



OFFICE OF THE COUNTY SHERIFF

Montgomery County, Maryland

Darren M. Popkin, Sheriff



GENERAL OPERATIONAL PROCEDURES

<u>Subject:</u> Traffic Enforcement	<u>Number:</u> 3.10	<u>Effective Date:</u> 08/12/15
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Purpose: This written directive establishes policies and procedures regarding the Sheriff's Office role in the enforcement of Maryland motor vehicle laws.

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I. **Enforcement of Maryland Vehicle Laws**

- A. Enforcement ***of the Maryland*** motor vehicle laws ***is*** primarily ***the responsibility of*** other law enforcement agencies ***in Montgomery County***. Deputies are empowered to enforce all sections of the Maryland Vehicle Law; however, ***it is not a primary duty***. Deputies will not patrol looking for violators; however, they are authorized to make traffic stops for serious violations and any violation that creates a significant hazard to persons or property ***within Montgomery County***. If the deputy's primary mission would be compromised by the traffic enforcement, the deputy should request another law enforcement agency to handle the situation. (61.1.6.a)
- B. Deputies will only make traffic stops in marked Sheriff's vehicles ***unless assigned to a specialized detail or task force***. ***Deputies not assigned to a specialized detail or task force must*** refrain from making traffic stops in unmarked vehicles unless the infraction presents a clear and imminent danger. (61.1.6.c)

- C. Deputies have no legal authority to make a traffic stop outside of Montgomery County, even if an emergency exists (Boston v. Baltimore County Police Dept., 744 A.2d 1062, (Ct. of Appeals, 2000)). If it is obvious a violator outside of Montgomery County is driving under the influence of drugs or alcohol and is endangering public safety, deputies must immediately notify the local jurisdiction of the suspected violation. **(41.2.4, 61.1.5.a)**
- D. If the deputy's primary mission would be compromised by the traffic law enforcement, the deputy should **contact the Emergency Communications Center (ECC) and request that another law enforcement agency be dispatched to handle the situation.**
- E. While transporting prisoners, deputies will only make traffic stops in life and death situations.
- F. Deputies will not become involved in any stationary traffic enforcement, **overt or covert**, unless they are currently assigned to a specialized detail or task force **or to fulfill mandated certification requirements. (61.1.6.b)**
- G. Requests for selective traffic enforcement activities and vehicle related complaints (i.e. abandoned vehicles) will be referred to the Montgomery County Department of Police.
- H. When enforcing motor vehicle laws, deputies have the discretion to issue verbal or written warnings, citations, or make arrests. Deputies **must** apply sound judgment in enforcement. Enforcement **must** be undertaken by evaluating the circumstances of the violation and not the personality of the violator. All operators will be treated objectively, fairly and in a nondiscriminatory manner. **(1.2.6, 1.2.7, 61.1.2.a, 61.1.2.b, 61.1.2.c, 61.1.8)**
- I. Traffic violations involving non-Maryland residents or active duty military personnel will be handled in the same manner as for in-state residents. **(61.1.3.a, 61.1.3.e)**
- J. Citations may be issued to juveniles **(under the age of 18)** unless the violation carries a possibility of incarceration. **In instances where there are incarcerable offenses, the following procedures must be followed: (61.1.3.b)**
 - (1) **Deputies issuing citation for an incarcerable offense to a juvenile under the age of eighteen (18), but older than fifteen (15), must clearly mark the top of the citation issued to the violator with the letters "JUV". The issuing deputy must make detailed notes as to the circumstances of the incident, e.g. probable cause for the stop, violator attitude, etc.) and include this in an Incident Report MCSO9.**
 - (2) If the juvenile is less than **sixteen (16)** years of age, regardless of nature of the violation, the violation must be charged on a **traffic citation** and referred to **the Department of Juvenile Services, Rockville Office. Deputies must complete and incident report and include a copy of the MCSO9 with the citations. Offenses being charged in this manner must have "JUV" written across the top of the citation. Copies of the citation must be turned in to the Traffic Coordinator for citation accountability.**

- (3) *The court copies of the citations for incarcerable offenses issued to juveniles under the age of eighteen (18), but older than fifteen (15), should be sent to the State's Attorney's Office Juvenile Court Administrator along with a copy of the MCSO9 detailing the incident. All citations must be handwritten; no ETIX citations may be issued to juveniles for incarcerable offenses. Any related non-incarcerable offenses must also be charged with a hand written citation.*
- K. Legislators, including those of the U.S. Congress, Maryland House of Delegates or elected politicians of Maryland Counties and Municipalities, are subject to compliance with Maryland motor vehicle law. No legal or appellate provisions exempt them from enforcement or prosecution. **(61.1.3.c)**
- L. Deputies will not issue any citation, or detain without cause, any person who holds any type of diplomatic immunity. *Deputies will only issue citations to diplomats after contacting and receiving permission from the U.S. Department of State. Deputies must call the phone number listed on the diplomat's identification card for guidance.* **(61.1.3.d)**
- (1) All traffic stops involving persons entitled to diplomatic immunity must be documented on an Incident Report, (MCSO9) *and a Traffic Stop Report (MCSO100)*. The reports must be completed and submitted prior to the end of the deputy's tour of duty. The reports must describe the facts and circumstances surrounding the stop and contain all pertinent information from the diplomat's identification card. **(82.2.1.a, 82.2.1.b, 82.2.1.c, 82.2.5)**
- (2) The *Chief Deputy* must fax a copy of the *MCSO9*, with a cover letter under their signature, to the Diplomatic Security Service, Protective Liaison Division, Department of State at (202) 895-3613. The Chief Deputy must attach a copy of the letter and fax receipt to the original Incident Report. **(82.2.1.e, 82.2.4, 82.2.5)**

II. Traffic Enforcement Latitude, Discretion, and Prohibition

- A. The uniform application of enforcement action for traffic violations is based upon principles of sound judgment and consideration of the circumstances and conditions surrounding the violation. A deputy's discretion is the key to equitable application of *the Maryland motor vehicle laws* with the ultimate goal being the achievement of voluntary compliance.
- B. The intent of this directive is to set forth general guidelines for uniform enforcement actions. It is not the intent of this directive to limit the deputy's use of judgment, but to encourage each deputy to use their training and experience to the fullest extent. **(1.2.7)**

- C. The use of an individual's race or ethnicity as the sole justification to initiate a traffic stop is prohibited and is a violation of the Maryland Vehicle Law, Section 25-113. This prohibition is to ensure that traffic stops are conducted in a nondiscriminatory manner and should not be construed to alter the authority of a deputy sheriff to make an arrest, conduct a search or seizure, or otherwise fulfill their law enforcement obligations. **(1.2.9.a)**
- D. Guidelines for uniform enforcement action are as follows:
- (1) Driving under the influence of alcohol/drugs **(61.1.5.a, 61.1.11)**
 - (a) In Montgomery County, traffic stops must be made by deputies who suspect *vehicle operators of being in violation of DWI/DUI laws*. Deputies should employ the techniques received during training to establish probable cause to make such a stop. After making the stop and while requesting the operator to provide their driver's license and registration, deputies should be able to confirm any suspicions *regarding DWI/DUI violations*. Once confirmed, deputies *may* contact ECC and request that a police *officer* respond. *If a police officer is requested to assist, any further investigation will be turned over to them.*
 - (b) Deputies *who have requested the assistance of a police officer* will not conduct field sobriety tests on DWI suspects. If the responding officer charges the individual, the deputy *must* offer their assistance or furnish the officer with appropriate information so the deputy can be summonsed to testify.
 - (c) Deputies are reminded that in all cases, appropriate notes should be kept, to testify in court appearances.
 - (2) Driving Suspended/Revoked **(61.1.5.b)**
 - (a) *An individual whose license or privilege to drive has been suspended or revoked may not drive a motor vehicle on the highways or property generally used by the public during the suspension or revocation. Generally, licenses are suspended or revoked for serious prior offenses. A citation or arrest should be initiated and the operator should not be allowed to continue to drive the vehicle.*
 - (b) A deputy who observes an individual driving, who is known to be under suspension or revocation, if not able to stop the individual in a timely manner, may obtain a charging document from the District Court Commissioner for the violator.

(3) ***Speed Violations (61.1.5.c)***

- (a) Legally, there is no defense for exceeding the posted speed limit or for driving faster than conditions permit. However, drivers stopped for speed violations may indicate certain factors unknown to the deputy prior to the stop that may have contributed to the violation.
- (b) Deputies should exercise discretion when deciding if a warning or a citation is appropriate. Consideration should be given to such factors as weather conditions, traffic volume, pedestrian traffic, and location, while always being mindful that excessive speed correlates directly with high incidence of ***traffic collisions***.

(4) **Hazardous violations (61.1.5.d)**

Hazardous violations are defined as those violations that pose a direct hazard to the safe and efficient flow of traffic. These violations contribute substantially to accidents. Citations are generally issued in these situations.

(5) **Off-road Vehicle Violations (61.1.5.e)**

Any deputy observing an unlicensed off-road vehicle, including dirt bikes, snowmobiles, and mopeds that cannot be legally operated on the public highways, being operated on the highway, ***must*** order the vehicle to be removed.

(6) **Equipment violations (61.1.5.f)**

Traffic stops ***for equipment violations*** will ***only*** be conducted ***when*** the ***deputy's primary mission would not be compromised and*** the violation renders a vehicle unsafe to operate.

(7) **Violations by public or commercial carriers (61.1.5.g)**

Public/commercial carriers who violate traffic laws will be treated in the same manner as the general public.

(8) **Non-hazardous violations (61.1.5.h)**

Traffic stops ***may*** be affected for non-hazardous traffic ***violations as long as the stop does not affect the primary mission of the deputy.***

(9) **Multiple violations (61.1.5.i)**

Normally the deputy should cite the most serious violation, but may cite all if deemed necessary. The decision to warn or cite a violator for multiple moving violations will ultimately rely on a deputy's judgment based on the conditions and circumstances at the time of the violations.

(10) Newly enacted traffic laws **(61.1.5.j)**

The enforcement of newly enacted traffic laws *will* be at the discretion of the deputy. Warnings should be used until the provisions of the new laws are better known to the public.

(11) Violations resulting in traffic collisions **(61.1.5.k)**

Deputies will not issue citations involving traffic *collisions*. Any citations will be issued by the investigating agency.

(12) Pedestrian and bicycle violations **(61.1.5.l)**

Traffic stops will not be effected for pedestrian and bicycle violations unless the violation poses a direct hazard to the safe and efficient flow of traffic.

III. Traffic Stops (61.1.7.a, 61.1.7.b, 61.1.7.c)

A. For the purpose of this directive, a traffic stop is defined as any instance when a deputy stops and detains the driver of a motor vehicle for a violation of the Maryland Vehicle Law *whether or not a citation or warning is issued*.

(1) A traffic stop does not include the following:

- (a) Checkpoint or roadblock stops.
- (b) A stop for public safety purposes arising from a traffic accident or emergency situation.
- (c) A stop based on the use of radar, laser, or vascar technology.
- (d) *A stop based on the use of license plate reader technology.*

B. *Traffic stops must be made in accordance with the procedures taught in initial and in-service training. Deputies must be mindful of the dangers inherent in approaching a vehicle. Deputies will also consider the hazards presented to the deputies and the violator by the stop environment and use the available roadway shoulder and vehicle positioning to create the safest stop possible.* Deputies must have a reasonable suspicion that a violation has occurred before making a stop, unless the stop is investigatory in nature or they observe a significant hazard, in which case the following procedures must be followed:

- (1) Choose the stop location for maximum safety *for both the deputy and the violator. Deputies must exercise due caution and not stop the violator in a dangerous location.*
- (2) Stop the violator in a safe manner by activating emergency lights, and if needed, siren.

- (3) Position the cruiser behind the violator safely, so as not to impede traffic, and to provide adequate protection from other motorists while afoot. If it is dark, deputies must utilize the spotlight and/or the take down lights to insure safety when approaching the violator's vehicle.
 - (4) When the stop is made and there is a possibility safety may become an issue, it may be best to have the operator and any occupants remain in the vehicle until back-up units arrive. The vehicle public address system should be considered for use in order to communicate with a driver.
- C. The ECC must immediately be notified through the use of either the Mobile Data Computer (MDC) or radio on all traffic stops. Use of the MDC is encouraged, except when doing so would compromise deputy safety.
- (1) Deputies must provide the following information to ECC:
 - (a) License plate number and registration state.
 - (b) Make, model and color of vehicle.
 - (c) Exact address or location, utilizing street, route number, hundred block, or cross street. Do not use common locations that may be unfamiliar to the dispatcher, deputies or other officers monitoring the radio transmission. In addition, for officer safety, deputies may provide ECC with the number of people occupying the vehicle.
- D. When approaching a vehicle, deputies must be continuously alert for any suspicious movements or actions by the occupants of the vehicle.
- E. Deputies will be courteous and present a professional image. Deputies must properly identify themselves, advise the operator why they were stopped and request the violator's driver's license and the vehicle's registration. **(61.1.8)**
- F. When *the traffic stop* is completed deputies must return the violator's license and vehicle registration, unless required as evidence.
- G. If the stop results in an arrest, deputies must comply with the requirements of General Operational Procedure 3.03, Arrest Policy and Procedure. **(61.1.2.a)**
- H. Deputies must notify ECC upon completion of the traffic stop.
- I. Plainclothes deputies effecting a traffic stop must follow the same procedures as outlined in this directive and:
- (1) If the violator refuses to provide their license to the deputy, the deputy must request from ECC that a uniformed deputy or police officer respond to their location and request the violator to wait for their arrival.
 - (2) If the violator refuses to wait they will be advised that they may be subject to arrest.

IV. **Traffic Stop Reports** (82.2.1.a, 82.2.1.c, 82.2.1.e, 82.2.2.e, 82.2.4)

Maryland Transportation Article Section 25-113, requires the collection of information on every traffic stop conducted in the State of Maryland. The Maryland Statistical Analysis Center (MSAC) analyzes the data to provide information about the pervasiveness of racial profiling in the State and reports to the Governor on an annual basis.

A. ***Traffic Stops Without Utilizing an E-tix machine (82.2.1.d)***

- (1) Deputies must complete and submit to the Chief Deputy, via the chain of command, a Traffic Stop Report, MCSO100, prior to the end of their tour of duty. Traffic stops conducted by off-duty personnel must be documented and the MCSO100 submitted on the next scheduled workday. ***(82.2.1.b)***
- (2) The Chief Deputy is responsible for forwarding all Traffic Stop Reports, MCSO100, to the Traffic *Coordinator* for entry into the traffic stop databases.
- (3) ***The MCSO100 must be filled out completely as all the data must be included in the data submission to MSAC.***

B. ***Traffic Stops Utilizing an E-tix machine (82.2.1.d)***

- (1) ***Race-based traffic stop data is automatically uploaded to the Maryland Statistical Analysis Center when a citation or warning is issued using E-TIX. This eliminates the need for deputies to complete a Traffic Stop Report MCSO100. (82.2.1.b)***
- (2) ***If no citation or warning is issued, the deputy must enter the traffic stop data into E-tix.***

V. **Maryland Uniform Complaint and Citation** (61.1.2.b)

A. Completing the Maryland Uniform Complaint and Citation

The proper completion of the citation is necessary for the information to be transmitted from the Maryland Automated Traffic System (MATS) computer to the Motor Vehicle Administration (MVA) computer without error. ***Deputies must complete the citation accurately and legibly and must follow the instructions located in the District Court of Maryland's Pre-set Fine Book (DC/CR 90). Additionally, the following codes must be used when completing the officer's signature line:***

- (1) District = 06
- (2) Location: = 01
- (3) Agency = ZO
- (4) Sub-Agency = 15

- B. ***Distributing the*** Maryland Uniform Complaint and Citation
- (1) ***White*** Original Court Copy -- Turned into Traffic ***Coordinator*** by placing in ***the*** ticket box, before the end of their tour of duty.
 - (2) Yellow Law Enforcement Headquarters Copy - Turned in with the original court copy. (Maintained ***by the*** Traffic ***Coordinator***)
 - (3) Pink Officer's Copy - Retained by the issuing deputy until completion of court proceedings. ***Deputies should write any notes regarding the traffic stop that would be useful to them during a court proceeding on the back of this copy.***
 - (4) ***White Return to Court*** Copy
 - (a) ***If the violation is a payable offense, give this copy to the defendant. It contains vital information pertaining to the defendant's option of appearing for trial or paying the preset fine, thereby waiving their right to a trial.***
 - (b) ***If the defendant is arrested, this copy must be given to the commissioner who will place this copy in the traffic folder for trial.***
 - (5) Blue Defendant's Copy - ***Issued*** to the violator.
- C. Upon issuance of the citation to the defendant the deputy will provide the following information:
- (1) ***If the citation is marked "You Must Appear for Trial", the court will automatically mail a notice of the trial date to the address on the citation. (61.1.4.a)***
 - (2) ***If the citation is marked "This is a Payable Citation", they must comply with one of the payment or plea options within thirty (30) days after receipt of the citation. These options are described on the back of the defendant's copy of the citation. (61.1.4.b, 61.1.4.c)***
 - (3) Any other pertinent information that is needed. ***(61.1.4.d)***

VI. **Electronic Traffic Information Exchange (E-TIX) (61.1.2.b)**

- A. ***E-tix uses an in-car computer based scanning system that allows deputies to scan the bar code on a driver's license during a traffic stop. After entering the violations for which the motorist was stopped, a traffic citation is printed in the Sheriff's vehicle and given to the violator.***
- B. ***The scanner system will initiate a check of the violator's driving record and check for warrants. The deputy can review a color photograph of the driver provided by the Maryland Motor Vehicle Administration to help verify his or her identity.***

- C. *Deputies do not have to write out traffic citations by hand, reducing the possibility for illegibility. This saves time and lessens the danger to the deputy and violator while parked on the roadside. A shorter traffic stop time should also lessen traffic backups due to onlookers.*
- D. *Only deputies who have attended an approved three (3) hour Maryland State Police training program are authorized to use E-Tix. New participants must issue one hundred (100) warnings or conduct sixty (60) days of usage to ensure a solid understanding of the system before they can issue state citations.*
- E. *If available, an E-TIX printer and scanner will be issued by the Property Custodian in compliance with General Operational Procedures 3.05, Issued Equipment/Uniforms to those deputies who are certified through the required training.*

VII. Warnings (61.1.2.c)

Traffic Violation Warnings, *either verbal or written*, may be issued in lieu of a citation at the deputy's discretion. *Written traffic violation warnings are distributed:*

- A. Deputy's Copy - Retained by the issuing deputy
- B. Violator's Copy - Issued to the violator
- C. File Copy - *Placed in the ticket box to be retrieved by the Traffic Coordinator.*

VIII. Re-Examination of Drivers (61.1.12)

A request for the re-examination of a driver who appears to be mentally or physically incapable of safely operating a motor vehicle will be made on a form provided to this office by the Motor Vehicle Administration. Distribution of Request for Re-examination of Driver:

- A. MVA Copies - *Placed in the ticket box to be retrieved by the Traffic Coordinator and delivered to the MVA.*
- B. File Copy - *Placed in the ticket box to be retrieved by the Traffic Coordinator and filed.*
- C. *Deputy's Copy - Retained by the issuing deputy.*

IX. Traffic Collisions

It is not the responsibility of the Sheriff's Office to respond to or investigate any traffic collision. All collision investigations or follow-up activities will be referred to and conducted by the *law enforcement agency having investigative responsibility or jurisdiction*. Deputies who come upon any collision scene will: **(41.2.4, 61.2.3.a)**

- A. Request the appropriate police agency to respond via ECC
- If the collision is a property damage *collision* only and the vehicles are drivable, deputies will direct the motorists to remove their vehicles from the roadway. *Deputies may* provide each motorist with a *Motorist Accident Exchange Insurance Information Form (MCSO99)*, to *aid them in* exchanging insurance information.
- B. Check for injuries, *and if needed*, request *Montgomery County Fire Rescue Services (MCFRS)* and administer *first responder* medical care. **(61.2.3.b)**
- C. Protect the *collision* scene *and, when necessary, be* in charge until relieved by the responding primary police agency. **(61.2.3.a, 61.2.3.e)**
- D. Refrain from collecting any information, evidence or property. This is the responsibility of the investigating officer. **(61.2.3.d, 61.2.3.f)**
- E. Immediately notify ECC of the need for *MCFRS* upon arrival at a vehicle fire or hazardous material spill. Deputies must provide at a minimum: **(41.2.4, 61.2.3.c, 61.3.2.c)**
- (1) Exact location.
 - (2) Number of persons injured.
 - (3) Type of injuries
 - (4) Number and type of vehicles involved.
 - (5) Placard ID numbers on any commercial vehicles.
 - (6) Type of fire or spill and the extent (e.g., fully involved, brake fire, 20 foot pool of gasoline, etc.).
 - (7) Request additional units if needed and provide a safe approach route and any assignment information to those units.
 - (8) If able, affect the rescue of any persons and ensure all individuals are in a safe location at least 100 feet from the vehicle fire or upwind of any spill. Do not approach, walk through, or touch any spilled fluid (including fluid on persons).
 - (9) Isolate and protect the scene, to include keeping law enforcement vehicles clear of the immediate area to allow fire and rescue vehicles clear and free access to the scene.
 - (10) Utilize a fire extinguisher to extinguish small fires.
 - (11) Do not utilize road flares without approval of the *MCFRS* Incident Commander.

- (12) Request ECC to advise Traffic Management Center (TMC) of any prolonged road closures.
- (13) *MCFRS* will assume incident command of the scene upon their arrival.

X. Traffic Direction and Control

- A. The primary duty of traffic direction or control is not a responsibility of the Sheriff's Office. Deputies who encounter any situation requiring direction or control of traffic will notify ECC and request an officer to respond to their location.
 - (1) If the traffic problem is a result of adverse road conditions due to the weather, the deputy will take what appropriate action is necessary to correct the problem, to include having ECC contact county roads to sand or salt the area or closing the road and standing by for the police unit to arrive. **(61.3.2.d)**
 - (2) If a traffic signal is malfunctioning, deputies will advise ECC of the *location of the traffic signal*. If the malfunction poses a direct hazard to the safe and efficient flow of traffic, deputies will manually direct traffic until relieved by the appropriate law enforcement agency. **(61.3.2.e)**
 - (3) At traffic *collisions*, deputies will follow the procedures set forth in Section *IX* of this directive and will provide any traffic direction or control that is needed until the agency assuming jurisdiction arrives. **(61.3.2.a)**
- B. Traffic direction or control can be accomplished through several means, *including but not limited to*: **(61.3.2.a)**
 - (1) The use of uniform hand signals and gestures for manual direction or control. **(61.3.2.b)**
 - (2) Temporary traffic control devices to include: **(61.3.2.f)**
 - (a) The use of flares.
 - (b) Positioning the cruiser to establish a safe traffic flow.
 - (3) The Sheriff's Office does not issue light box keys. The manual operation of traffic lights will be conducted by the appropriate law enforcement agency responding. **(61.3.2.e)**
- C. Deputies *must* wear a reflective vest or jacket while directing traffic. **(61.3.2.g)**

XI. Testifying in Court

- A. A list of pre-assigned court dates is posted on the traffic board located in the Sheriff's Office.
- B. Deputies will be subpoenaed and must attend court when required, unless they have been excused by the court.

- C. If a deputy's court date *occurs during a time of pre-approved leave*, the deputy must notify the court as soon as possible so an alternate court date may be obtained.
- D. All deputies must attend court and testify in uniform. Plainclothes will only be worn by deputies assigned to the Criminal Section.
- E. *Deputies must notify the Traffic Coordinator via email or memorandum noting the case number, defendants name and disposition of the case. The notification must be submitted within seven (7) days of the court date.*

XII. LIDAR system ("Laser")

- A. *The Sheriff's Office utilizes the ProLaserIII infrared LIDAR system ("Laser") as a speed measuring device. (61.1.9.a)*
- B. *The primary function of the laser is to calibrate Sheriff's Office vehicle speedometers. (61.1.9.b)*
 - (1) *Deputies will adhere to the requirements and procedures stated in the Radar/Laser Operator Training Manual.*
 - (2) *When requested by the violator, operators will provide available information on the unit utilized (e.g., serial number, manufacturer, etc.). However, if this request interferes with the ongoing enforcement activity or officer/violator safety, the violator will be referred to the operator's supervisor.*
 - (3) *Risks due to exposure to microwave radiation are almost negligible. Nonetheless, there are some common-sense precautions that should be taken:*
 - (a) *Radar units should not be mounted inside the patrol cars.*
 - (b) *Officers should not place activated radar units on their laps.*
 - (c) *If equipped, the hold mechanism should be utilized so that the signal will not operate continuously.*
 - (d) *An operator should never hold onto the antenna or hold the antenna closer than six inches from the officer's body.*
 - (4) *Laser units are inherently eye safe. However, the following precautions should be taken:*
 - (a) *Avoid staring directly into the laser beam for extended periods of time.*
 - (b) *Avoid staring into the beam within 50 feet while using optical gain devices such as telescope or a pair of binoculars.*

- C. *The use of the laser for traffic enforcement must be approved by the deputy's supervisor and only when the deputy is assigned to a specialized detail or task force which requires the use of the laser. (61.1.9.b)*
- (1) *Laser units will be secured in such a manner to prevent damage during an abrupt movement. When a unit is not connected to a power source, it will be properly stored in the carrying case.*
 - (2) *Operators should not point the laser at the sun or other strong light source.*
 - (3) *The operator will protect the laser's optical surfaces from contacting objects and, when available, will utilize the protective lens cap when the laser is not in use or is being stored.*
- D. *Deputies must inspect the laser prior to use and immediately report any damage to the property custodian. The deputy must complete an incident report MCSO9 detailing the malfunction and place a copy in the Property Custodian's mailbox. The unit will be returned to the Property Custodian, along with the MCSO9, prior to the end of the officer's tour of duty. (61.1.9.c)*
- E. *The laser will be maintained by the property custodian who must ensure that it is calibrated according to the manufacturer's recommendations. (61.1.9.d)*
- F. *Only deputies who have been certified to operate the laser will be permitted to do so. (61.1.9.e)*

XIII. Traffic Coordinator's Responsibilities

The Traffic Coordinator is responsible for:

- A. Forwarding completed citations and transmittal sheets to the District Court Traffic Processing Center and posting deputy's court date assignments.
- B. Assisting the Grants Manager with traffic related grant applications *and providing statistics to assist with reporting for any traffic enforcement grants.*
- C. Keeping statistics on case dispositions.
- D. *Verifying that a Traffic Stop Report MCSO100 has been completed for each stop not documented on an ETIX machine by reviewing paper citations.*
- E. Entering data contained in the Traffic Stop Reports, MCSO100, and Maryland Uniform Complaint and Citations into the appropriate computer databases on a monthly basis. **(82.2.1.e)**
- F. *Utilizing the Delta+ database to prepare a monthly report of stops made and citations issued and forwarding it to the Sheriff via the chain of command. (82.3.3.b)*

- G. *Maintain the SOAV Off Duty Enforcement database.*
- H. Providing Office personnel with traffic enforcement updates and refresher training.
- I. Attending community outreach meetings as assigned.
- J. *Coordinate with section supervisors regarding the calibration of Sheriff's Office marked vehicle fleet.*
- K. Being a liaison *to the* Montgomery County Police Department's Alcohol Enforcement Section (AES).

XIV. *Property Custodian's Responsibilities*

- A. The *Property Custodian* will issue, upon request of a deputy with the rank of DSI or above, the following: **(82.3.4.a)**
 - (1) Maryland Uniform Complaint and Citation Book **(82.3.4.b)**
 - (a) Citations are numbered forms and will not be destroyed. Any damaged or incorrect citations will be turned into the Traffic *Coordinator* with "VOID" written across the citation.
 - (b) *An, Incident Report, MCSO9 must be written for all lost citations and will be reported to the Property Custodian and the Traffic Coordinator.*
 - (2) Traffic Violation Warning Books will not be issued to deputies who have not obtained a Maryland Uniform Complaint and Citation book.
 - (3) Request for Re-examination of Driver Form.
 - (4) Parking Citation books will only be issued at the discretion of the Sheriff. Citations will only be issued for violations occurring within the *Circuit Court* Complex *unless assigned to a specialized detail or task force.* **(61.1.13)**
- B. Maintaining a log of *Maryland Uniform Complaint and Citation* books, *Traffic Violation Warning books and Parking Citation books* issued to deputies. *This* log must contain the following information: **(82.3.4.a, 82.3.4.b)**
 - (1) Book number
 - (2) Name and signature of the deputy
- C. Storing citation and warning books, records and other forms in a locked file cabinet. **(82.3.4.c)**

D. *Duties related to the LIDAR (laser).*

- (1) *Maintaining and calibrating the LIDAR (laser).*
- (2) *Maintain maintenance and calibration records; and*
- (3) *Maintain records of operator training and certification.*

E. *Assume duties of the PBT Coordinator.*

- (1) *Monthly calibration of each Preliminary Breath Test device.*
- (2) *Maintenance of Preliminary Breath Test Logs (MSP104).*
- (3) *Completing and forwarding any required reports to the Chemical Test for Alcohol Unit (CTAU), Maryland State Police.*

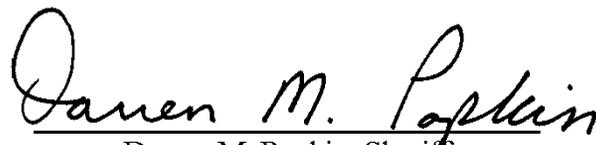
XV. **CALEA Standards**

1.2.6, 1.2.7, 1.2.9.a, 41.2.4, 61.1.2.a, 61.1.2.b, 61.1.2.c, 61.1.3.a, 61.1.3.b, 61.1.3.c, 61.1.3.d, 61.1.3.e, 61.1.4.a, 61.1.4.b, 61.1.4.c, 61.1.4.d, 61.1.5.a, 61.1.5.b, 61.1.5.c, 61.1.5.d, 61.1.5.e, 61.1.5.f, 61.1.5.g, 61.1.5.h, 61.1.5.i, 61.1.5.j, 61.1.5.k, 61.1.5.l, 61.1.6.a, 61.1.6.b, 61.1.6.c, 61.1.7.a, 61.1.7.b, 61.1.7.c, 61.1.8, 61.1.9.a, 61.1.9.b, 61.1.9.c, 61.1.9.d, 61.1.9.e, 61.1.11, 61.1.12, 61.1.13, 61.2.3.a, 61.2.3.b, 61.2.3.c, 61.2.3.d, 61.2.3.e, 61.2.3.f, 61.3.2.a, 61.3.2.b, 61.3.2.c, 61.3.2.d, 61.3.2.e, 61.3.2.f, 61.3.2.g, 82.2.1.a, 82.2.1.b, 82.2.1.c, 82.2.1.d, 82.2.1.e, 82.2.2.e, 82.2.4, 82.2.5, 82.3.3.b, 82.3.4.a, 82.3.4.b, 82.3.4.c

XVI. **Cancellation**

This directive cancels and replaces General Operational Procedures 3.10, Effective Date: *03/31/04* and General Operational Procedures 3.10.C, Effective Date: *03/31/04*.

AUTHORITY:



Darren M. Popkin, Sheriff

08/12/2015