



# BRAINTREE POLICE DEPARTMENT

## Policy and Procedure

### Traffic Enforcement and Management

#### 2018-30

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Certification Standards: <b>61.1.2 a-c; 61.1.7 a-c; 61.1.11</b> Accreditation Standards: <b>1.2.6; 1.2.7; 61.1.3 a-e; 61.1.4 b-d; 61.1.9 a-e; 61.1.12; 61.2.1 a-f; 61.2.2 a-h; 61.2.3 a-f; 61.3.3 a, b; 61.4.1a-d; 61.4.2; 81.2.4 a; 82.3.4 a-c</b> Optional Accreditation Standards: <b>61.1.1 a-f; 61.1.5 a-l; 61.1.6; 61.1.8; 61.1.10; 61.1.13 61.2.4; 61.3.2 a-g; 61.4.4; 82.3.5</b>	

**Policy** It is the Braintree Police Department’s policy to accomplish roadway safety goals through traffic law enforcement, investigation, direction, and control. These goals include but are not limited to the following:

- Reduction of traffic collisions, fatalities, injuries.
- Facilitation of the safe and efficient movement of vehicular and pedestrian traffic.

The department will accomplish these goals through a combination of education, enforcement, engineering, and public support.

In an effort to limit the frequency of crashes, comprehensive crash investigation and reporting is required. Data gathered from crash reports are the prime source of information for crash prevention programs. It is therefore imperative that proper information be gathered for use in planning, evaluating, and implementing efforts to achieve highway safety goals.

**Enforcement** The ultimate objective of enforcement is to favorably alter the violator’s future driving behavior, thus fostering a climate of safe driving throughout the community.

<p>Selective Enforcement 61.1.1 61.1.6</p>	<p>Enforcement activities should be applied in proportion to the need, the location(s), and the hours of greatest crash expectancy.</p> <p>Enforcement activities will be conducted in a consistent and uniform manner and directed against the violations which cause the largest number of crashes. Enforcement activities will focus on the group of drivers who are responsible for the majority of the violations thereby constituting the greatest hazard to the community. <b>[61.1.1]</b></p> <p>Under the direction of a supervisor, officers may participate in road side safety check points in conjunction and coordination with MA State Police or The Registry of Motor Vehicles. This may include but not limited to, sobriety check points, school bus stop enforcement, and vehicle safety inspection points. Areas of enforcement shall be predetermined and approved prior to the implementation of the check enforcement. Consideration shall be given when choosing an area of enforcement to include volume of traffic, stopping areas (parking lots), and officer/vehicle operator safety. <b>[61.1.6]</b></p>
<p>Deployment 61.1.1a-c, e</p>	<p>The deployment of selective enforcement and traffic enforcement should be based on an analysis of traffic crashes, speed data, officer experience, and citizen concerns. The Traffic Unit Supervisor or Traffic Officer should review and compare traffic-related services and activities. <b>[61.1.1a,b,c]</b> Shift Commanders, in conjunction with the Traffic Unit Supervisor's recommendations, should assign Officers to traffic enforcement of specific violations at problem locations at appropriate times. <b>[61.1.1e]</b></p>
<p>Assignments 61.1.1d,f</p>	<p>Traffic enforcement assignments should be based on principles of selective enforcement. Resources should be directed toward specific violations, in specific locations, based primarily on statistical traffic data. Officers may utilize, but not be limited to, marked cruisers, unmarked cruisers, motorcycles, stationary assignments and roving patrols etc. Stationary enforcement should be performed overtly for enforcement purposes and as a visible deterrent. <b>[61.1.1d]</b></p> <p>Enforcement efforts shall be evaluated by the Shift Commander, Traffic Unit Supervisor, or designee to ensure that enforcement action is reducing crashes. <b>[61.1.1 f]</b></p>
<p>Motor Vehicles Stops 61.1.7a-c 81.2.4 a</p>	<p>Officers should use due care and sensible techniques when stopping motor vehicles. This applies for all traffic stops; general, unknown risk, and high risk stops. The following precautions should be taken in stopping a motor vehicle as described below: <b>[61.1.7a]</b></p>

Notify the dispatcher of the following: **[81.2.4 a]**

1. Location of the stop.
2. License plate and description of the vehicle.
3. If possible, a description of its occupants.

When practical, select a suitable location for making the stop.

Officers should remain cognizant of their surroundings while approaching the vehicle. Emergency lights shall be activated to warn traffic and to assist any responding back-up Officers. **[61.1.7 b]**

When practical, Officers conducting a high-risk stop should wait for a back-up Officer. Officers should utilize the tools available to them such as cruiser positioning, public announcement system and, additional Officers to control subject movement. **[61.1.7c]**

Procedures for  
Dealing with  
Violators  
61.1.8

Officers shall conduct themselves in a courteous and professional manner, keeping in mind the use of proper language, and emotional stability. Officers shall: **[61.1.8]**

1. Be certain of their observations of the alleged violation.
2. Have the necessary forms and equipment to deal with the situation.
3. Greet the violator appropriately when requesting driver and vehicle identification.
4. Explain to the violator the reason for him/her being stopped.

Upon completion of the stop, Officers will ensure that the violator safely re-enters the flow of traffic.

Enforcement  
Actions  
1.2.6  
1.2.7  
61.1.2 a-c  
61.1.4 b-d

All enforcement actions will be accomplished by using one of the following four methods **[1.2.6] [1.2.7]**:

**Verbal Warning:** Is appropriate when a violator commits a minor act that may be due to ignorance of a particular law. However, a written warning is recommended since it provides written documentation justifying the stop. **[61.1.2 c] [1.2.6] [1.2.7]**:

**Written Warning:** Is appropriate when a violator commits a minor traffic infraction. Warnings can effectively be used as a means of educating the public because they involve less emotional stress and are an effective public relations tool. However, the excessive use of warnings should be avoided; otherwise, it could create a feeling of lack of commitment by the police department to enforce motor vehicle safety within the community. **[61.1.2 c] [1.2.6] [1.2.7]:**

**Citation:** An Officer's discretion plays a big part in the decision to take punitive action against a violator. However, this discretion should be based on a combination of experience, training, and common sense. Citations should be issued to all violators who jeopardize the safe and efficient flow of vehicular and pedestrian traffic. Officers should issue civil citations, or a criminal application, where circumstances dictate the creation of deterrents to unsafe conduct by users of the roadway. **[1.2.6] [61.1.2 b] [1.2.7]:**

**Arrest:** Officers have the discretion to affect the arrest of any person violating an arrestable traffic law, and shall affect an arrest of any law mandating such. Whenever an arrest results from the issuance of a motor vehicle citation, the "Arrest" option on the citation or E-citation shall be checked. **[61.1.2 a]** When circumstances warrant that the arrestee's vehicle be towed, it shall be inventoried and secured in one of the town's designated tow company lots. Officers should fully explain the specific violation or charge and motorist's rights and requirements upon arrest or issuance of a citation. Officers should advise the violator that these rights are outlined on the back of the citation and any other information or procedure that must be provided to the motorist prior to release. **[61.1.4 d]** Officers should provide him/her the following information as appropriate:

1. Notice that the motorist can either pay the fine by mail or contest the citation at a hearing; **[61.1.4 c]**
2. Optional or mandatory nature of court appearance; **[61.1.4 b]**
3. Mailing envelope provided with citation (when applicable).

All Officers shall comply with M.G.L. c. 90C, which enumerates the uniform procedure for handling motor vehicle offenses.

Special Driver  
Categories  
61.1.3 a-e

**Non Residents:** Enforcement activities shall be consistent and in a uniform manner, that does not give preference to local residents or non-residents. **[61.1.3 a]**

**Juveniles:** Enforcement activities shall be consistent and in a uniform manner. There are no special procedures dealing with juvenile offenders of the traffic laws and in the issuance of citations. When an arrest of a juvenile is warranted, Officers are to be guided by the policy outlined in **Juveniles. [61.1.3 b]**

**Legislators:** State and U.S Legislators are immune from arrest while attending, going to, or returning from a session of their respective houses. However, citations, complaints and summonses may be issued as appropriate. Enforcement activities shall be consistent and in a uniform manner, that does not give preference. **[61.1.3 c]**

**Diplomatic and Consular Officers:** Enforcement activities shall be consistent and in a uniform manner, that does not give preference. These officials should be accorded their respective privileges, rights, and immunities as directed by international law and federal statute.

- Diplomatic officers, their families, official staff and servants are protected by unlimited immunity from arrest (except for the commission of a felonious crime where public safety is endangered), detention, or prosecution with respect to any civil or criminal offense.
- Traffic citations may be issued.
- Any citations shall be reported to the U.S. Department of State. The State Department maintains driver histories and may subject these subjects to license suspensions or revocations.
- Consular officers are entitled to limited immunity and are not subject to arrest or detention pending trial, except, as above, for the commission of a grave crime. Family members of consular officers do not enjoy the same privileges and immunities with respect to the civil and criminal jurisdictions, as do consular officers. **[61.1.3 d]** Review policy: **Consular Notification**

**Note:** When such person with full immunity from arrest is, in the Officer's opinion, too impaired to drive safely, the Officer may:

1. With the individual's permission, take him/her to the police station or other location until he recovers sufficiently to drive;
2. Summon, or allow the individual to summon a friend or relative to drive; or
3. Call a cab.

**Military Personnel:** Shall be considered licensed when on active duty in the United States armed forces and has in his/her possession a license to operate a motor vehicle issued by the state where he/she is domiciled or unless he/she is a member of the United States armed forces returning from active duty outside of the United States, and has in his/her possession a license to operate a motor vehicle issued by said armed forces in a foreign country, but in such cases for a period of not more than forty five days after his/her return. If an active duty military member is arrested, a supervisor shall notify the liaison officer of the nearest armed forces investigative headquarters. **[61.1.3 e]**

Detecting  
Impaired  
Vehicles  
Operators and  
Field Sobriety  
Testing  
Guidelines  
61.1.10  
61.1.11

On occasion, this department will conduct traffic enforcement programs that are aimed at reducing alcohol and/or collision related vehicle offenses. These programs shall consist of, but are not limited to **[61.1.10]**:

**Directed Enforcement:** Placement of personnel at the specific times and locations where analysis has shown a significant number of violations/collisions involving impaired drivers have occurred.

**Directed Surveillance:** Patrol of roadways on which there have been unusual incidences of operator impaired related violations/collisions.

**Selective Enforcement:** Targeting violations and behavior that is consistent with impaired operation.

Shift Commanders will have the authority to assign Officers to any of these enforcement activities.

The National Highway Traffic Safety Administration identifies three phases in the detection of impaired drivers:

1. The suspect's driving behavior.
2. The suspect's physical and mental characteristics during police contact.
3. The suspect's performance on field sobriety tests.

Officers should recognize, identify and note specific characteristics, attitudes, and actions commonly manifested by impaired drivers (e.g. speech impaired, odor of alcohol, glassy eyes, lack of ability to be attentive, etc.).

Officers shall select and administer the standardized National Highway

Transportation and Safety Administration (NHTSA) field sobriety tests to assess impairment. These three tests are validated by NHTSA. Any one or more of the following are acceptable: **[61.1.11]**

1. Walk and turn.
2. Standing on one leg.
3. Horizontal Gaze Nystagmus (HGN)

Reciting the alphabet, finger to nose, and counting are other forms of sobriety tests; however, they are not validated by NHTSA.

**Note:** Field sobriety tests should be conducted in a safe location.

A Portable Breath Test machine (PBT) may be used as one of the field sobriety tests in making a determination of probable cause for operating under the influence of intoxicating beverages. The PBT is to be the last field sobriety test offered and can be administered only with the suspects consent. Officers shall note the use or refusal of the P.B.T. and will include the results in their arrest report narrative. The PBT is only for use in the field and shall not be used at the booking desk. (PBT can be used in booking when releasing a PC) Officers must be trained in the use of the PBT devices, in accordance with the guidelines promulgated by the Office of Alcohol Testing (O.A.T.) and/or the MPTC.

The department will ensure that Officers are trained in all aspects of driving under the influence of alcohol or drug enforcement procedures, and will cooperate fully with other agencies and community groups to reduce and control this problem.

Operating  
Under the  
Influence of  
Alcohol or  
Drugs  
1.2.7  
61.1.5 a  
61.1.11

If an Officer determines that the operator is under the influence of alcohol or drugs, appropriate enforcement action shall be taken. Review policy: ***Drug Recognition Expert*** Appropriate enforcement action consists of immediate arrest or, if in the Officer's opinion, the circumstances do not allow for an arrest, issuance of a citation, summons or hearing. Officers should be aware that arrest should be a priority for this offense. **[1.2.7] [61.1.5 a] [61.1.11]**

Persons arrested for operating a motor vehicle while under the influence of intoxicating liquor will be transported the police station, informed of his/her rights to have a breath test, and the penalty imposed if he/she refused to take same.

The Shift Commander will contact the Bail Commissioner for a bail

hearing as soon as practical after the subject is booked. Review policy: **Prisoner Booking and Processing**.

Breathalyzer  
Operations  
61.1.11

Breathalyzer operation shall be administered by a trained and certified operator. Examinations shall be according to departmental procedure and the requirements of M.G.L. c. 90 § 24. A blood alcohol reading of .05% or below mandates that the arrestee shall be released from custody forthwith. If the reading is above .05% but less than .08% there shall be no presumption of impairment. If the reading is .08% or above there shall be a presumption that the person is under the influence of intoxicating liquor.

When dealing with a person under the age of 21 years of age, the Breathalyzer operation remains the same regarding the percentages of alcohol. If a person under the age of 21 has a reading of at least .02%, his driver's license shall be seized by the arresting officer and said person shall be processed according to law.

A blood alcohol reading of .04% or greater shall be sufficient to establish a violation of operating under the influence of intoxicating liquor for persons with Commercial Driver's Licenses (CDL) operating CDL vehicles. The arresting officer shall seize the CDL operator's license and he/she shall be processed according to the law.

If a subject takes a Breathalyzer test and the results do not confirm impairment, the officer should consider if drugs were the cause of impairment before the subject is released from custody. Review policy: **Drug Recognition Expert** Completed tests and refusals shall be handled in accordance with applicable statutes and OAT guidelines.

Blood Alcohol  
Test  
61.1.11

Blood alcohol tests shall conform to M.G.L c. 263 § 5A, as well as departmental guidelines.

Chemical Test  
Refusal  
61.1.11

If a subject refuses a Chemical Breath Test, the Breath Test Operator will complete the refusal through the BATS (Breath Alcohol Testing Systems) machine and the Operator's license will be immediately suspended.

**In the case of an arrest for OUI Alcohol:** The vehicle shall be towed from the scene and not released for a period of 12 hours, regardless of whether or not the operator consents to a breath test at the booking desk, consistent with Melanie's Law and Town of Braintree By-Law 9.300.010.

**In the case of an arrest of OUI Drugs:** The vehicle shall also be towed and held for 12 hours in compliance with Town of Braintree By-Law 9.300.010

**Town of Braintree By-Laws Section 9.300.010:** *“Impoundment for operating under the influence of certain substances. No motor vehicle impounded pursuant to an arrest under M.G.L 90 Section 21, for operating under the influence of intoxicating liquor, marijuana, or narcotic drugs or depressant or stimulant substances, all as defined in MGL c.94C Section 1 or under the influence of vapors of glue, or other substances set forth in said MGL c. 90 Section 21 may be released prior to the passing of 12 hours following arrest.”* **[61.1.11]**

Other Traffic  
Enforcement  
Violations  
1.2.7  
61.1.5 b-l

Officers shall, as uniformly as possible, enforce M.G.L. and Town Ordinances in an effort to achieve operator compliance with motor vehicle laws and regulations. Enforcement will include but not be limited to the following:

**Operating with Suspended or Revoked License:** If the Officer is certain of the suspension/revocation (Registry of Motor vehicles verified) and observes operation on a public way, that Officer has the discretion to issue a criminal complaint or arrest. In situations where the license was suspended or revoked due to alcohol related offenses or motor vehicle homicide, the preferred response will be to arrest. **[1.2.7]** If the Officer is unsure of the actual status (Registry of Motor Vehicles not available), a written citation for operation without a license in possession should be issued to the violator, with consideration of future complaint amendment. In no circumstances shall an officer allow an unlicensed operator to continue operation of a motor vehicle. CJIS/RMV documentation of suspension or revocation shall be filed in the case report. **[61.1.5 b]**

**Speed Violations:** Speed is one of the main causes of crashes. Officers should take appropriate enforcement action for speeding violations. Officers should use verbal warnings, written warnings, and citations to have motorists voluntarily comply with traffic laws and regulations. Speeding citations should be a clearly convictable speed in court, and may to some extent depend on location of the violation (congested area, downtown, school zone, etc.). **[61.1.5 c]**

**Hazardous Moving Violations:** A hazardous moving violation means the violation of any law, ordinance, or regulation affecting the use or protection of streets or highways enacted primarily to regulate safe movement of vehicles and pedestrians.

There are two general types:

**Unsafe Behavior:** An action or omission in traffic that is hazardous, even when vehicles, streets or highways, and people involved are in legal condition.

**Unsafe Conditions:** Causing or permitting an illegal and possibly hazardous condition of a driver or pedestrian in traffic, streets or highways used by traffic, or vehicle used in traffic. Officers shall use the verbal warning, written warning, or citation. In serious cases may utilize the immediate threat form and agency report addressed to The Registry of Motor Vehicles. **[61.1.5 d]**

**Recreational and Snow Vehicles:** Officers should take appropriate enforcement action against operators of off-road recreational vehicles (e.g., snowmobiles, dirt bikes, ATV's) committing violations that are either observed by them or reported to them. All rules pertaining to Recreational and Snow Vehicles can be found in M.G.L. c. 90B §§ 20-34 inclusive. **[61.1.5 e]**

**Equipment Violations:** Equipment required on motor vehicles is covered under M.G.L. c. 90, § 7. Officers should consider issuing a citation when a vehicle is found missing any essential equipment. Whenever a fixture is missing and it is obvious that the owner is aware of the defective equipment, a citation should generally be issued even though this may be the only violation on the vehicle. **[61.1.5 f]** However, if the equipment violation is not obvious, the officer should stop and inform the violator of the defect using via a verbal or a written warning. **[61.1.5 f]**

**Public Carrier/Commercial Vehicles:** Officers should enforce commercial motor vehicles in the same manner as passenger vehicles. Special attention should be given to equipment violations. Officers should consult or enlist the assistance of a member of the State Police Truck Team and or Braintree Fire Department for weight restrictions and/or hazmat compliance. **[61.1.5 g]**

**Other Non-hazardous Violations:** violations of law, ordinances, by-laws, or regulations affecting the use or protection of streets or highways, but not enacted primarily to regulate safe movement of vehicles and pedestrians. Consider warnings unless repetitive or flagrant. **[61.1.5 h]**

**Multiple Moving Violations:** Generally one citation will be issued in the case of multiple violations stemming from the same operation. The exception is when a warning and citation are issued as a result of the same traffic stop. The warning must be issued on a separate citation. **[61.1.5 i]**

**Newly Enacted Laws and or Regulations:** Should be treated on a case-by-case basis depending on the severity and nature of the offense. **[61.1.5 j]**

**Pedestrian/Bicycles:** Regulations in accordance with the provisions of M.G.L. c. 90, §18A and or the Town of Braintree Ordinances.

**NOTE:** For town Ordinance violation use Braintree Police Department Civil Disposition Citation. Officers should enforce these pedestrian control regulations. **[61.1.5 l]**

Traffic  
Accident  
Violations  
61.1.5 k  
61.2.1 f

Officers should take an enforcement action whenever they have probable cause to believe that a violation of law or ordinance has occurred. Enforcement action arising from traffic crash investigation or reporting (e.g., physical arrest, citation, written warning, etc.) will be consistent with the nature of the alleged violation and with all of this department's directives concerning traffic law enforcement. **[61.1.5 k]**

Violations not personally witnessed by an Officer must be established through investigation, which may include but not be limited to:

- Statements or admissions made by the alleged violator.
- Statements of witnesses.
- Crash scene measurements.
- Physical evidence.

Crashes occurring on private property that is not normally open to the public, such as a private residence, involving injury or excessive property damage will require a complete report of the incident.

**[61.2.1f]** Crashes occurring on private property where the public has a right of access and meeting the reporting requirements of M.G.L. c. 90 § 26 will be processed as if they had occurred on a public street and the necessary forms completed.

Speed  
Measuring  
Devices  
Radar and  
Lidar  
61.1.9 a-e

Officer operations of radar/ LIDAR units concerning (if applicable) stationary mode, moving mode, range control, interference, audio and squelch, tracking, and locking display readings shall be adhered to as provided by certified training and guided by manufactures operators manual for that particular unit. **[61.1.9 b]** Specific information on these units may be found in the operator's manual, which accompanies each unit. **[61.1.9 a]**

Officers using department radar/LIDAR units are responsible for the

proper care and upkeep of the unit(s) they use. Such care and upkeep shall be done in accordance with the directions given them during their original training in the use of the equipment. **[61.1.9 c]**

Each Radar unit shall be calibrated once a least once year and thereafter as needed. Officers shall assure that the internal calibration of the radar unit is in operation at the time of use. The Training Officer or his designee shall keep a certification of radar units and will coordinate calibration of Lidar units as necessary. **[61.1.9 d]**

Officers shall receive training prior to using the equipment. Training shall include the requirement that all persons must demonstrate their competence with each device under varying conditions in supervised field performance tests. **[61.1.9 e]**  
The training standards shall be equivalent to the model standards promulgated by the National Highway Traffic Safety Administration.

Driver  
Incompetence  
or Immediate  
Threat  
61.1.12

Traffic enforcement and crash investigations frequently lead to the discovery of drivers who display a suspected incompetence in driving a motor vehicle. This incompetence might prevent the person from exercising reasonable and ordinary care over a motor vehicle.

The Registry of Motor Vehicles (RMV) will suspend and revoke the license of incompetent drivers for driving behavior that constitutes an immediate threat to the driving public. The “**Immediate Threat Form**” is used when an Officer reasonably believes that an operator’s continued operation would be so seriously improper as to constitute him/her an immediate threat to the public safety.

Officers shall fully assess each situation before filing an “**Immediate Threat Form**” so as not to indiscriminately penalize the motoring public. Officers having reason to believe that an operator would pose an immediate threat if they continued to operate a motor vehicle shall submit by fax or mail any investigative reports relevant to the threat along with an “**Immediate Threat Form**” to the RMV. The “**Immediate Threat Form**” must be approved and signed by the Chief or his/her designee prior to submission. **[61.1.12]**

Additionally, if an Officer believes through their observations or investigation that an operator is no longer physically or medically capable of operating a motor vehicle safely, they may file a “**Request for Medical Evaluation**” form with the RMV. This form and the Officer’s investigative report must be forwarded to the Chief or his/her designee for approval.

Hazardous  
Roadway or  
Environmental  
Conditions  
61.4.2

Upon discovery of a hazardous roadway or environmental condition, Officers should notify the station and request that the appropriate agency be contacted.

Officers should inform dispatch when a hazard is identified and such hazard (in that Officer's opinion) requires immediate correction (such as a fallen tree or electrical wires across any part of the traveled portion of the highway, disabled motor vehicles, traffic light failure/deficiencies). Dispatch shall contact the appropriate agency such as Department of Public Works, Mass State Highway, Electrical Company or Phone Company. Officer shall remain on scene until the threat is addressed or is properly relieved. **[61.4.2]**

Traffic Control  
61.3.2 a-g

The Department shall perform traffic direction and control functions to ensure the safe and efficient movement of vehicles and pedestrians when necessary, which will include accident scenes. Procedures may include but not limited to temporary road closures, lane closures and manual directing and controlling flow of traffic by responding officers. **[61.3.2 a]**

Officers should employ obvious, decisive and uniformed procedures (signals, gestures, etc.) to enhance driver and pedestrian recognition and response to their direction. **[61.3.2 b]**

Officers should continue to work closely with the fire department and other emergency services organizations in order to maintain access and egress at fire scenes and other critical incidents by emergency vehicles. Officers should use detour signs and barrels when available if a street closure is authorized. Additional personnel may be called in to work as needed at the discretion of the Shift Commander. **[61.3.2 c]**

The Shift Commander shall determine when notification is made to public works and the fire department of the adverse road conditions. If the condition is likely to create heightened community interest the Watch Commander should notify the Deputy of Operations who in turn shall notify the Chief of the circumstance. The Watch Commander has the discretion of closing a street, if adverse road conditions and/or weather conditions creates an unusually hazardous condition. Shift Commanders should also request assistance from the Department of Public Works. **[61.3.2 d]**

On rare occasions, Officers must manually operate traffic control signal lights. Traffic lights may be operated manually to:

- Facilitate movement at the scene of a traffic accident or other emergency;

- To provide a thoroughfare for a motorcade, funeral procession, etc.;
- To alleviate congestion resulting from use of automatic controls, particularly during planned special events, traffic collisions, or details.

Officers should be trained before using manual traffic controls.

**[61.3.2e]**

Officers will have use of temporary traffic control devices, including movable barriers, portable signs, and other apparatus intended for temporary deployment, to assist the safe and efficient movement and control of vehicular and pedestrian traffic. Following termination of the need for the temporary traffic control device, the on duty Supervisor or his designee will see to its removal. The signs and barriers may be obtained from the Department of Public Works. **[61.3.2 f]**

Officers are to wear high-visibility outerwear that meets the ANSI/ISEA 107-2004 standard when assigned to perform manual traffic direction and control functions (road details). It is understood that an exigency or emergency may prevent Officers from having reflective outerwear available to them. **[61.3.2 g.]**

Police  
Escorts  
61.3.3 a, b

The department recognizes that there are legitimate and reasonable requests for police escort services to ensure safe, orderly, and efficient movement of special traffic or to expedite delivery of special items. The Shift Commander or his/her designee shall review and approve all requests for escorts or relay. **[61.3.3 a]** Officers shall not initiate escorts without first obtaining permission from the Shift Commander or his designee. Requests for escorts that may be approved may include, but are not limited to, the following:

- Funerals
- Motorcades
- Public officials and dignitaries;
- Parades
- Oversized vehicles

Officers should not escort emergency vehicles, particularly ambulances, except under specific circumstances approved by the Shift Commander. Except in unusual medical emergencies, Officers

should not escort civilian vehicles unless approved by the Shift Commander. The driver of a civilian vehicle requesting an escort should be directed to proceed to the emergency medical facility at normal speed in compliance with all traffic regulations. **[61.3.3 b]**

Request for Service  
61.4.1 a-d

At the request of a citizen, Officers should provide direction and information consistent with other duties and responsibilities. It is the policy of the department not to advise any citizen where to conduct business. When asked, officers should advise citizens of several businesses in the area and let the citizen decide. The Braintree Fire Department may be contacted by the Officer to assist a citizen with motor vehicle lockouts when a child is in the vehicle. **[61.4.1a]**

The public may encounter mechanical or other difficulties requiring assistance from the police. When outside assistance is needed, the Officer should notify the dispatcher of: **[61.4.1 b, d]**

1. Type of Service Needed (Tow truck, Emergency Medical Assistance, Ambulance, Vehicle Repair Service).
2. Location
3. Reason for request.

The department shall offer reasonable assistance to stranded motorists. If the Officer believes it is necessary to transport a stranded person in his/her police vehicle, he/she shall first obtain permission from the Patrol Supervisor or Shift Commander. Prior to such transport, the Officer shall advise dispatch of his/her location, destination, and reason for the transport. **[61.4.1c]**

Parking Enforcement  
61.1.13

Parking regulations shall be enforced with reasonableness and impartiality in all areas of the town. Officers should direct their attention to violations, which are hazardous to the public welfare to include: **[61.1.13]**.

- Parked on a sidewalk.
- Parked on a crosswalk.
- Wrong direction on a one way street.
- Blocking a public or private driveway.
- Parked blocking an intersection.

- Parked within 20 feet of an intersection.
- Parked within ten (10) feet of a fire hydrant.
- Double parking.

Reports &  
Investigations  
61.2.1 a-f  
61.2.2 a-h  
82.3.5

Accurate, timely, and complete reports are fundamental to the department's efficient and effective operation, as this forms the basis for prosecution and ultimate adjudication of traffic offenses. Officers shall therefore, complete all traffic citations and reports (when necessary), as well as arrest reports, to the best of their ability, and submit them through the proper channels as quickly as possible. Completed, approved reports shall be submitted to the records department to be filed and secured in central files or motor vehicle accident report file cabinet. **[82.3.5]**

Officers must investigate traffic collisions if any of the following criteria is met: **[61.2.1 c d e]**

- Hit and Run when information is available to the officer to conduct a follow up investigation
- An involved vehicle is transporting hazardous material
- An operator involved is suspected to be impaired by drugs and/or alcohol

Officers must file a crash report if any of the following criteria is met:

- Personal injury results from the crash **[61.2.1 a]**
- Damage resulting from the crash is estimated to exceed \$1,000 **[61.2.1 b]**

Upon responding to a traffic collision in which injuries are believed to be fatal or potentially fatal, officers on scene must: **[61.2.1 a]**

- Request a patrol supervisor to the scene (if working)
- Request Accident Reconstruction to the scene

The Watch Commander shall ensure the Norfolk County District Attorney's Office is notified in the event of a fatal or potentially fatal traffic collision. **[61.2.1 a]**

Some crashes will require more detailed investigation beyond crash reporting. The following types of crashes shall require police response for investigative activities to be completed:

- All those involving death or personal injury; **[61.2.1 a]**  
**[61.2.2 a]**

- All hit and run crashes which involve personal injury, and those hit and run property damage crashes where they can be investigated further. **[61.2.1 c] [61.2.2 b]**
- Those involving operator impairment due to alcohol or drugs; **[61.2.1 d] [61.2.2 c]**
- Those involving any vehicle carrying materials which could ordinarily be considered hazardous or dangerous (i.e., vehicles carrying toxic liquid or gaseous material, gasoline, or other combustible products); **[61.2.1 e] [61.2.2 e]**

In addition to above mentioned situations, the department may also assign officers to respond to motor vehicle crashes involving any of the following circumstances:

- Damage to public vehicles or property; **[61.2.2 d]**
- Disturbances between principals; **[61.2.2 f]**
- Major traffic congestion as a result of a crash; **[61.2.2 g]**
- Damage to any vehicle that requires it to be towed; and **[61.2.2 h]**

Follow up  
Crash Investigations  
61.2.4

The department shall perform follow-up traffic crash investigation whenever necessary. This may include assistance from outside police agencies and Crime Scene Services. The primary investigating Officer shall be involved in the follow up investigation. Officers conducting a follow up investigation shall complete and submit a report to be included with the accident investigation main file. Activities include for follow up investigations: formal statements on record, Accident Recon reports, technical and expert assistance, and more formal reports for charging purposes. **[61.2.4]**

Collision  
Scene Duties  
61.2.3 a-f

The first officer arriving on scene shall be in charge unless relieved by a supervisor or a crash investigator. **[61.2.3 a]** The first officer shall:

- Protect the collision scene; **[61.2.3 e]**
- If necessary, request assistance of other patrol units, emergency medical personnel, and/or fire department;
- Identify injured persons and treat the most serious until assistance arrives; **[41.2.4] [61.2.3 b]**
- Identify hazardous materials or fire hazards. In the event of

hazardous material incidents or fire, isolating the hazard area and evacuate nonessential personnel. The officers shall then be responsible for preliminary hazard identification (spill, leak, fire) and identification of vehicle and container placard until the arrival of the fire department. **[61.2.3 c]**

- The officers should collect operators' licenses, passenger identifications, vehicle registrations, and witness identifications, as appropriate, and arrange for the removal of damaged vehicles from the roadway, where they will not impede or interfere with the investigation. **[61.2.3 d]**
- When an officer is required to hold crash victims' personal property for safekeeping, the property should be brought to a safe place (i.e. the police station, crash victim's home, hospital). Actions taken shall be documented in the report. **[61.2.3 f]**

#### Traffic Citation Maintenance 82.3.4

A majority of the Department's Traffic Citations are generated, issued, processed, stored and audited through CJIS' Motor Vehicle Automated Citation and Crash System (MACCS). This is accessed through a secure network which requires individual accounts and is password protected. **[82.3.4 a-c]**

Uniform Citations (not electronic) are still utilized as a backup by the Department in the event of technical issues or if the issuing Officer does not have access to an MDT. The following procedures should be followed regarding non-electronic Uniform Citations:

- Issuing Citations to Officers
  - Motor vehicle citation books are kept in the armory and are issued to officers as needed. **[82.3.4 a]**
  - Traffic citations are received from the Registry of Motor Vehicles. Each book number shall be recorded in the Citation Log located in the armory before issuance to individual officers. These citations are accounted for from the point of issuance to the time they are recorded and sent to the Registry or court for disposition. **[82.3.4 b]**
- Submitting Citations
  - Officer Copy: The Officer should retain the officer copy.
  - Issued Citations: All citations (civil, criminal or warnings) issued during an Officer's tour of duty should be deposited in the Citation/Detail Slot located in the Department's lobby at the end of the Officer's tour of duty.
  - Lost Citations: Officers shall submit to their Shift Commander a written report explaining the circumstances surrounding the lost citations.
  - Voided Citations: When an Officer needs to void a citation (electronic or paper), the violator should be given

the corrected copy. The Officer shall submit a completed Voided Citation Form to their respective Shift Commander if paper citation. If electronic this is voided electronically through MACCS. **[82.3.4 b]**

- Amendments to Citations: Amendments to criminal or arrest citations shall be processed by the Court Officer. Non-criminal citations may not be amended after issue. An additional citation must be issued to the violator. **[82.3.4 b]**
- The citations shall be stored in a lock box until they are retrieved by a Records Clerk. **[82.3.4 c]**
- A Records Clerk shall collect the submitted citations and sort them according to type:
  - Arrests: The Court copies are the charging instrument for motor vehicle citations linked to an arrest. They shall accompany the court paperwork and any other arrest documents to court.
  - Civil Citations: The RMV copy shall be submitted by mail to the Registry of Motor Vehicles in the RMV supplied envelope. The Agency copy shall be retained by the Department.
  - Criminal: The Court copies are the charging instrument for criminal motor vehicle citations. They shall accompany the court paperwork, along with any other related documents, to court.
  - Voided: All paper copies shall be retained by the Records Office and submitted periodically to the Registry.
  - Warnings: The RMV copy shall be submitted by mail to the Registry of Motor Vehicles each day in an RMV supplied envelope. The Agency copies shall be retained by the Department. The Court copy shall be destroyed.
- Audit Sheets: A Registry of Motor Vehicles Uniform Citation audit sheet is prepared by a Records Clerk in compliance with Registry guidelines and submitted to the RMV by the Records Office when all citations in a book have been issued. **[82.3.4 b]**

Education  
61.4.4

The Department should prepare and disseminate traffic safety educational materials to the public. Such materials support enforcement efforts and enhance public understanding of traffic safety programs. This will be accomplished by education materials, website, appearances at public events, department sponsored programs and or education materials in a lobby display. **[61.4.4]**

