



**Las Cruces Police Department
GENERAL ORDERS
FIELD OPERATIONS VOLUME 2
GO-271 TRAFFIC ENFORCEMENT
Revised 5/13/2005**

271 TRAFFIC ENFORCEMENT

POLICY

It is the policy of the Las Cruces Police Department to continuously seek a reduction in traffic crashes through uniform enforcement of traffic law violations, city traffic ordinance violations, and any other applicable law to aid in the safe and expeditious flow of vehicular and pedestrian traffic. Although the Department maintains a specialized Traffic Unit, every officer of the Department shares the responsibility for traffic enforcement just as every officer assigned to the Traffic Unit has the duty to enforce criminal laws.

271.01 TRAFFIC ENFORCEMENT - GENERAL

Officers shall take appropriate enforcement action whenever a traffic violation is detected. This includes provable violations determined through crash investigation as well as violations observed by the officer.

Juveniles involved in traffic offenses, with the exception of arrestable traffic violations such as DWI, Reckless Driving, etc. will be cited using the same citation procedures applied to adults.

Military personnel and non-residents who commit traffic offenses will be cited in the same manner as any other traffic violator.

Handling of Foreign Diplomats or Consular Officials shall be in accordance with General Order 242 "Diplomatic and Legislative Immunity".

Parking regulations shall be enforced as defined in the Uniformed Traffic Ordinance manual.

271.02 HAZARDOUS CONDITIONS REQUIRING IMMEDIATE ATTENTION

Any officer learning of or observing any hazardous conditions requiring immediate attention or repair shall notify dispatch. Dispatch will ensure prompt notification of appropriate agencies (such as street / highway departments and / or public utilities) to effect emergency repairs or restore essential services and assist in removal of debris from the roadway.

271.03 PROBLEM CONDITIONS



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Problem conditions may exist which enforcement action cannot correct such as design or engineering deficiencies. In such cases, officers should report minor maintenance problems such as downed signs and inoperative lights to dispatch for notification of the appropriate agency or department.

271.04 TRAFFIC STOPS

Complete rules of procedure for traffic stops are not possible as situations vary widely. Some general guidelines, however, if combined with law enforcement experience and common sense, can reduce the risk to officers and violators.

Officers in marked vehicles conducting traffic stops should attempt to direct the violator to a suitable stopping point. The following should be taken into consideration when conducting traffic stops:

LOCATION. When choosing a location to stop the violator, keep in mind lighting conditions, visibility to other motorists, traffic flow, and escape routes. If the violator does not stop in accordance with directions given, the violator can be asked to move the vehicle to a more appropriate location after the initial contact.

Care should be taken to avoid blocking private driveways and access to business or residential areas by a traffic stop whenever possible. If this is not possible, the officer should make reasonable efforts to minimize any inconvenience to residents or businesses.

If a traffic contact must be made at a hazardous location, the officer should assist the driver safely back into the roadway upon completion of the contact.

VEHICLE POSITIONING. Officers should park behind and slightly to the left of the violator's vehicle whenever possible, thereby providing cover in the event of a sudden confrontation. Additionally, this provides a protected space from other traffic when making contact with the violator.

USE OF EMERGENCY LIGHTS. Emergency lighting should be as a warning to other motorists whenever possible. Emergency lighting is also useful in marking the stop location if emergency assistance is needed.

During hours of darkness, all available lighting should be used to illuminate the interior of the violator's vehicle as much as possible.



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DISPATCH NOTIFICATION. All officers shall notify dispatch of their location and provide vehicle registration plate information and / or a description of the vehicle before contacting the violator.

DRIVER CONTACT. Upon initial contact, officers should identify themselves, inform the violator of the reason for the stop, and request the violator's driver's license, vehicle registration and proof of insurance. The officer should complete the contact quickly and without unnecessary delay.

271.05 IMPAIRED DRIVERS

There are many possible influences on a violator's behavior, including alcohol, drugs, or emotional problems. With this in mind, the following guidelines should be adhered to when contacting a traffic violator.

Any officer who contacts a driver suspected of driving under the influence of alcohol or drugs shall assess the driver's ability to operate the motor vehicle safely before the driver is released. The officer will utilize Standardized Field Sobriety Testing for this assessment. It is the officer's responsibility to maintain proficiency in administering these evaluations. If the driver is arrested for traffic offenses related to alcohol or drugs, the officer will comply with state motor vehicle laws, regulations, and Departmental procedures when processing the driver for that offense.

If the officer is unable to determine whether the person is intoxicated, mentally distressed, or fatigued, the officer should use discretion in making alternate arrangements for the person to prevent driving before impairment recovery.

The officer shall also make arrangements for proper disposition of any intoxicated passengers.

271.06 WARNINGS

Although it is each officer's responsibility to recognize a violation and to take enforcement action, proper enforcement action may consist of a citation, written warning, or verbal warning.

271.07 TRAFFIC CITATIONS

The purpose of enforcing traffic laws is to affect the violator in such a manner as to reduce the chances of future violations thereby making roadways safer and reducing traffic crashes.



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A. COMPLETING AND ISSUING TRAFFIC CITATIONS FOR MOVING VIOLATIONS

1. Officers should explain the court appearance requirements even though these requirements are printed on the citation. Unsafe vehicles shall be cited, and the driver shall be advised to discontinue use of the vehicle until it is repaired or properly equipped. Unsafe vehicles may be impounded if on the roadway and conditions warrant.
2. When issuing traffic citations, officers will obtain and enter all information called for on the citation. Citations will be completed legibly in black ink and with enough force to mark all copies. The Essential Facts section must contain enough information to establish the element of the offense.
3. Traffic citations will be signed out from each respective shift or unit, and once issued, disposed of as follows:
 - a. White court copy – Municipal Court box
 - b. Yellow abstract copy – Municipal Court box
 - c. Defendant's blue copy – Defendant
 - d. Agency's pink copy – Officer copy

All voided citations must be marked VOID and include the reason, date, and officer's signature. Once issued to individual officers by the respective shift or unit, citations or citation books (to include DWI citations) will not be transferred or loaned to other officers.

4. Instructions to the defendant will include an explanation of the violation, options for penalty assessment or in-court appearance, and instructions on how the defendant must comply with the citation.
5. Parking citations shall be placed on the front windshield under the wiper blade or in another conspicuous location.
6. The penalty assessment list from the Municipal Court will be reviewed and distributed by the Traffic Unit to other shifts and units of the Department on a regular basis.

B. NOTES ON TRAFFIC CITATIONS:



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Officers issuing a traffic citation should make specific notes about the violation for future use in court:

1. Details of the violation itself.
2. Pertinent remarks of the driver.
3. Characteristics of the driver which may assist in court identification.
4. Officer's location and direction of travel when violation was observed.
5. Any other pertinent details.

C. REFUSAL OF VIOLATOR TO SIGN CITATION

When a traffic violator refuses to sign a citation, the officer should make it as clear as possible that in signing the citation, the driver is not admitting guilt but only promising to appear in court. Refusal of the violator to sign the citation will result in the violator's arrest.

Officers dealing with a traffic violator refusing to sign a summons or penalty assessment notice shall write "Refused to Sign" on the defendant's signature line and serve the violator the appropriate copy.

271.08 DRIVER'S LICENSE VIOLATIONS

If the traffic violator does not have a driver's license in his / her possession and no record of a valid license is found, officers should exhaust all reasonable means of determining the license status of the violator. In the event status cannot be determined or the violator is not properly licensed to drive, the violator should not be allowed to drive any further.

In the course of an officer's related activities, the officer may identify certain individuals with a physical or mental condition that prevents or limits the individual from exercising adequate care and / or operation of a motor vehicle. In cases where the officer finds it necessary to request administrative action from the New Mexico Motor Vehicle Division, the officer will write a letter on Departmental letterhead to the Motor Vehicle Division providing the name, driver's license number and facts and circumstances surrounding the request. The officer should include any official report related to the action or incident for which the motorist was contacted. The actual or suspected impairment should also be



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documented. The letter will be reviewed and approved by a Traffic Unit supervisor prior to mailing.

271.09 TRAFFIC DIRECTION - CONDITIONS AND RESPONSIBILITIES

During special events or unusual occurrences, the direction of traffic at a location may require traffic signal operations to be modified. To facilitate traffic flow, the City Streets Department can be called out to modify a traffic signal or place appropriate traffic control devices to facilitate traffic movement or re-route traffic at a control point. The on-scene supervisor or special events coordinator will be responsible for determining if such measures are warranted.

Officers have discretion to remove traffic control devices and place them out of traffic lanes for later pickup.

271.10 TRAFFIC DIRECTION - HAND SIGNALS AND GESTURES

When conducting manual traffic direction and control, Departmental personnel will utilize uniform hand signals and gestures that will not confuse vehicular or pedestrian traffic. To assure standardization, personnel will use only the techniques approved through the Training and Recruiting Unit for traffic direction and control.

- A. All Departmental personnel when directing vehicular traffic shall wear a Department issued reflective vest to increase officer safety and recognition by drivers.

271.11 OPERATION OF RADAR AND LIDAR UNITS

Officers using radar and LIDAR units for speed enforcement will have at least sixteen hours of training before using these units in the field.