Traffic Function and Responsibility

500.1 PURPOSE AND SCOPE

The goal of traffic enforcement is to reduce traffic accidents and improve the safety and quality of life for the community and motoring public through traffic law compliance and education. This may be achieved through the application of such techniques as geographic and temporal assignment of personnel and equipment, the establishment of proactive patrols to deal with specific categories of unlawful driving behavior, and public education presentations. Traffic enforcement tactics are based on accident data, enforcement activity records, traffic volume, traffic conditions and data related to specific driving behaviors that are a concern to the Department and the community. This department provides enforcement efforts geared towards positively changing driving behavior, reducing accidents, ensuring traffic-related safety and addressing community concerns.

500.2 TRAFFIC ENFORCEMENT DEPLOYMENT

Several factors are considered in the development of deployment tactics for officers of the Fargo Police Department. Information provided by the Department's Intelligence and Analysis Unit (IAU) and the North Dakota Department of Transportation (NDDOT) are valuable resources in determining dangerous driving patterns or high-volume traffic accident locations. Additional factors for analysis include:

- Location
- Time
- Day
- Violation factors and frequency

All officers assigned to the Neighborhood Services Division should be aware of traffic-related concerns within their beat areas and appropriately enforce violations as time allows. Officers assigned to specific traffic enforcement functions or details shall emphasize enforcement of traffic laws and address accident-causing violations during those periods and at those locations where the incidence of accidents or dangerous driving is increased or as assigned. As a matter of routine, all officers shall take directed enforcement action upon request, and proactive enforcement action when appropriate. Officers, supervisors, and command officers should consider using high and low visibility enforcement tactics when addressing traffic and crash issues.

Other factors to be considered for deployment are citizen requests and complaints, construction zones, school zones, or special events.

500.3 ENFORCEMENT

Enforcement actions should correspond with applicable laws and take into account the degree and severity of the violation committed. This department does not establish ticket quotas. The number of arrests or citations issued by any officer shall not be used as the sole criterion for evaluating overall officer performance. The visibility and quality of an officer's work effort should correspond

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with the philosophy of this policy. Several methods are effective in the reduction of accidents, dangerous driving behavior, and driving nuisances.

500.3.1 CITATION ISSUANCE

Members should issue all traffic citations electronically via TRACS. This includes warning citations and violations in which the owner may correct the equipment violation. Department members should no longer issue fix-it citations, and should issue either a citation or warning for the violation. Repeated, uncorrected equipment violations shall be addressed as outlined in this section.

Members shall include the race and sex of the citation recipient on all citations, utilizing their best judgment in determining race and sex.

500.3.2 REQUESTS FOR REGISTRATION SUSPENSION

In furtherance of the Department's traffic mission to reduce accidents, dangerous driving behavior and driving nuisances, officers may request suspension of a motor vehicle's registration if the vehicle is deemed to be unsafe or unfit to be operated or is not equipped as required by law (NDCC §39-04-06 (1)). The Neighborhood Services Division (NSD) commander shall identify specific violations and parameters in which this enforcement mechanism may be employed. Officers requesting registration suspension shall:

(a) Verify that the violation is one approved by the NSD commander.

(b) Ensure the vehicle has been cited for the same violation on at least two occasions and the equipment violation has not been corrected.

(c) Completely fill out the request form available in the Department's SmartForce database.

(d) Forward the request form to the NSD Specialized Services Unit (SSU), Traffic Safety Team (TST) Sergeant.

The TST Sergeant shall:

(a) Review the request for completeness and verify enforcement action.

(b) Prepare and send a written request for registration suspension to the North Dakota Department of Transportation (NDDOT).

(c) Track the request in order to identify if the violation is corrected or the registration is suspended.

(d) Ensure that when a registration is suspended, the information is disseminated via the Department's SmartForce database for appropriate enforcement action and an alert is placed into New World mobile.

(e) Provide a quarterly report on these efforts to the NSD commander.

(f) Notify the NDDOT of violations that have been corrected and rescind any previous suspension request for that specific violation.

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500.3.3 INSPECTION AND NOTIFICATION OF CORRECTED EQUIPMENT VIOLATIONS
Requests to inspect and confirm cited motor vehicle equipment violations may be completed by any sworn member and should be completed as time and staffing allows. If a request is made at a time in which a sworn member is not available to inspect, an appointment should be scheduled as soon as possible to complete the inspection. Upon successful completion of an inspection, the member shall notify the TST Sergeant who shall notify NDDOT.

500.4 HIGH-VISIBILITY VESTS

The Department provides American National Standards Institute (ANSI) Class II high-visibility vests to reduce the danger to members who may be exposed to hazards presented by passing traffic, construction vehicles and disaster recovery equipment (23 CFR 655.601).

Although intended primarily for use while performing traffic-related assignments, high-visibility vests should be worn at any time increased visibility would improve the safety or efficiency of the member.

500.4.1 REQUIRED USE
Except when working in a potentially adversarial or confrontational role, such as during vehicle stops, high-visibility vests should be worn any time it is anticipated that a member will be exposed to the hazards of approaching traffic or construction and recovery equipment. Examples of when high-visibility vests should be worn include traffic control duties, accident investigations, lane closures and while at disaster scenes, or anytime high visibility is desirable. When emergency conditions preclude the immediate donning of the vest, officers should retrieve and wear the vest as soon as conditions reasonably permit. Use of the vests shall also be mandatory when directed by a supervisor.

Vests maintained in the Criminal Investigation Division should be used any time a plainclothes officer may benefit from being readily identified as an officer.

500.4.2 CARE AND STORAGE OF HIGH-VISIBILITY VESTS
High-visibility vests shall be maintained in the cargo area of each patrol and investigation unit vehicle, in the side box of each police motorcycle and in the saddlebag or gear bag of each bicycle. Each vest should be stored inside the re-sealable plastic bag that is provided to protect and maintain the vest in a serviceable condition. Before going into service, each employee shall ensure a serviceable high-visibility vest is properly stored in the vehicle.

Additional high-visibility vests will be maintained in the equipment room for replacement of damaged or unserviceable vests. The Department's quartermaster should be promptly notified whenever the supply of vests in the equipment room needs replenishing.

500.5 REVISION DATE 08/15/2024

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