



**SPRINGFIELD TOWNSHIP POLICE DEPARTMENT**  
**Wyndmoor, Pennsylvania**

**Policy 2-05**

**Policy Title:** Traffic Enforcement

**Date of Issue:** December 1, 2022

**Rescinds:** None

**By Authority of:**

**Chief of Police**

**I. Purpose**

The purpose of this policy is to establish guidelines for the enforcement of traffic laws, effective use of traffic resources, and uniform procedures for dealing with traffic issues.

**II. Policy**

The Springfield Township Police Department is responsible for the safety of motorists and pedestrians within its jurisdiction and will enforce the traffic laws of the Commonwealth to help reduce the incidence of traffic crashes and hazardous conditions that may exist on the roadways.

**III. Selective Enforcement**

- A. The Traffic Safety Supervisor, or his designee, will periodically review the data derived from in-house crash statistics and information received from the Pennsylvania Department of Transportation (PennDOT). From this information, locations that reveal a high crash potential should be targeted for selective enforcement.
- B. The Sergeant and all Corporals shall periodically review the data detailing traffic enforcement activities by department personnel under their command.
- C. The Lieutenant, or their designee, shall periodically compare the crash data and traffic enforcement activities. This comparison will assist the Sergeants in implementing selective enforcement techniques and procedures to deal with identified problems. Special attention should be given to locations with a high number of crashes, areas of repeated complaints, and locations with potential hazards to pedestrians and / or motorists.
- D. Sergeants shall be responsible for the deployment of personnel to best deal with areas identified as needing selective enforcement.

- E. The Lieutenant, or his designee, will be responsible for continual evaluation of selective enforcement operations and their effectiveness. These will include issues such as reducing the number of crashes, complaints, and the lowering or minimizing of potential hazards.

#### **IV. Enforcement Action**

##### **A. Physical Arrest**

1. Officers shall effect a physical arrest on any person in violation of those traffic laws pertaining to driving under the influence of alcohol and / or drugs, and all other violations of the law requiring physical arrest in the Commonwealth of Pennsylvania. In the event a violator resides outside the Commonwealth, the violator may be taken into custody and transported to the local Magisterial District Judge for adjudication.
2. There may be other incidents in which a violator should be physically arrested. The decision should be based upon sound, legal principles as opposed to peripheral issues such as the violator's attitude.

##### **B. Traffic Citation**

1. A traffic citation should be issued to all violators who jeopardize the safety of vehicular and pedestrian traffic, including hazardous moving violations, and operating unsafe and / or improperly equipped vehicles.
2. Traffic citations issued electronically will automatically be submitted to the Magisterial District Courts, AOPC, and the department's records management system.

##### **C. Warnings / Equipment Repair Card**

1. A warning is a proper alternative to a traffic citation that may be used based on the individual officer's discretion, professional judgment, training, and experience. All warnings shall be documented by the following:
  - a. The officer shall update CAD with the warning noted.
  - b. The officer shall complete the warning module in the RMS.
2. An equipment repair order is a proper alternative for officers to use for minor equipment violations and for operators who do not have in their possession their driver's license, registration card, and / or insurance card.
  - a. All equipment repair orders should be issued with the Pennsylvania Department of Transportation's MV-433A form.

- b. Violators issued an equipment repair card should have the proper response to the repair form explained to them in order to avoid a traffic citation. Citations should be filed against violators who do not respond in an appropriate amount of time.
- c. Equipment repair orders issued via a hand-written MV-433A card must be tracked by the issuing officer who shall ensure proper follow up is performed.
- d. Officers checking repair orders shall sign the form and indicate their badge number as well as the date and time that it was checked. If checking a repair order for another department, the officer shall also include the name, address, and phone number of the Springfield Township Police Department.

## **V. Violator Procedures**

- A. Special requirements exist with regards to certain classes of people that officers may come into contact with in the course of traffic law enforcement. These classes of people include non-residents of the agency's service area, juveniles, legislators, military personnel, and foreign diplomats / consular officials.
  - 1. Non-Residents of the Commonwealth
    - a. Persons residing outside of the state should be dealt with based on the officer's discretion and professional judgment.
      - 1) Traffic citations can be issued and the violator released.
      - 2) Based on the authority derived from the Pennsylvania Vehicle Code, Sections 6304 and 6305, officers may arrest non-Pennsylvania residents for violation of traffic laws and take them before the appropriate issuing authority for either a hearing or posting of bond.
  - 2. Juveniles
    - a. Generally, juveniles age 16 or over, who have committed a traffic violation, will not be placed in custody but will be issued a traffic citation and released with the following exceptions:
      - 1) Driving while under the influence of alcohol and / or drugs.
      - 2) Homicide by vehicle.
      - 3) Involuntary manslaughter.
      - 4) Any misdemeanor under the PA Motor Vehicle Code.

- b. Juveniles taken into custody for any of the above listed traffic offenses should be handled according to guidelines outlined in the department's policies and procedures.
    - 1) Juveniles taken into custody for Driving Under the Influence of Alcohol or Controlled Substance are handled the same as adults with regards to chemical testing and implied consent as outlined in section 1547 of the Pennsylvania Vehicle Code.
  - c. Officers are required to make notification to parents of any juvenile charged with violating section 1543 of the Pennsylvania Vehicle Code relating to Driving While Operating Privilege is Suspended or Revoked.
3. Military Personnel
- a. It may become necessary to issue a traffic citation, effect a physical arrest, or investigate a motor vehicle crash involving a member of the armed forces.
  - b. Armed forces personnel include regular members of the Army, Navy, Air Force, Marine Corps, Coast Guard, and reservists and members of the National Guard who are on active duty.
    - 1) Military personnel on active duty, going to, or returning from active duty may be issued a summary traffic citation and released. No further action is necessary.
    - 2) When a traffic arrest is made, the Sergeant shall cause the arrestee's immediate supervisor or liaison officer of the nearest armed forces investigative headquarters division to be notified. This does not apply to the issuance of a traffic citation when an actual physical arrest is not made.
    - 3) The same shall apply when armed forces personnel are involved in a traffic accident and are either killed or injured to the extent that they require hospitalization. In the latter case, it will also apply to civilian employees of the armed forces while acting within the scope of their employment.
4. Legislators
- a. Article One of the United States Constitution states that members of Congress shall be immune from arrest during their attendance at the session of their respective houses, and in going to and returning from the same, except in cases of treason, felony, and breach of the peace.
5. Foreign Diplomats / Consular Officials
- a. Diplomatic and consular officers should be accorded their respective privileges, rights, and immunities as directed by international law and federal statute. These officials should be treated with courtesy and respect that benefit their distinguished positions.

- b. Diplomatic immunity, a principle of international law, is broadly defined as the freedom from local jurisdiction accorded to duly accredited diplomatic officers, their families, and servants. Diplomatic officers shall not be arrested or detained except for the commission of a grave crime (felony offense that would endanger public safety) and pursuant to a decision by a competent judicial authority. Family members of diplomatic officers, their servants, and employees of a diplomatic mission are entitled to the same immunities under current United States law if they are not nationals of, or permanently residing in, the receiving state.
- c. Consular officers are required to be treated with due respect and are entitled to limited immunities. A consular officer is not liable to arrest or detention pending trial, except in the case of a grave crime and pursuant to a decision by a competent judicial authority. Their immunity from criminal jurisdiction is limited to acts performed in the exercise of consular functions and is subject to court determination.
- d. Honorary consuls are not immune from arrest or detention and they are also not entitled to personal immunity from the civil and criminal jurisdiction of the receiving state, except as to official acts performed in the exercise of their official functions.
- e. Families of consular officers do not enjoy the same privileges and immunities with respect to the civil and criminal jurisdiction of the receiving state, as do consular officers.
- f. In all dealings with consular officers and their families, officers should use discretion and judgment in their dealings with them. Proper respect should be shown and consideration given to their position when dealing with them as it relates to traffic law violations.
- g. In the event a consular officer or family member is involved with any action taken by a member of this department with relation to traffic law enforcement, the Lieutenant shall be notified.

## **VI. Informing the Violator**

- A. Motorists charged with violations shall be provided information relative to the specific charge, to include:
  - 1. Address and phone number of the Magisterial District Judge handling the violation.
  - 2. Their rights and obligations with regards to paying the citation, requesting a hearing, and entering pleas as explained on the citation.
  - 3. Whether a hearing is optional or mandatory, as in the case of misdemeanors, felonies, and some traffic violations (unless taken to an MDJ at the time of the violation).
  - 4. In summary cases where a citation is filed, the manner in which they will be notified.

5. In all summary cases, following a verbal explanation of their rights as they pertain to the citation, all motorists shall be told that a further explanation is available on the citation they receive.

## **VII. Uniform Enforcement Policies**

- A. While it is always within an officer's discretion to determine the enforcement action taken, it is the goal of the Springfield Township Police Department to handle serious violations with a high level of enforcement action. Lower levels of enforcement action should be considered for less serious violations. Enforcement should be determined based on the type of violation, age of the offender, likelihood of continued offense, drivers understanding of the violation, and willingness to correct mistakes.
  1. Driving under the influence of alcohol and / or controlled substances – An aggressive approach should be made to operators driving while under the influence. An arrest should be made when probable cause exists.
  2. Driving while operating privilege is suspended or revoked – Operators driving while under suspension or revocation have already been deemed to be a hazard on the roadways and should be cited.
  3. Speed Violations – Officer's discretion and judgment should be used in enforcement of this violation, keeping in mind that speed is a major factor in many crash situations.
  4. Other hazardous violations – Hazardous violations are violations that pose a hazard by their commission to other highway users and pedestrians. This should be considered when deciding whether a citation or warning should be issued.
  5. Off-road vehicle violations – Officer discretion and judgment should be used based on the severity and nature of the act being committed.
  6. Equipment violations – Most commonly, equipment repair cards can be issued on this type of violation with the possibility of a citation if the matter is not corrected.
  7. Public carrier / commercial vehicle violations – Commercial vehicle operators should be treated the same as other highway users with regard to enforcement of traffic laws.
  8. Other non-hazardous violations – Violations of a non-hazardous nature that may be dealt with by written or verbal warning based on officer judgment and discretion.
  9. Multiple violations – Officer discretion should be used in dealing with a multiple violation situation in that the issuance of one citation, as opposed to multiple citations, may serve the purposes of effective traffic enforcement. In some cases, however, multiple citations may be warranted based on the judgment of the officer.

10. Newly enacted laws and / or ordinances – Tolerance may be granted in enforcing a new law or ordinance that the motorist may not yet be familiar with. A period of warnings may be appropriate.
  11. Violations resulting in traffic crashes – Violations resulting in crashes should most times be handled with a citation, as the cause of the crash is usually the violation committed.
  12. Pedestrian and bicycle violations – Officer discretion and judgment should be used on whether to issue a citation or warning.
- B. Traffic enforcement actions shall be taken in a uniform and consistent manner. Enforcement shall be compatible with statutes, ordinances, and established rules and regulations for the use of streets and highways.

#### **VIII. Traffic Enforcement Practices**

- A. Members of the Patrol Division shall determine the most effective use of traffic enforcement practices. When deemed appropriate, alternate traffic enforcement practices may be used.
1. Normal traffic enforcement involves visible traffic patrol by officers who observe traffic violations during the performance of their normal duties. Visible traffic patrol includes:
    - a. Patrol officers working traffic enforcement in their assigned area of responsibility.
    - b. Patrol officers concentrating on a particular section of roadway, as determined by speed surveys or crash data.
    - c. Patrol officers working a specific area due to complaints.
  2. Stationary observations including covert and overt positions.
    - a. Covert observations may include uniformed or plain clothes officers standing at an intersection watching for red light or stop sign violations.
    - b. Overt observations may include uniformed officers and vehicles parked at a specific location to remind motorists of the need for compliance with traffic laws.
  3. Use of unmarked or unconventional vehicles.
    - a. Unmarked or unconventional vehicles may be used for traffic patrol and enforcement.
    - b. Unmarked or unconventional vehicles may be used for targeted traffic enforcement.
    - c. Unmarked vehicles shall be equipped with emergency lights and siren in accordance with department policies and Pennsylvania laws.

- d. Unconventional vehicles may be used for selective enforcement details with the approval of the Sergeant.
4. Use of roadside safety checks.
    - a. The Detective Corporal and the Lieutenant shall coordinate all DUI checkpoints with the Eastern Montgomery County DUI Sobriety Checkpoint Taskforce.
    - b. Safety checkpoints may be used to momentarily inspect license and registration or safety equipment. Stops shall only be made in a systematic manner. The checkpoint shall be operated in conformance with all applicable laws.

## **IX. Traffic Stop Procedures**

- A. Motor vehicle stops may be made for suspected violations of the Pennsylvania Vehicle Code and when reasonable suspicion exists to believe that the vehicle or occupants are or have been involved in criminal or suspected criminal activity.
- B. Not all situations can be addressed in a policy when dealing with the variety of traffic stop variables. Officers are encouraged to use their training and experience to determine the best approach to stops involving traffic violators and other criminal behavior. Officers shall use universally accepted and academy / department trained approaches, vehicle positioning, and methods of contact and cover. Officers are required to make the safety of themselves, violators, and the public a top concern.
- C. Making a Traffic Stop
  1. Choose the stop location carefully, avoiding curves, hill crests, and intersections. Consider stop locations where adequate cover is available, should it become necessary.
  2. When initiating a traffic stop, officers shall advise Montgomery County Emergency Dispatch Services of the location of the stop, vehicle registration, vehicle description, number of occupants, and any other pertinent information.
  3. Activate emergency lights. The siren, horn, or public-address system may also be used as needed to alert the driver to stop.
  4. Position the patrol car about 15 feet behind the stopped vehicle and offset to the left about three feet, into the traffic lane, if needed. Turn the front wheels to the left, leave the engine running, and the driver's door unlocked.
  5. Before exiting the patrol car, observe the occupant(s) of the stopped vehicle for about 10-15 seconds for unusual movements. Backup should be requested if unusual movements are observed.



6. At night, headlights, spotlight, and takedown lights should be used to conceal the officer's movements from the violator, and for increased visibility inside the stopped vehicle.
7. If the violator gets out of the car, they should be ordered back inside, and the officer should be prepared to take evasive action should the violator continue to advance. Backup should be requested if the violator exits their vehicle.
8. Consider weapons readiness on every stop.
9. While approaching, watch occupants, check for altered registration plates, check trunk to see that it is closed and locked, and observe the interior for possible weapons or hidden passengers. At night, officers should avoid passing between the lights of the cruiser and the violator's vehicle.
10. If a passenger side approach is to be used, walk around the back of the patrol car to avoid creating a silhouette in the patrol vehicle headlights.
11. Stand beside the vehicle as closely as possible, and to the rear of the driver. Be watchful of any passenger(s).
12. Keep a constant view of the violator's hands. Have the violator reach outside. The officer should take the driver's license or any other identification with their support hand.
13. All contact with the driver and occupants should be conducted in accordance with this policy.
14. While returning to the police vehicle, the officer should continue to monitor the vehicle and occupants, not fully turning their back on the vehicle except in brief instances to facilitate a safe return to the patrol vehicle.

D. During the Traffic Stop

1. As a matter of routine, officers should run license, registration, and warrant checks.
2. Write the citation or warning in such a way as to be able to observe the vehicle and occupants in their peripheral vision, easily shifting full attention and focus to movements made by the vehicle or occupants.
3. Watch for back-up lights and / or sudden rear movement of the violator's vehicle.
4. Do not hesitate to call for backup in the event that suspicious movements or activity are observed.

E. Re-approaching the Vehicle

1. When returning to the stopped vehicle, observe again for changes within the vehicle.

2. Conclude the stop in accordance with this policy.
  3. While returning to the police vehicle, the officer should continue to monitor the vehicle and occupants, not fully turning their back on the vehicle except in brief instances to facilitate a safe return to the patrol vehicle.
  4. Officers should allow the stopped vehicle to re-enter traffic first, follow and guide the violator vehicle back into the traffic flow, then deactivate the emergency lights on the police vehicle.
- F. When making high-risk traffic stops, all practices and principles taught through the academy and department shall be followed. When initiating a high-risk traffic stop, officers shall notify back-up units of their intention to make the high-risk stop. Every effort shall be made to make the stop with two or more units present.
- G. When making a high-risk stop, vehicle occupants shall be removed one at a time, searched, and secured (handcuffed) prior to removal of other occupants.
- H. When appropriate, traffic controls should be put in place as soon as practical during or following the high-risk stop. Officers shall consider officer, violator, and public safety in this determination including cross fire situations and background.

**X. Officer-Violator Relations**

- A. Upon determining a situation or stop to be secure, officer-violator relations become important. Officers are expected to act in a professional manner when dealing with violators. Officers shall explain the nature of the violation and process of the enforcement action being taken. This minimizes conflicts between officers and violators and facilitates a professional interaction.
- B. Officers should approach motorists in the following manner:
1. Greeting (good morning / evening)
  2. Identify self and department
  3. Advise the motorist that the encounter is being recorded both aurally and visually, if applicable and practicable.
  4. Explain the reason for the stop
  5. Obtain driver's license, registration, and insurance information
  6. Determine enforcement action
  7. Complete appropriate forms

8. Explain to violator what they are required to do in response to this action
  9. Close
- C. Officers may divert from these steps if they are faced with a circumstance where their safety or the public's safety is in immediate jeopardy and other dialog and / or commands are appropriate.

**XI. Speed-Measuring Devices**

- A. The Springfield Township Police Department utilizes the following approved devices for purposes of speed timing. Approval for the use of the listed devices is received from the Pennsylvania Vehicle Code, Section 3368, and the Pennsylvania Bulletin.
1. Robic Acutrak
  2. ENRADD (Wireless)
- B. All speed-timing devices shall be operated in accordance with manufacturer's specifications and the training received in the use of these devices. Such devices should be deployed with the safety of officers in mind at all times.
- C. Officers shall properly care for speed timing equipment being used and shall report any problems or maintenance needed. Devices shall be properly stored and secured as to prevent damage.
- D. The Traffic Safety Supervisor shall be responsible for scheduling appointments for the calibration and testing of speed timing devices, as well as the maintenance of the devices. Calibration and testing shall be done within every 60 days, as outlined in the Pennsylvania Vehicle Code, Section 3368. Calibrations shall be done by a certified station approved by the Pennsylvania Department of Transportation as listed in the Pennsylvania Bulletin.
- E. Maintenance records of speed-timing devices shall be maintained by the Traffic Safety Supervisor
- F. Original speed-timing device calibration certificates shall be maintained by the Traffic Safety Supervisor.
- G. Prior to using speed-timing devices for enforcement, officers of the Springfield Township Police Department shall be trained and certified in the speed-timing device they will be operating. A copy of the certificate will be given to the Training Manager.

**XII. Traffic Safety Programs**

The Springfield Township Police Department supports traffic safety programs, such as speed and seat belt enforcement programs. In an effort to reduce crashes and the injuries and fatalities that result, the participation in these programs and enforcement of these violations is a top priority. The department will participate in these programs where possible through enforcement details and public relations events. Patrol officers should also enforce these violations as appropriate.

### **XIII. Alcohol Enforcement Program**

- A. The Springfield Township Police Department supports a comprehensive and cooperative DUI enforcement program and has established DUI enforcement as one of its top priorities.
  - 1. Selective enforcement details will be conducted in areas of high DUI occurrences on days and times when the violations are most frequent. These details will be determined by the Lieutenant, or their designee. Officers assigned to such detail shall engage in DUI enforcement as their primary emphasis during this time.
  - 2. The department participates with the Eastern Montgomery County DUI Sobriety Checkpoint Taskforce, whose primary goal is to target areas of high DUI occurrences throughout the county, using checkpoints and roving patrols. The Detective Corporal and Lieutenant are the primary contacts between the department and the Taskforce. Locations will be determined primarily by the Taskforce coordinator, utilizing crash and arrest statistics.
  - 3. All patrol officers are responsible for the enforcement of DUI laws. When a suspected violation is observed, officers shall act in accordance with department policies and regulations.

### **XIV. DUI Procedures**

- A. Officers shall be alert for the signs of an impaired driver and should make every effort to detect and apprehend them.
- B. Once determining through observations, field coordination tests, and / or a preliminary breath testing, that probable cause exists to believe that the operator of a motor vehicle is driving under the influence of alcohol or a controlled substance, officers should effect an arrest of the subject.
  - 1. A back-up officer should be summoned to function as cover during the coordination tests, interview, and arrest.
  - 2. Tactical principles of contact and cover officers should be maintained during any suspect confrontation.
- C. Once an arrest is effected, the following guidelines should be followed:
  - 1. All policies governing the arrest, search, and transportation of prisoners shall be followed.

2. If the vehicle is to be the subject of a search warrant, it should be towed and / or secured.
3. Passengers should be turned over to the back-up officer for arrangement of transportation.
4. If chemical testing is to be done, the officer shall transport the suspect to the appropriate location to administer the test. Prisoner transport shall be in accordance with department policy. Testing shall be in conformance with current DUI case law.
5. The arresting officer shall explain the Implied Consent law, and document the notice on the appropriate Pennsylvania Department of Transportation form (DL-26 or DL-27). The arrestee shall be asked to sign the form. If the person refuses the test, the portion of the form regarding the refusal shall be completed and forwarded as indicated on the form.
6. When breath tests are utilized, the breath test record shall be placed into the arrest folder. The name of the person administering the test shall be obtained for trial purposes.
7. When blood tests are utilized, the sample shall be secured in accordance with policies regarding evidence. The name of the person handling the test shall be obtained for trial purposes.
8. Arrangements should be made for the person's transportation home by the department, providing that the person lives in the immediate area. Persons arrested for DUI should only be released when their safety and well-being can be transferred to another responsible party.
9. Charges should be filed as appropriate. In some cases, an arraignment may be appropriate. It may also be appropriate to wait until the results of the chemical test to file charges. If the chemical test was refused, charges shall be filed in accordance with the Rules of Criminal Procedure, by the end of the officer's shift, or if impossible, no later than 48 hours after the arrest of the subject.
10. These procedures are merely guidelines and may not cover every situation; however, they should be followed as closely as possible with deviations being articulated in a report.

**XV. License Re-examination**

- A. An officer who encounters a motorist, either in a traffic stop or crash investigation, and has reason to believe that the motorist may have a physical or mental condition which would place a limitation on their ability to safely operate a motor vehicle, shall report this condition for purposes of a possible reexamination by the Department of Transportation.
  1. Pennsylvania Department of Transportation form DL-118 shall be completed and forwarded as indicated on the form.

2. Although self-explanatory, the form must be accurately completed to conclusively establish the grounds for reexamination.
3. An incident report shall be completed.

**XVI. Commercial Vehicle Enforcement**

- A. The Springfield Township Police Department has access to commercial vehicle enforcement officers from neighboring jurisdictions under the PA Statewide Municipal Police Jurisdiction Act.
- B. For any incident where the use of a commercial vehicle enforcement officer would be required, a request for use shall be made to the shift supervisor.
- C. Once approved, the request for the response of a commercial vehicle enforcement officer shall be made by contacting Montgomery County Emergency Dispatch Services.

**XVII. Parking and Traffic Ordinance Enforcement**

- A. All posted parking restrictions shall be enforced during an officer's tour of duty. Officers shall proactively engage in the enforcement of parking regulations, assuming time permits with service call volume.
- B. Violations of parking laws in the Pennsylvania Vehicle Code or the Township's traffic ordinances (parking violations) should be written using the appropriate parking ticket. If there is no response to the ticket within five (5) days, a traffic citation should be written for the violation. In some cases, a traffic citation may be written in lieu of the parking ticket.
- C. Parking tickets shall only be issued by sworn officers.
- D. All parking enforcement activity shall be documented on the officer's Patrol Log, to include the location, the total number of violations observed, and the total number of violations enforced. An entry into RMS is also required.