 0.08% or more alcohol concentration.
 3. Copies of Dr-15s and DR-15As will be distributed in accordance with instructions printed thereupon.
 - a. Confiscated driver's licenses will be attached to completed DR-15As and mailed to the MVA. Completed DR-15s serve as property receipts for MVA.
 - b. MVA copies of DR-15s, DR-15As, MSP Form 33 (when applicable) and any confiscated driver's licenses will be mailed to MVA within 72 hours after the issuance of DR-15s and DR-15As.
- B. DR-15As are sequentially numbered and required full inventory accountability.
1. Logistics Unit personnel are responsible for ensuring an adequate supply of DR-15As are in the patrol squad supply cabinet.
 2. Supervisory personnel are responsible for issuing DR-15A books to officers and logging same on DR-15A registry.
 3. Officers receiving DR-15A books are responsible for completing the receipt cards and submitting them to the Records Unit.
 4. Records Unit personnel are responsible for ensuring DR-15A issuance information is entered into the RMS and subsequently provided to MVA.
 5. Officers issuing DR-15A forms to violators are responsible for entering required information into the RMS.
 6. Voided forms will be submitted to the Records Unit for inventory, accountability, and data entry purposes.
 7. Books issued to this agency cannot be issued to officers from other agencies. Partially used books and books issued to officers who subsequently leave the employ of the agency must be submitted to the Logistics Unit for inventory, accountability, and data entry purposes. Partially used books and previously issued books cannot be reassigned and must be returned to MVA by Logistics Unit personnel.
 8. If necessary, officers from other agencies may be given DR-15As when they have old versions or are unable to obtain one within a reasonable amount of time.

2.214 SELECTIVE ENFORCEMENT

- A. The Police Services Bureau Commander (PSBC) consistent with **1.200 Organization** is responsible for ensuring selective enforcement activities are conducted by the agency.
1. Selective enforcement activities will be based on analysis of traffic violation and collision data obtained from:
 - a. The Maryland Automated Crash Reporting System (ACRS); and
 - b. E-Tix, and other UMDPS databases.
 2. The analysis of traffic offenses and collisions includes geographic, temporal, and causative factors that include but are not limited to:
 - a. Types of collisions;
 - b. Kinds of vehicles involved;
 - c. Volume of traffic;
 - d. Locations of violations and collisions;
 - e. Environmental factors;
 - f. Day of the week; and
 - g. Hourly distribution of collisions.
- B. The Police Services Bureau Commander will ensure selective enforcement activities are assigned a priority basis. Officers should be deployed to areas which have been identified as either high collision or traffic violation areas. Enforcement at these locations will be focused on collision causing violations.
1. High collision locations will be identified through analysis of traffic collision data.
 2. Days and times that collisions most frequently occur will be identified in traffic analysis reports. Officers should be deployed to concentrate on days and times when collisions or traffic problems most frequently occur.
 3. Officers are deployed for selective traffic enforcement in order to achieve an agency goal of protecting life and property.
- C. The PSBC is responsible for ensuring that a documented annual review of selective enforcement activities is conducted. Additional evaluations and analysis may be conducted in order to address or study immediate concerns.

2.214.10 Radar/Lidar

- A. The PSBC is responsible for designating a supervisory or administratively ranked officer to serve in an ancillary capacity as the radar program coordinator. Duties and responsibilities of the radar program coordinator include, but are not limited to:
1. Reviewing radar/Lidar operators' activity reports;
 2. Maintaining centralized operator activity reports;
 3. Processing maintenance requests; and
 4. Ensuring maintenance, damage, and repair information is recorded or maintained.
- B. Only certified radar/Lidar operators or officers in radar operator training are permitted to operate the agency's radar/Lidar units.
1. Radar operators are responsible for ensuring equipment operation is consistent with their training,

NHTSA standards, and specific equipment operating instructions.

2. Operators must conduct the minimum of radar operation hours as established by the radar program coordinator in order to retain their program certifications.
3. Operator training and equipment standards for agency radar units will meet or exceed current National Highway Traffic Safety Administration (NHTSA) standards.
4. Radar/Lidar units will be periodically inspected by operators to ensure they are receiving proper care and upkeep. Only specifically designated personnel are authorized to make minor repairs to radar equipment. All other maintenance must be conducted by authorized maintenance technicians.
5. Radar units, and their assigned tuning forks, will be calibrated by authorized maintenance technicians annually. Written calibration documentation or repairs will be maintained in a file by the radar program coordinator.
6. Lidar units will be calibrated by authorized maintenance technicians annually. Written calibration documentation or repairs will be maintained in a file by the Radar Program Operator.
7. The use of radar for speed enforcement is a component of the agency's selective traffic enforcement program.
8. Radar enforcement will not be conducted during inclement weather or at locations which present unsafe environments for officers or members of the public.

2.216 ALCOHOL RELATED TRAFFIC OFFENSES

2.216.02 Alcohol Enforcement Countermeasures

- A. The agency's enforcement emphasis on alcohol related traffic offenses is designed to achieve goals of detection and apprehension of influenced, impaired or drugged drivers, and reduction of collisions and violations involving those drivers.
- B. The alcohol enforcement countermeasures program is not only a component of routine traffic enforcement, but also a component of the agency's selective enforcement program. The agency will use, in various combinations:
1. Selective assignment of personnel at times when, and to the locations where, analyses have shown a significant number of violations and/or collisions involving impaired drivers;
 2. Selective surveillance of roadways on which there have been unusual incidence of drinking and driving collisions to ascertain characteristic violation profiles of impaired drivers;
 3. Selected alcohol-related collision investigation and analyses of findings;
 4. Selective roadway checks for deterrence purposes; and
 5. Selective enforcement of impaired-driving laws through concentration on existing laws and the expeditious processing of violators.

2.216.04 Initial Contact with Violators

Excepting situations involving fatal collisions, when arresting persons for violations of TR 21-902, officers will:

- A. Read DR-15 to suspects in accordance with TR 16-205.1; and
- B. Furnish suspects with copies of the Dr-15, Advice of Rights to a Chemical Test.

2.216.06 Preliminary Breath Tests

- A. PBT equipment will be tested and operated only by officers certified by the State Toxicologist.
- B. PBTs should be used only after field sobriety testing is completed. PBT use is not a mandatory component of enforcement under TR 21-902.
- C. Officers may request drivers, stopped for suspicion of driving while under the influence or while impaired, to submit to PBT's, after being advised of their rights as contained on MSP 102, Advisement of Rights for Preliminary Breath Test. Officers will write three originals of MSP 102s.
 - 1. One form will be forwarded to the Records Unit by arresting officers;
 - 2. Another form will be given to the suspect; and
 - 3. Another form will be given to the PBT supervisor at the end of officers' shifts.
- D. PBT results will be used only to guide determination of whether suspects should be arrested for alcohol offenses. PBTs do not replace, and are not part of, the establishment of probable cause for arrests.
- E. Defendants must be observed for 15 minutes after PBT's are administered before breath tests for alcohol tests can be administered.
- F. Results of PBT tests will be given to drivers when:
 - 1. They are released without arrest; or
 - 2. They are arrested, but only after submission to, or refusal of, evidentiary breath or blood tests to determine alcohol concentration.
- G. Officers must fill our MSP 104, Preliminary Breath Test Log, as soon as practical after administering PBTs.
- H. Results of PBTs may not be introduced in court as evidence or to support probable cause, but may be introduced by the defense.
- I. All agency PBT devices will be tested once a month using simulated 0.08g/210L Alcohol Reference Solution.
 - 1. Tests must be performed by approved PBT operators.
 - 2. Test results will be recorded by operators in the PBT log.
 - 3. Test results must be between 0.072g/210L and 0.088g/210L. PBTs that do not test within these specifications will be withdrawn from service and submitted to the breath test maintenance operator for recalibration. Post calibration results will be recorded in the PBT log prior to them being returned to service.
- J. The breath test maintenance technician will conduct periodic inspections of the PBT log to ensure program compliance.

2.216.08 Arrest Procedures

- A. Officers observing driving under the influence or while impaired violations or detecting alcohol restriction violations may arrest suspects as soon as practical after sufficient probable cause has been established.
- B. Officers will read defendants the Dr-15, Advice of Rights to a Chemical Test.
- C. A mouth check for foreign material, including tongue rings, must be administered 20 minutes prior to chemical tests for alcohol. Tongue rings must be removed prior to testing.
- D. If defendants agree to submit to chemical tests for alcohol, arresting officers have two hours from the time of arrest to have tests administered. Tests conducted after two hours may be accepted, but are not considered *per se* evidence. If defendants refuse to submit to chemical tests for alcohol, arresting officers must complete DR-15As, Officer's Certification and Order of Suspension, and mail MVA copies within 72 hours.
- E. Officers will accommodate defendants in accordance with TR 16-205.1 when defendants who initially refuse to take tests withdraw their initial refusal and consent to take tests.
- F. Officers will keep defendants under observation at all times and will not allow them to eat, drink, or smoke from time of arrest until after chemical tests are completed.

2.216.10 Disposition of Defendant's Vehicles

- A. Officers making arrests for driving under the influence or while impaired related traffic offenses may tow and impound defendants' vehicles consistent with **2.458 Violations of Transportation Articles**.
- B. Vehicles will not be towed:
 - 1. If they are lawfully parked and not need for evidence or seizure;
 - 2. If third parties are present and arrestees request those third parties take possession of vehicles so long as the third are legally capable of removing vehicles; or
 - 3. If arrestees give officers permission to move their vehicles short distances to legal parking spots.

2.216.12 Miranda Warnings/Questioning

- A. Advising suspects of their Miranda Rights is not necessary until situations become custodial and information beyond identification requirements is requested.
- B. Following completion of DR-15 procedures, arresting officers will read defendants their Miranda Rights and request information concerning, but not limited to:
 - 1. Where defendants were prior to arrest;
 - 2. What defendants had to drink prior to arrest;
 - 3. How much defendants had to drink prior to arrest; and
 - 4. How long defendants had been drinking prior to arrest.

2.216.14 Right to Counsel

- A. Defendants are entitled to request and communicate with attorneys prior to taking chemical tests. Attorneys may

contact defendants at test facilities in order to speak to them or administer separate breath tests using attorneys' personally owned test equipment.

- B. Defendants will be advised that refusal to submit to chemical tests due to inability to contact attorneys or have them present within necessary time limits will constitute refusals to submit to chemical tests.
- C. All attorney-client contacts, prior to breath tests or chemical test refusal, will be conducted in the presence of arresting officers. Attorney-client privileges are not breached by requiring and maintaining visual observation of defendants and their attorneys.
- D. Attorneys are subject to pat-downs prior to having contact with defendants. Containers, briefcases, etc., carried by attorneys will be checked for weapons or tools of escape before being allowed in the presence of defendants.
- E. Attorneys will not be allowed into the arrest processing area. Contact will take place in interview rooms or other suitable rooms where private interviews can be conducted. Arresting officers will remain directly outside the door and maintain visual contact.
- F. Attorneys will be permitted to administer breath tests only when they will not substantially interfere with timely and effective administration of chemical testing procedures. Secondary testing by attorneys will be allowed only after initial testing by police personnel.

2.216.16 Prescription Medication

- A. If defendants require prescription medications, officers will allow defendants to administer themselves medication as directed by the prescription.
- B. Officers will inform defendants wishing to take prescription medications that, if prescription related time delays result in the expiration of the two hour time limit for chemical testing, the actions will constitute a refusal to submit to chemical testing.
- C. Twenty minutes of observation time must elapse following the taking of prescription medication by defendants prior to chemical testing. If during this observation period, the two hour limit for chemical testing expires, defendants will be processed as refusing to submit to testing.
- D. Arresting officers will document in the DWI reports the times, types of medications, and amounts taken.

2.216.18 Test of Breath for Alcohol

- A. If an agency breath test instrument operator is not available, tests will be administered at the closest facility possible. Communications will maintain a list of nearby agencies with breath test equipment.
- B. Breath test instruments will be operated only by officers certified by the State Toxicologist. Operators will conduct tests in accordance with procedures set forth by the State Toxicologist.
- C. Arresting officers will not administer chemical breath tests on their defendants.
- D. Arresting officers must remain with defendants during the twenty-minute observation period prior to testing.
- E. When breath test results are 0.00% BrAC, or when arrestees' observed levels of impairment are not consistent

with breath test results, arresting officers will attempt to have arrestees evaluated by DREs. If DREs are unavailable or arrestees do not agree to be evaluated by DREs, arresting officers and on-duty patrol squad commanders will determine whether arrestees are to be transported to health care facilities for emergency protective services consistent with ET 13-709.

- F. When breath test results are greater than or equal to 0.30% BrAC, arresting officers and on-duty patrol squad commanders will determine whether arrestees are to be transported to health care facilities for emergency protective services consistent with ET 13-709.

2.216.20 Breath Test Operator Responsibilities

- A. Officers operating breath test equipment will conduct all tests in accordance with the State Toxicologist rules and will complete an agency Intoximeter information sheet.
- B. If tests are administered for agencies which are participants in the breath test program, the operator will not record the arrests in this agency's MSP36B. Operators will advise arresting officers that the tests must be recorded in the other agency's log of tests. Operators will record the tests in their MSP 36A, Operator's Log.
- C. If tests are administered for agencies which are not participants in the breath test program, breath test operators will record arrests in this agency's MSP 36B. The name of the agencies for whom tests were performed will be entered in the comments column. Non-participating agency arrests will be recorded, regardless of whether tests are administered.
- D. When breath test results are 0.00% BrAC, breath test operators will instruct arresting offices to have arrestees evaluated by DREs or, if DREs are not available or arrestees do not agree to be evaluated by DREs, to determine whether arrestees are to be transported to health care facilities for emergency protective services consistent with ET 13-709.
- E. When breath test results are greater or equal to 0.30% BrAC, breath test operators will instruct arresting officers to determine whether arrestees are to be transported to health care facilities for emergency protective services consistent with ET 13-709.

2.216.22 Blood Tests

- A. Blood tests will only be used if:
 - 1. Defendants are unconscious or otherwise incapable of refusing breath testing;
 - 2. Injuries to defendants require taking them to medical facilities;
 - 3. Defendants cannot physically take a breath test (stoma, mouth wired shut, etc.);
 - 4. Breath test equipment is not available; or
 - 5. Fatalities occur and breath tests cannot be administered.
- B. These hospitals are authorized to administer blood tests:
 - 1. Prince George's Hospital Center
 - 2. Washington Adventist Hospital
 - 3. Southern Maryland Hospital
 - 4. UM Laurel Regional Hospital

- C. Blood samples will be collected by only qualified medical personnel
 - 1. If tests are taken at hospitals other than those identified, only medical doctors can administer tests with authorized test kits.
 - 2. Blood samples taken at military hospitals in the District of Columbia are inadmissible as evidence.
- D. Blood test kits are stored in the patrol squad supervisors' supply cabinet. When there are only two kits available for issue, the breath test supervisor will notify Logistics Unit to request additional kits.
- E. Only current, authorized blood collection kits will be used.
 - 1. Authorized blood collection kits are the Becton-Dickinson Blood Specimen Collection Kit and Lynn Peavey Company Blood Specimen Kit.
 - 2. Officers will check expiration dates on blood sample kits to ensure that expired kits will not be used. The oldest kit (by expiration date) will be used first. Expired kits will be forwarded to Logistics to be replaced.
 - 3. Officers are responsible for following the procedures for proper use and submission of the blood specimen kits. Instruction sheets are kept with blood test kits in the patrol squad supervisors' supply cabinet.
 - 4. Officers will ensure completed blood test kits are mailed via US Mail with sufficient postage to: Maryland State Police Attn: CTAU 1201 Reisterstown Rd. Pikesville, MD 21208.

2.216.26 DWI Report

- A. When alcohol or CDS related driving arrests are made, officers are required to enter the appropriate information into the DWI Report in the agencies' RMS. Entries are required regardless of the types of tests administered or if defendants refuse testing.
- B. Results of breath tests will be recorded on the MSP Form 36B - State of Maryland Alcohol Testing Program Log. Results of blood tests will be entered by arresting officers upon receipt of the analysis from MSP in the agencies' RMS (Arrest tab section).

2.216.28 DUI/DWI Charges

- A. Defendants who submit to testing will be given chemical tests before being formally charged with violations of TR 21-902.
- B. Charges will be placed consistent with TR 21-902.

2.216.30 Alcohol Restrictions Violation/Charges

- A. All persons under the age of 21 have alcohol restrictions imposed on them. However, the restriction code will not appear on the driver's license or computer printout.
- B. Charges will be placed consistent with applicable components of TR 16-113 and TR 21-902.
- C. If defendants refuse chemical testing, arresting officers will charge defendants with alcohol restriction violations as well as TR 21-902 and complete DR-15As, Officers Certification and Order of Suspension.
- D. Officers charging holders of regular driver's licenses with violating alcohol restrictions must complete MVA Certification of Police Officer- Violation of Alcohol Restriction (DR-103) if test results are above 0.02% but be-

low 0.08%.

- 1. Original white copies will be mailed to MVA by Records Unit personnel utilizing attached preaddressed, prepaid envelopes.
 - 2. Canary copies will be given the defendants.
 - 3. Pink copies will be forwarded with other case related documents to the Records Unit.
- E. Officers charging holders of commercial driver's licenses with violating alcohol restrictions under TR 16-813 must complete MVA Certification of Police Officer- Test Results above 0.04% and below 0.08% (DR-102).
 - 1. Original white copies and MSP-33 Certification will be mailed by the Records Unit to MVA.
 - 2. Canary copies will be given to defendants.
 - 3. Pink copies will be forwarded with other case related documents to the Records Unit.

2.216.32 Processing Drug Suspects

- A. Defendants suspected of driving while under the influence of drugs are processed in the same manner as defendants driving under the influence of alcohol.
- B. If defendants submit to chemical testing, the tests can be used to determine the extent of alcohol influence.
- C. A low test result, together with officers' observations, may support the probability of CDS or other drug use.
- D. CDS found on defendants or in defendants' vehicles may be corroborative evidence in determining charging.
- E. Drug Recognition Experts (DREs) should be contacted to conduct related test for CDS impairment. Contact methods or phone numbers for DREs are contained in RMS and CAD.
- F. Arrestees who are not evaluated by DREs will be transported to healthcare facilities for examination consistent with **2.608 Sick or Injured Prisoners**.

2.216.34 Documentation

- A. The reports and/or documents that will be completed as applicable in all alcohol and CDS related driving arrests are:
 - 1. MSP Form 36B-State of Maryland Alcohol Testing Program Log;
 - 2. Agency Field Sobriety/Alcohol Influence Report or RMS application.
 - 3. DR-15, Advice of Rights;
 - 4. DR-15A, Officer's Certification and Order of Suspension;
 - 5. DR-103, Violation of Alcohol Restriction;
 - 6. DR-102, Commercial Motor Vehicle Alcohol Restriction Violation;
 - 7. MSP 103, Preliminary Breath Test Advisement of Rights;
 - 8. MSP 104, PBT Log;
 - 9. MSP 171, Disposition of Blood Alcohol Chemical Test Case;
 - 10. MSP 34, Alcohol Analysis and Medical Personnel Payment Authorization; and
 - 11. MSP 33, Results of Chemical Test.
- B. Blocks 1-4 of MSP 171 will be completed by arresting officers and submitted to the Records Unit with other re-

quired reports. The form will be fully completed at the time of trial and forwarded to the breath test supervisor.

- C. When received from MSP for blood work, a copy of MSP 33 will be mailed by arresting officers to the OSA DWI Coordinator.

2.216.36 Unconscious Persons

- A. When motor vehicle operators are unconscious or otherwise incapable of refusing to undergo chemical testing and probable cause exists to make arrests, investigation officers will obtain prompt medical attention for the individuals and arrange transportation to the nearest medical facility.
- B. Officers will have to bring alcohol blood test kits to the medical facility or have one brought to the facility.
- C. If chemical testing for alcohol will not jeopardize the individual's health or well-being, officers will request qualified medical personnel withdraw blood for a chemical test for alcohol. Consent forms will be completed with the word "unconscious" written where defendants' signature would normally be placed.
- D. If individuals regain consciousness or otherwise become capable of refusing the test prior to the withdrawal of blood, investigating officers will proceed with the DR-15, Advice of Rights.

2.216.38 Fatal Collisions

- A. TR 16-201.1(c) provides legal criteria for mandatory chemical testing of persons involved in collisions that result in death of, or life threatening injuries to others.
- B. Medical personnel who perform any testing required by TR 16-205.1 are not liable for any civil damages as the result of any act or omission related to such tests, not amounting to gross negligence.
- C. Officers are not required to compete DR-15s for drivers involved in fatal collisions.
- D. If breath testing is appropriate, officers will follow procedures previously set forth in this directive. Persons refusing breath testing will be transported to a hospital for blood testing.
- E. If blood testing is necessary, officers will witness withdrawal of blood and follow procedures for blood testing.
- F. When operators of motor vehicles die as a result of injuries sustained in automobile collisions, investigating officers will request the Deputy medical Examiner to respond to the scene.
 - 1. With permission from the Medical Examiner, designated funeral directors will take custody of bodies and transport them to the morgue.
 - 2. The Deputy Medical Examiner will take blood samples and report the blood analysis to investigating officers.
- G. See also, **2.240** for further directives relating to fatal collisions.

2.216.40 Release Authorization

Pursuant to TR 26-202(c), arrestees charged with alcohol or drug related traffic offense will be taken without necessary delay before District Court Commissioners for pretrial re-

lease determination unless arresting officers, in their discretion, release arrestees upon their written promise to appear for trial.

2.216.42 Duties of Breath Test Operators

- A. All breath test operators will maintain MSP 36A, Intoximeter Operator's Logs.
- B. Operators will immediately record all tests they conduct (arrestee or simulator tests) in the log. Tests will also be recorded on MSP 36B, Log of Tests for Alcohol Influence Arrests.
- C. Operators' logs will be maintained by individual operators to establish permanent records of testing experiences for court.

2.216.44 Supervisor Responsibility

Supervisors of breath test operators will examine semi-monthly the breath test operators' log for each operator under their supervision to ensure that the required tests have been conducted. Breath test operators will conduct their tests prior to the 15th of the month.

2.216.46 Program Coordinator

- A. The chief will designate one breath test operator to be in charge of the breath test equipment.
- B. The Program Coordinator is responsible for ensuring that:
 - 1. The Toxicologist certification letter is located near the instrument;
 - 2. The instrument is clean;
 - 3. Adequate supplies are maintained;
 - 4. The Log for Alcohol Influence Arrests is with the instrument;
 - 5. Simulators are maintained;
 - 6. PBTs are maintained and calibrated;
 - 7. Maintenance and repair of the instrument is coordinated with CTAU; and
 - 8. MSP Form 34A- Alcohol Influence Monthly Summaries are sent to CTAU by the 10th of each month.

2.218 TRAFFIC DIRECTION & CONTROL

2.218.05 Equipment

- A. Agency employees and Student Police Aides will wear issued reflective safety vests when directing traffic.
- B. Whistles enhance traffic directions given by officers and should be used whenever practical.
- C. Uniform hats enhance officer recognition and visibility while directing traffic. Uniform hats will be worn during traffic direction activities, except during periods of high winds or when the exigency of the situation precludes wearing of uniform hats.
- D. Officers will use flashlights with traffic wands for traffic direction during periods of low light or unfavorable weather conditions.
 - 1. Road flares may be used, in limited situations, during traffic direction.
 - 2. Flares will not be used during hazardous or explosive incidents or conditions.

2.218.10 Uniform Signals

- A. Manual traffic direction should be conducted uniformly to enhance driver and pedestrian recognition and responses.
- B. Hand signals will be used during traffic direction.
 - 1. To stop traffic, raise an arm with hand extended and palm to the moving traffic to be stopped.
 - 2. To start traffic, extend an arm and hand and bring the hand sharply in the direction that traffic is to be moved.
- C. Whistle signals may be used during traffic directions.
 - 1. To stop traffic, use one long blast.
 - 2. To start traffic, use two short blasts.
 - 3. Multiple whistles blasts may be used to get the attention of drivers.

2.218.15 Manual Operation of Traffic Control Devices

- A. Employees who have been suitably trained may operate automated traffic signals in the manual or flash mode when the signals are malfunctioning or when manual operation would facilitate the flow of traffic.
- B. Employees are prohibited from adjusting or otherwise attempting repairs on traffic signals.
- C. Employees will notify Communications of any traffic signal malfunction, or signal placed on flash as the result of malfunction, and request the appropriate agency be notified to effect repairs.

2.218.20 Temporary Traffic Control Devices

- A. Traffic cones are available for use during traffic control assignments.
 - 1. Patrol vehicle supplies include traffic cones which may be used in short-term traffic direction instances. The use of cones is preferred to the use of flares, particularly during periods of extended traffic direction.
 - 2. The Special Events Commander is responsible for ensuring that cones are delivered and picked up during special events. Employees will request cones to be delivered if needed.
- B. The agency may use temporary traffic controls and signs during peak traffic hours or special events. The Special Events Commander is responsible for assessing the needs for temporary traffic controls and signs as well as ensuring the devices are put in place and picked up.

2.218.25 Special Event Traffic Planning

- A. The agency will develop traffic contingency plans for special events in order to ensure proper flow of traffic through or around the area. These special events may be sporting events, parades, demonstrations, festivals, or other large public gatherings.
- B. Traffic control planning for special events will be conducted by Special Events and coordinated through the Police Services Bureau Commander. Each proposed event will be studied and a report prepared to determine its impact on:
 - 1. Ingress and egress of vehicles and pedestrians;
 - 2. Effect and impact on students during class change;
 - 3. Spectator control;

- 4. Availability and effect upon available public transportation;
 - 5. Provisions for news media;
 - 6. Alternate routes for through traffic;
 - 7. Temporary traffic controls and parking prohibitions;
 - 8. Emergency vehicle access;
 - 9. Staffing requirements;
 - 10. Provisions for relief of personnel assigned point control duties.
- C. Special Events will prepare an operations plan detailing staffing requirements, assignments, and duties of the event as well as ensure that all involved personnel are briefed on the operations plan.

2.218.30 Collision, Fire, Emergency, and Disaster Scenes

- A. Officers have primary responsibility for the direction and control of traffic at collision, fire, emergency, and disaster scenes in order to:
 - 1. Allow for the ingress and egress of police and other emergency equipment;
 - 2. Coordinate access and detour routes with Communications personnel as well as on-scene ranking fire department officials.
 - 3. Prohibit access to unauthorized vehicles and persons attempting to enter affected areas;
 - 4. Halt or divert approaching traffic away from or around scenes; and
 - 5. Provide for a system of alternate routes to move traffic around sites.
- B. Officers will notify Communications when incidents require closure of one or more lanes of traffic.
- C. If detours will be in effect for an extended period of time, detour routes will be communicated to the university community through the PIO.
- D. Officers will, when practical, implement traffic control at key intersections along campus related evacuation routes to allow rapid evacuation of the injured.
- E. Officers will direct volunteer firefighters arriving at fire scenes in privately owned vehicles to park outside established perimeters. Related problems should be addressed through fire department incident commanders.

2.218.35 Adverse Road and Weather Conditions

- A. Adverse road and weather conditions which might create traffic congestion or motorist hazards will be reported by officers to Communications. Officers will provide locations, hazard type, and other information which might assist in determining appropriate responses. hazardous roadway conditions are, but not limited to:
 - 1. Roadway damage;
 - 2. Damage to traffic control devices;
 - 3. Downed power lines;
 - 4. Water main breaks;
 - 5. Construction areas; or
 - 6. Snow, icing, or flooding.
- B. Officers will direct traffic at necessary locations until appropriate temporary traffic controls can be placed or hazards are eliminated. This does not include instances

where the weather causes a large number of locations to become hazardous.

2.220 Traffic Engineering

- A. Facilities Management Department of Planning & Construction is responsible for the administration of institutional traffic engineering.
- B. The Maryland State Highway Administration (SHA) maintains engineering responsibility for state-owned and maintained roadways.
- C. Because the agency does not perform traffic engineering functions for the university, the agency is responsible for:
 - 1. Referring complaints or suggestions concerning traffic engineering deficiencies to appropriate organizations; and
 - 2. Transmitting collision and enforcement data to appropriate organizations.
- D. The agency collects and transmits engineering relevant data as part of its regular collision investigation activities consistent with directives for ACRS.
- E. The chief will appoint an agency employee as a liaison with appropriate traffic engineering organizations.
- F. Citizens should be referred to the appropriate agencies whenever agency employees are approached by citizens with traffic engineering concerns.
- G. Agency employees will contact Communications to have immediate notifications made to appropriate agencies whenever traffic engineering deficiencies are discovered which pose immediate hazards to persons or property.
- H. Agency employees will submit written or email accounts through their chain of command to the agency's traffic engineering liaison when they become aware of traffic engineering deficiencies which are not immediate hazards, but may require examination by traffic engineers.

2.222 ASSISTANCE TO MOTORISTS

- A. Officers will be alert at all hours of the day for motorists who appear to need assistance. Particular attention must be given to the needs of motorists during hours of darkness when potential hazards are higher.
 - 1. Officers will stop and offer reasonable assistance to motorists or, if involved in calls of higher priority, report situations to Communications for assignment of other units.
 - 2. When stalled vehicles are creating traffic hazards, officers will stop and provide traffic control until hazards are alleviated.
 - 3. Officers will make reasonable assistance to ensure the wellbeing of motorists, passengers, and property involved in the delivery of motorist assistance.
 - a. Assistance may be in the form of requesting road service, assisting with minor repairs, changing tires, obtaining fuel, finding alternative transportation arrangements, attempting to make notifications, providing local transports, or the ability to wait a reasonable amount of time in the Headquarters lobby, use of the lobby telephone and telephone books, and access to restroom facilities.
 - b. Reasonable efforts will be made by employees at the Customer Service Desk to assist motorists

brought to headquarters.

- c. Officers should avoid becoming involved in motorist services to the point that they are unable to break away should higher priority calls be received.
- B. Motorists will not be left in situations that expose them to undue risks.
 - 1. Officers will consider traffic hazards, vehicle locations, time of day, weather conditions, and priority calls for service in determining appropriate responses to motorists' needs.
 - 2. Based on the assessment of motorists' needs and the risks presented, officers may place devices such as flares, traffic cones, etc. to warn oncoming traffic and clear scenes.
 - a. Officers will make periodic checks to ensure that risks to motorists have not increased.
 - b. If officers cannot make periodic checks, they will notify Communications to request assignment of other officers to make checks.
- C. Officers will provide information and directions upon request. Officers should become familiar with the streets and services in the local surrounding community.
- D. Officers will notify Communications of locations where assistance is being rendered to motorists.
- E. Jump starting services are not routinely supplied utilizing vehicles operated by the agency.
 - 1. The Police Auxiliary provides jump starting services utilizing specialized equipment when available during contractually set times. Hours of operations will be supplied to Communications by Police Auxiliary personnel.
 - 2. Other university organizations may supply jump starting services to the community. Communications personnel are responsible for obtaining and maintaining listings of such service.
 - 3. Jump starting may be approved by supervisory personnel in order to assist agency employees.

2.224 ROAD SERVICES

- A. Motorists encountering mechanical or other difficulties necessitating assistance or towing may rely upon the agency to request needed services on a 24 hour basis.
- B. Officers and Communications personnel may facilitate notifications to motorists' preferred road or towing services.
- C. Motorists with no preference for road or towing services will be offered the opportunity to request, at the motorists' expense, commercial towing services contracted by the agency to provide towing and impounding services.
- D. **2.458** contains specific information for providing road service related towing and impounding.

2.226 VEHICLE FIRES

- A. Officers will respond to vehicle fires to provide assistance to the motorists involved.
- B. Officers arriving at vehicle fire scenes will advise Communications of the extent of fires and damage.

- C. Communications will advise PGFD of any information which may assist them in determining staffing and equipment needs.
- D. Officers should use fire extinguishers located in police vehicles when practical.
- E. Officers will direct and divert traffic as needed, to expedite the smooth flow of traffic.

2.228 MEDICAL EMERGENCIES

- A. Officers will handle medical emergencies involving person in vehicles consistent with their levels of expertise, training, and certification.
- B. Employees will request ambulance services upon discovery of medical emergencies.
- C. To assist the fire department, employees will provide Communications with the types or nature of emergencies, patient conditions, and any other pertinent information.

2.230 VEHICLE ESCORTS

- A. Priority escorts of non-emergency vehicles are generally prohibited consistent with **2.140 Escorts of Non-Emergency Vehicles**.
- B. Legitimate requests for scheduled escort services include, but are not limited to, those associated with funerals, dignitary motorcades, oversized vehicles, highway construction vehicles, and vehicles with hazardous or unusual cargos.
- C. When practical, requests for vehicle escorts will be forwarded to Special Events for evaluation and approval.
 - 1. On-duty patrol squad commanders may evaluate and approve escorts when time constraints prohibit notifications to Special Events.
 - 2. This does not preclude officers providing escorts of motorists to locations within agency's jurisdiction as a component of motorist services, e.g., escorting lost motorists.
- D. The commander of Special Events will ensure that:
 - 1. All non-emergency vehicle escorts are coordinated with minimal interference to normal vehicular movements;
 - 2. Trip routes and maximum speeds are established in advance;
 - 3. Point traffic control is established, as appropriate, at locations along the scheduled route to ensure safe passage; and
 - 4. Tactical controllers are designated, in accordance with the complexity of the escort service being provided, to ensure safety of motorists and persons involved in escorts is maintained.

2.232 HAZARDOUS ROADWAY CONDITIONS

- A. Hazardous roadway conditions may include, but are not limited to:
 - 1. Defects in roadways;
 - 2. Defects or lack of highway safety features;
 - 3. Lack of traffic control or information signs;
 - 4. Lack of roadway lighting systems;
 - 5. Lack of, or poorly located, mechanical traffic control devices;
 - 6. Obstructions;

- 7. Ice or heavy snow;
 - 8. Fire and/or smoke; or
 - 9. Vehicles parked or abandoned on or near roadways.
- B. Roadside hazards may consist of physical features of roadside environments which are such that vehicles leaving the road can impact with them, resulting in unnecessary injuries to people or damaged property. These include, but are not limited to:
 - 1. Rigid non-yielding supports for traffic control devices;
 - 2. Improperly engineered guard rails;
 - 3. Bridge abutments or other hazardous fixed objects off the roadway; or
 - 4. Utility poles, trees, ditches, culverts, rock formations, or other fixed objects on or near roadsides that could cause collisions instead of vehicles being able to stop in safe distances.
- C. When hazards are identified and are believed to require immediate correction, e.g., fallen trees or electrical lines, officers will immediately inform Communications of situations and identify assistance required. Officers will protect scenes, direct traffic, or take other actions necessary to isolate hazards.
- D. When hazards are detected that represent potential collision situations, but threats of such are not imminent, officers will forward the information to Communications. Communications personnel will ensure appropriate agencies are notified to have hazards corrected.
- E. When roadway or traffic-related signs are observed to be missing or damaged, officers will notify Communications to request appropriate notifications.

2.234 HAZARDOUS MATERIAL ON ROADWAYS

- A. HAZMATS are elements, compounds, or combination thereof, which are flammable, corrosive, explosive, toxic, radioactive, oxidizers, or highly reactive.
 - 1. HAZMATS may have detrimental effects upon people, equipment, and the environment when handled, stored, processed or packaged.
 - 2. HAZMATS have numerous industrial, military, and research applications, and can be found in many of the laboratories on the university.
- B. HAZMAT related collisions or spills present serious threats to the health and safety of the general public and especially to initially responding officers.
- C. Officers will take every precaution available, reasonable, and prudent when it is believed that collisions or spills involving HAZMATS have occurred.
- D. PGFD has primary responsibility in handling HAZMAT incidents. Officers will provide support functions to assist PGFD in the actual control and removal of HAZMATS.
- E. When it is believed that HAZMAT spills or collisions have occurred, initially responding officers will:
 - 1. Inform Communications of necessary information so that PGFD can be notified;
 - 2. Request supervisory personnel respond to the scene;
 - 3. Coordinate the establishment of perimeters by closing off all access roads leading to the incident scene;
 - 4. Evacuate non-essential personnel from within pe-

rimeters; and

5. Attempt to identify HAZMATS via placard numbers or symbols.
 - a. Identifications should be made from as far away as possible.
 - b. Officers should not jeopardize their own safety for material identification purposes.
- F. Supervisory or administrative ranked personnel will coordinate all activities with PGFD in the safe resolution of HAZMAT incidents.

2.236 PARKING ENFORCEMENT

2.236.05 Transportation Services Role

Transportation Service has the primary responsibility for the enforcement of university parking regulations.

2.236.10 Agency Role

- A. The agency conducts limited parking enforcement activities only within the agency's primary jurisdiction.
 1. University parking regulations cannot be enforced outside the primary jurisdiction of the agency.
 2. Enforcement of university parking regulations is a component of the agency's traffic enforcement program.
 3. Special emphasis will be directed to areas where infractions may pose safety hazards or impede traffic flow.
- B. Consistent with **2.458.04 Illegally Parked Vehicles in Primary Jurisdiction**, officers may issue parking citations for:
 1. Vehicles parked in fire lanes or interfering with access to fire hydrants or the passage of emergency vehicles;
 2. Vehicles illegally parked in handicapped spaces or access area; or
 3. Vehicles parked or standing:
 - a. Impeding movement of traffic;
 - b. Blocking driveways or entrances;
 - c. Interfering with traffic during snow emergencies;
 - d. Blocking dumpsters marked "No Parking Area" or similar wording;
 - e. Blocking legally parked vehicles;
 - f. Unattended on any road or parking lot in a manner constituting a threat to public safety; or
 - g. In spaces prohibited by direction or instruction of agency employees.
- C. Transportation Services may call officers of this agency to assist in towing vehicles for excess parking violations consistent with **2.458.25 Transportation Services Pick-Up Orders**.

2.236.15 Accountability of Parking Violation Books

- A. Transportation Services issues Parking Violation Notice (PVN) books to the agency for use by officers.
- B. Officers are responsible for accounting for all PVNs that are issued.
- C. The Logistics Unit coordinates the distribution of PVN books and the retrieval of obsolete PVNs.
- D. Officers will sign out PVN books from the patrol squad supervisors' supply cabinet utilizing the PVN sign out

record.

2.236.20 Issuing PVNs

- A. Officers will issue PVNs only for those violations listed in **2.236.10** unless ordered to do otherwise by supervisory or administrative ranked personnel.
- B. Officers will complete PVNs in accordance with Transportation Services instructions.
- C. Transportation Services copies of PVNs will be placed in the Records mailbox by the end of the issuing officers' tour of duty.

2.236.25 Voiding PVNs

Officers wishing to void PVNs, because of errors or drivers returning to vehicles prior to PVNs being placed on violators' vehicles will write "VOID" in large letters across the PVN, obtain approving signatures or initials of a supervisory or administrative ranked officer, and place all copies of the voided PVN in the Records mailbox the end of the issuing officers' tour of duty.

2.236.30 Compliance with Parking Regulations

- A. Agency vehicles will be parked in accordance with parking regulations consistent with **2.115**.
- B. Employees will park their personal vehicles in accordance with parking regulations.
- C. Employees are responsible for PVNs received on personal or agency vehicles. However, this does not effect employees' rights to appeal PVNs through established channels.
- D. On an as needed basis, the chief will distribute notices containing clarifying information on parking of personal and agency vehicles.

2.236.36 Parking Coordinator

The chief will appoint a parking coordinator for the purposes of:

- A. Requesting parking permits; and
- B. Requesting administrative appeals of PVNs.

2.236.40 Appeals

Employees who receive PVNs may appeal them by:

- A. Submitting appeals directly to Transportation Services;
- B. Requesting District Court trials; or
- C. Submitting appeals through the Student Parking Appeals Office (SPA0) if they are registered university students.

2.236.45 Administrative Appeals

- A. Employees seeking administrative appeals will forward PVNs with written explanations, through the chain of command to the parking coordinator. All requested information on PVNs must be completed. PVNs issued to employees must have been received while engaging in employment related activities to be eligible for administrative appeal.
- B. Visitors to the agency may submit PVNs directly to the parking coordinator.
- C. PVNs issued to employees' personal vehicles will not be accepted for administrative appeals if issued for:
 1. Expired parking meters;

2. Parking in handicapped spaces; or
 3. Parked in fire lanes.
- D. PVNs issued to state licenses vehicles will not be accepted for administrative appeals if issued for handicapped parking violations.

2.240 COLLISION INVESTIGATION

- A. Except specifically provided elsewhere in this directive, agency officers will respond to collision scenes involving:
1. Deaths, injuries, or possible injuries;
 2. Hit and run;
 3. Impairment of operators due to alcohol and/or drugs;
 4. Damage to public vehicles or property;
 5. Hazardous materials;
 6. Altercations between principals;
 7. Major traffic congestion;
 8. Damage to vehicles to the extent towing is required;
 9. Damage to vehicles or other property.
- B. Sufficient officers will be dispatched to render necessary aid, investigate collisions, record short-lived evidence, and restore normal traffic flow. Responses may be modified on factors that include, but are not limited to the:
1. Collision severity;
 2. Amount of traffic flow disruptions;
 3. Availability of officers; and
 4. Related directives.
- C. On-duty patrol squad commanders or administrative ranked officers may temporarily order the suspension of agency responses, investigations, and reporting requirements of minor property damage collisions and minor, property damage hit and run collisions due to:
1. Adverse weather conditions that contribute to an unusually high number of collisions; and
 2. Emergency or exigent circumstances that require deployment of all available patrol squad personnel.

2.240.02 Establishing Investigative Responsibilities

- A. Agency officers are responsible for collision reporting and investigation requirements within agency's primary Jurisdiction, excepting police-involved collision fatalities.
1. The first officer arriving at the scene of a collision will normally be responsible for the investigation and report.
 2. Supervisory or administrative ranked officers may alter the investigation and reporting responsibilities, as well request collision reconstructionist or other technical assistance.
 3. For police-involved collision fatalities, the procedures within Special Order 21-0001 Notification Procedures, Evidence Collection, Storage and Analysis for Police Involved Fatalities should be followed. The Office of the Attorney General's Independent Investigations Division and the Maryland State Police will conduct the investigation.
- B. Officers may investigate and report upon collisions occurring on public thoroughfares or private property open to the public within the agency's concurrent jurisdiction consistent with **2.412 Concurrent Jurisdiction**. Primary

collision investigation and reporting responsibilities within areas of concurrent jurisdiction rest with PGPD.

- C. MSP investigates and reports airplane collisions.
- D. PGPD investigates and reports on county government vehicles, including Metrobus vehicles, and fire and ambulance vehicles, involved in collisions.

2.240.04 Collision Investigation & Report Requirements

- A. Agency officers will investigate traffic collisions and complete ACRS reports for collisions within primary jurisdiction of the agency involving:
1. Deaths, injuries, or possibility of injuries;
 2. Hit and run collisions where substantial investigative leads exist;
 3. Use of alcohol and/or drugs by vehicle operators;
 4. Damage to public vehicles or property;
 5. Hazardous materials;
 6. Vehicle damage such that towing is required;
 7. Buses; or
 8. The charging of one or more persons with violations of the Transportation Articles and placing them at fault.
- B. If conditions listed in A do not exist, investigations and reports are not required for:
1. Property damage collisions which do not result in disabling vehicle damage;
 2. Hit and run collisions lacking substantial investigative leads;
 3. Other late reported property damage collisions;
 4. Non-governmental, non-vehicular property damage collisions, e.g., fences, poles, landscape; or
 5. Charging persons with non-fault related violations of the Transportation Articles.
- C. Collision reports will be completed consistent with the Instruction and Reference Manual of the Maryland Automated Crash Reporting System of the Central Records Division, Maryland State Police.
- D. When officers respond to collisions that do not require investigation and reporting, they will supply Communications with information that includes, but is not limited to:
1. Collision locations;
 2. Vehicle information (State, tag, year, color, make, model); and
 3. Reason for collision not requiring reports and investigations.
- E. Officers should provide copies of the agency's "Collision Exchange of Information" form to parties involved in collisions wherein no investigations or reports are conducted so as to facilitate the exchange of information between same.

2.240.06 Collision Scene Duties

In addition to duties and responsibilities otherwise described in agency directives, collision scene responsibilities of responding officers may include, but are not limited to:

- A. Preventing collisions from worsening;
- B. Checking for injuries, administering emergency medical care, and basic life support commensurate with training

levels and equipment availability;

- C. Requesting assistance from EMS personnel and turning of victim care and treatment when relieved by other competent medical personnel;
- D. Recognizing fire, safety, HAZMAT, utility, and other hazards; requesting necessary assistance; and dealing with them consistent with **2.700 Emergency Operations & Unusual Occurrences**;
- E. Protecting, securing, and processing scenes consistent with **2.510 Processing Functions at Incident Scenes**.
- F. Requesting additional logistical, technical, or organizational support;
- G. Safeguarding property belonging to victims unable to care for same, consistent with **2.506 Property & Evidence Receipt & Storage**;
- H. Supplying Communications with necessary and prudent information;
- I. Interviewing principles and witnesses;
- J. Checking wanted status of persons and vehicles;
- K. Determining if alcohol and/or drugs were involved;
- L. Examining damages to vehicles and property and making any necessary notifications;
- M. Providing pedestrians and vehicle operators with clear warnings and detour routes;
- N. Clearing and reopening roadways and driving lanes as soon as possible;
- O. Extinguish flares and removing them to roadsides;
- P. Determining collision causes;
- Q. Taking enforcement action consistent with **2.204.26**;
- R. Providing principals with CCNs; and
- S. Sending CIS for all departmental, fatal, and critical injury collisions.

2.240.08 Follow-up Collision Investigations

- A. Collecting off-scene, collision investigation related data is normally the responsibility of primary investigating officers. These off-scene related activities may include, but are not limited to:
 - 1. Obtaining medical records, physicians reports, blood tests, laboratory reports, etc.;
 - 2. Obtaining witness or victim statements;
 - 3. Preparing collision diagrams or reconstruction reports; and
 - 4. Preparing written reports in support of criminal or traffic charges resulting from the collisions.
- B. Agency officers or members of other agencies have specialized technical training which may be of assistance in the investigation of collisions. Services of these officers may be requested on a 24 hour basis with supervisory approval. These services include, but are not limited to:
 - 1. Collision reconstruction;
 - 2. Commercial and passenger vehicle equipment inspection;
 - 3. Interpretation of physical evidence such as tire marks, vehicles damage, road surface damage, etc.;
 - 4. Preparation of scaled collision drawings;
 - 5. Specialized photography of collision scenes;
 - 6. Assistance in report and trial preparation for complex collision cases.
- C. In some cases it may be necessary to submit physical

evidence from a collision to the Maryland State Police Forensic Sciences Division for scientific analysis. Evidence will be collected, preserved, and submitted consistent with **2.500 Evidence & Property Management**.

- D. The Police Services Bureau Commander is responsible for coordinating or obtaining necessary follow-up assistance where necessary expert or technical assistance is not available within this agency.

2.240.10 Collision Reconstruction

- A. Collision reconstructionists will be requested to respond to collisions involving:
 - 1. Fatalities;
 - 2. Serious injury collisions involving governmental vehicles, including agency vehicles;
 - 3. Critical injury bus collisions;
 - 4. Serious injury crashes that appear intentional or collisions where mechanical defect or roadway design may have been proximal causes.
- B. The on-duty patrol squad commanders or administrative ranked officers may request collision reconstructionists to respond to any collision.
- C. Collision reconstructionists may be requested to assist with any collision investigation where there is a need for limited participation without complete reconstructions, e.g., speed calculations, determination of point of impact, etc.

2.240.20 Reconstructionist Notification & Response

- A. Communications maintains a current roster of qualified agency collision reconstructionists.
- B. If an agency reconstructionist is not available to respond, Communications, on request of the on-duty patrol squad commander or administrative ranked officer, will request a reconstructionist from MSP or PGPD.
- C. Agency reconstructionists are available only as an ancillary assignment and are not considered to be on-call status.

2.240.30 Reconstructionists' Responsibilities

- A. Collision reconstructionists assume responsibility and authority for collision investigations and reports when they arrive on collision scenes.
- B. Reconstructionists will, as appropriate:
 - 1. Comply with **2.240.10**;
 - 2. Evaluate collision severity and circumstances to determine what level of investigation will be required;
 - 3. Provide Communications all necessary information for submission to Maryland State Police, Central Collision Records Division;
 - 4. Ensure notifications are made to families of deceased or seriously injured victims;
 - 5. Notify the chief and Police Services Bureau Commander;
 - 6. Notify the Deputy medical Examiner for Prince George's County;
 - 7. Notify the Screening Division of the OSA before close of the next business day;
 - 8. Request assistance from the Automotive Safety Enforcement Division of MSP if it is suspected that

collisions were caused by mechanical defects or failures;

9. Complete and submit reconstruction and investigation reports to the Police Services Bureau commander for approval; and
 10. Submit approved reconstruction and investigation reports to the Records Unit.
- C. Should any collision victim die within 90 days of collisions, reconstructionists will:
1. Provide to Communications all necessary information for submission to Maryland State Police, Central Accident Records Division;
 2. Notify the Police Services bureau Commander;
 3. Notify the Deputy Medical Examiner for Prince George's County;
 4. Notify the Screening Division of the OSA before close of the next business day.

2.240.40 Organ Donor Victims

- A. Driver's license information of persons killed in collisions should immediately be checked to determine if the victims are organ donors.
- B. Investigating officers should ensure organ procurement teams associated with transplant programs are notified by Communications personnel. Contact listings are contained in RMS and CAD.

2.242 COLLISIONS INVOLVING DOMESTICATED ANIMALS

- A. When collisions involve domesticated animals, investigating officers will:
1. Attempt to determine the owners' identities and subsequently contact them;
 2. Provide owners with the names, addresses, phone numbers, vehicle registration information, and insurance information of vehicle owners or drivers; and
 3. Provide drivers of striking vehicles with names, addresses and phone numbers of animal owners.
- B. If animal owners cannot be determined or locate, investigating officers will notify Communications who will contact Prince George's County Animal Control.

2.244 DEPARTMENTAL COLLISIONS

2.244.05 Involved Employee's Responsibilities

- A. When full-time or part-time employees of the agency or student officers in the police academy are involved in collisions while operating motor vehicles that are owned, leased, or under the control of the agency, the operators will immediately take action to notify:
1. Supervisory or administrative ranked personnel to ensure that the collisions are investigated; and
 2. Police agencies of primary jurisdiction when collisions occur outside the jurisdiction of the University Police to ensure collision reports are completed.
- B. With the exception of hit and run collisions, involved employees will not move vehicles from points of impact without approval unless there are threats to the safety or persons or property.
- C. In hit and run collisions, involved officers, after notifying Communications, may leave scenes to attempt to

identify or apprehend striking vehicles or operators, provided that such departures can be made safely.

- D. Involved drivers must, as applicable:
1. Provide indexing information dealing with dates, times, locations, witnesses, other drivers, etc. of collision;
 2. Complete "What to do in case of an auto accident form" and submit it to a supervisor for review;
 3. Comply with Worker's Compensation reporting requirements consistent with **1.450 Accident Leave Management**; and
 4. Complete a report in RMS consistent with **2.448 Property Care and Maintenance**.
- E. Officers may be compelled under provisions of LEOBR to give full accountings of collision facts and circumstances.
1. Officers may elect to freely and voluntarily give narrative accountings of the collision; or
 2. Officers may invoke and be granted the provisions and rights conveyed under LEOBR.

2.244.10 Investigating Officers' Responsibilities

- A. All departmental collisions occurring within the agency's jurisdiction will be investigated by on-duty officers. Collisions will be investigated by a person senior in rank to the employee involved. Officers who have not completed their initial probationary period will not serve as initial investigating officer for another officer.
- B. Duties and responsibilities of the initial investigating officer include, but are not limited to:
1. Performing collision scene duties consistent with **2.240 Collision Investigations**;
 2. Completing ACRS reports, if not prepared by reconstructionists, and submit it to the on-duty supervisor.
 3. Completing thorough ROIs consistent with **2.924 Investigative Procedures**.
- C. The ROI for a departmental collision will be completed within two weeks of the date of the collision. If circumstances arise which prevent the ROI being completed within this time, a written explanation will be sent to the Collision Coordinator. The ROI will contain the following information:
1. Detailed departmental collision report;
 2. RMS report;
 3. ACRS report;
 4. Driver/Witness statements;
 5. Charging documents (traffic citations, etc.);
 6. Employee history (years of service, EVOC training, and previous departmental collisions);
 7. MVA documents;
 8. Photographs; and
 9. Other reports (vehicle maintenance records if applicable).
- D. Duties and responsibilities of the on-duty supervisor include, but are not limited to:
1. Completing "What to do in case of an auto accident form" required by the Department of Environmental Safety, Sustainability & Risk Insurance coordinator. This form must be reviewed by a supervisor and submitted to the UMDPS Fleet Manager within 24

hours of the accident. The Fleet Manager will then submit the required paperwork to ESSR.

2. Ensuring Worker's Compensation reporting requirements are met consistent with **1.450 Accident Leave Management**;
3. Making notifications and sending CIS required by **2.442 Notifications** or other directives;
4. Submit completed ACRS report to the Records Unit.

2.244.15 Departmental Collisions Occurring Outside the Agency's Jurisdiction

- A. Involved officers are responsible for complying with requirements of **2.244.05**.
- B. The Collision Coordinator, or other specifically designated administrative ranked officers, are responsible for completing applicable provisions of **2.244.10**.
- C. When practical, supervisory or administrative ranked officers will respond to departmental collisions occurring out of jurisdiction and involving fatalities or serious personal injuries. The purpose of these responses is to coordinate this agency's fact finding into the collisions and to arrange for collision report copies to be forwarded to this agency.

2.244.20 Records Unit Responsibilities

- A. Records Unit personnel are responsible for ensuring departmental collision related documents are disseminated or distributed to appropriate units, organizations, and persons.
- B. Original ACRS reports will be submitted in accordance with ACRS requirements.
 1. One copy will be submitted to the Fleet Manager.
 2. One copy will be submitted to investigating officers for inclusion in ROIs.
 3. One copy will be retained in Records Unit files.

2.244.25 Collision Coordinator

- A. The Fleet Manager for UMDPS will serve in an ancillary capacity as the agency's collision coordinator.
- B. Duties and responsibilities include, but are not limited to:
 1. Working with investigating officers to ensure departmental collision investigations are conducted thoroughly, accurately, completely, on a timely basis, and in accordance with **2.924 Investigative Procedures**;
 2. Making recommendations as to whether collisions were chargeable v. non-chargeable;
 3. Submitting completed ROIs to IA for final action.

2.244.35 Alcoholic Beverage/CDS Related Collisions

Departmental collisions in which involved employees are suspected to be in violation of TR 21-902 will be handled consistent with **2.900 Complaints and Discipline**.

2.244.40 Appearance at Hearings

Employees directed to appear before courts or administrative proceedings relating to departmental collisions will promptly notify the Office of the Chief of those notices.

2.244.45 Collision Review Board (CRB)

The Department Collision Review Board will be composed of the Fleet Manager/Collision Coordinator, Internal Affairs Officer, a sworn agency employee/EVOC Instructor and a designee from the Support Services Bureau.

- A. Duties and responsibilities of the CRB include:
 1. Review UMDPS collisions, determines preventability and whether proper corrective action was taken.
 2. Review preventable collision history within the last three year period.
 3. Review employee's driving records, which are checked at a minimum of once a year, for accumulated points or violations.
- B. Corrective action recommendations may include, but are not limited to:
 1. Vision and Hearing Testing- Employees found to have caused preventable departmental collisions may be ordered, at no cost to involved employees, to submit to eye tests, hearing tests, or other appropriate tests. Testing will be coordinated by the Office of the Chief. Testing may be conducted following each preventable collision.
 2. Remedial Driver Training- Employees may be assigned to remedial or other relevant driver training programs when such training is determined to be in the best interests of the employee or agency.